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Message From The Publisher

The two feature articles in this issue illustrate the inadequacy of this country’s state and federal direct appeal and post-conviction processes to give due consideration to claims of actual innocence. There is no evidence that Kevin Gunn (see p. 3) and Derrick Hamilton (see p. 10) are anything but actually innocent. In any number of countries — Norway, Scotland and England among them — both men would have long ago been released and compensated for their respective ordeal. While in the United States they continue to languish in prison.

Two Michigan women were fortunate the state appeals court tossed their robbery convictions that were based only on speculation, and that they successfully sued for compensation. (see p. 8) In contrast Kirstin Lobato has twice been convicted of a Las Vegas murder based only on speculation she might be guilty, and she remains imprisoned. (see p. 18)

Justice:Denied has published a number of stories about men victimized by a false rape charge. (see p. 19) That isn’t surprising considering that a study found 41% of rape reports are false. (see p. 15) Research also suggests more than half of all rape accusations by college women are of a non-existent or a consensual encounter. So the fabricated Duke University lacrosse rape case was not abnormal. (see *JD* Issues 35, 38 and 39)

Excessive sentencing is an important issue in this country, but confining a person for life *after* completion of their sentence borders on insanity. Yet that is what has happened to Kevin Coe, whose case was featured in *JD* Issue 25 (Summer 2004). (See *JD* Editorial on p. 20)

Kudos to Washington Supreme Court Justice Richard Sanders for standing up during a November 20 Washington DC speech by US Attorney General Michael Mukasey and saying, “Tyrant! You are a tyrant!” Five days later Sanders issued a statement in which he explained, “I felt compelled to speak out. I believe we must speak our conscience in moments that demand it, even if we are but one voice.”

Hans Sherrer, Publisher

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Justice: Denied’s logo represents the snake of evil and injustice climbing up on the scales of justice.

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