

## Darryl Hunt, The NAACP, And The Nature Of Evidence

By William L. Anderson

One of the central issues in the Duke Non-Rape, Non-Kidnapping, and Non-Sexual Assault case has been the absence of what some might call “evidence” that demonstrates even minimal contact between the accuser, Crystal Gail Mangum, and the three former Duke student athletes, Reade Seligmann, Collin Finnerty, and David Evans. While the State of North Carolina still insists that these three young men beat and sexually assaulted Mangum, many of us are arguing that evidence should matter. Enablers of the state, however, declare that evidence matters only when they want it to matter.

One of the loudest voices demanding that the three young men go to trial has been the North Carolina NAACP. In an earlier article, I likened what the NAACP has done in this case to what occurred during the Jim Crow era. I had hoped that in the four months since I wrote those words, the North Carolina NAACP would be willing to look at the exculpatory evidence and see that this case truly is a hoax.

Instead, the NAACP has become even more shrill in its rhetoric. For example, even though the first Duke prosecutor Michael B. Nifong dropped rape charges, the NAACP in its website still insists that the three young men raped Crystal Gail Mangum.

As I noted in my previous article, the NAACP has gone against literally everything it has urged be established law, and has even gone against its own record for cases like this. To provide an example, I will tell the story of Darryl Hunt, who was wrongly convicted in a North Carolina court for rape and murder and served nearly 20 years in prison before being exonerated and ultimately pardoned by Governor Mike Easley in 2004.

I will say up front that I approve of the release

### All Charges Dismissed Against The Duke Lacrosse Three

North Carolina Attorney General Roy Cooper announced on April 11, 2007, that all charges were being dismissed against the Duke Lacrosse Three — Reade Seligmann, Collin Finnerty, and David Evans. It has been estimated that the families of the Duke players falsely accused by Crystal Gail Mangum spent over a million dollars in legal fees.

and exoneration of Hunt, who through the Innocence Project and the urging of the NAACP finally was released, although even though it was obvious

he was not guilty, the state’s prosecutors nonetheless (and not surprisingly) dragged their feet. My purpose in using his example is twofold. First, we have to understand that wrongful convictions exist, and there is no excuse for them. None. One rarely, if ever, finds a wrongful conviction where there was not prosecutorial misconduct or a refusal to look at other evidence, no matter how compelling it might be. Second, I wish to point out the terrible inconsistency that the North Carolina NAACP has demonstrated in its demands that Seligmann, Finnerty, and Evans be tried and convicted for something that never happened. At least there was a dead body in the Hunt case.

Invariably, as one looks at what happened during the course of an “investigation” and trial that has led to a wrongful conviction, there always are gaps, many of them huge, in the “evidence” that ultimately (and wrongfully) swayed a jury that all too often wanted to be swayed in the first place. And that is what happened to Darryl Hunt. Here, briefly, is his story.

On the morning of August 10, 1984, Deborah Sykes, a white copy editor at the *Winston-Salem Journal* was walking to work after parking her car two blocks away. Witnesses later said they saw two black men walking with her, but no one at the time suspected anything was happening. In fact, somewhere between her car and the newspaper office, Sykes was raped and murdered, stabbed 16 times.

I remember when the crime occurred because she had only recently left the newspaper in Chattanooga where I had my first real job after being graduated from college. Sykes was tall, attractive, and well-liked, and her brutal rape and murder shocked not only people in North Carolina, but also those who knew her from Chattanooga.

Ultimately, police arrested Darryl Hunt, who at the time was 19, black, and jobless and not looking to go anywhere in life. He did not have a criminal record, but neither did his life show any real promise at that time. Like so many police investigations of such a brutal crime, there was strong community pressure to “solve” it, and, more specifically find the suspects who could be charged. As medical science later would show, the rapist and mur-



Darryl Hunt

## Darryl Hunt Settles With City For \$1.65 Million

The city of Winston-Salem, North Carolina announced on February 19, 2007, that it had agreed to pay \$1.65 million to Darryl Hunt to forestall him filing a federal civil rights lawsuit against the city for his 18 years of wrongful imprisonment for murder. The settlement was midway between the \$2.6 million sought by Hunt and the \$500,000 the city had been offering. The city council also formally apologized to Hunt for his ordeal.

In 1985 Hunt was sentenced to life in prison after being convicted of murdering 25-year-old Deborah Sykes in August 1984. After his conviction was overturned he was retried in 1990, and again convicted and sentenced to life in prison. In December 2003 another man was matched to the crime scene DNA and he confessed to Sykes’ murder. The charges were dismissed against Hunt on February 6, 2004. Governor Mike Easley granted Hunt an unconditional pardon on the basis of his actual innocence, on April 15, 2004.

The state of North Carolina paid Hunt \$358,545 in 2004 based on the state’s compensation law providing \$20,000 for each year of wrongful imprisonment. The payment precluded Hunt from suing the State, but it didn’t bar a suit against Winston-Salem or its police department.

Hunt’s case is the subject of the documentary, *The Trials of Darryl Hunt*, that was among the final fifteen candidates for consideration for the 2006 Academy Award for Best Documentary. The documentary’s official website is, <http://www.breakthrufilms.org>



derer left his calling card all over the body with his DNA, but it would be more than a decade before such testing became reliable, so there was no way that DNA could convict – or acquit – Hunt when he went to trial in 1985.

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