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Dying to Kill a Black Man
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There was genuine jubilation for the court-ordered temporary postponement of Reggie Clemons' execution date last week. The announcement of the stay came the day after actor and human rights activist Danny Glover changed his filming schedule to come to St. Louis on Reggie's behalf. Glover has been a stalwart champion of the case for years. He has called it a "textbook case of reasonable doubt".

The stay of execution mainly allows for the 8th Circuit Court of Appeals to rule on the way the State of Missouri carries out executions; it doesn't address the nagging issues in Reggie's case. Still, justice-loving people exhaled a collective sign of relief when the decision was announced.

Reggie Clemons was convicted and sentenced to death in the 1991 incident known in the St. Louis area as the Chain of Rocks Bridge case. Reggie and his three co-defendants were tried as accomplices to murder because under Missouri Law, the whole crew can be charged with murder—even if no one is ever accused of the actual murder. That's exactly what happened in this case and became a convenient law to score four convictions instead of one. A shrewd and corrupt prosecutor tried the cases individually and used conflicting testimonies to implicate other co-defendants. The perfect storm of poor legal defense, police torture to get confessions, prosecutorial misconduct that so often comes together in cases of wrongful convictions was manifested in the case.

About the same time that the news of Reggie's stay came, I read about Shannon Finley and Charles Crostley being released from prison as free men in Paris, Texas. Finley and Crostley, both white, were arrested and charged in the gruesome death last fall of Brandon McClelland, a 24 year old African-American man. Finley is alleged to have deliberately hit McClelland and dragged him until his mutilated and dismembered body finally dislodged from the pick up truck. Pieces of McClelland's skull were found three days later along the country road. (No, this is not the infamous Byrd case in Jasper, TX—this is another one!)

Finley and Crostly originally swore they had nothing to do with the incident yet they immediately washed the truck to get rid of any incriminating evidence. Despite their best devious efforts, blood and other evidence was found on the truck. They were arrested and charged with murder. Sounds like a slam dunk, doesn't it?

Oh, no. An unnamed truck driver recently came forward who thinks he may have accidentally hit McClelland that fateful night. The unnamed Bubba won't be charged for because there was no crime; it was an unfortunate accident. The prosecutor promptly dismissed the murder charges against the Finley and Crostly.

Reggie Clemons' 18 year nightmare through the judicial system is rife with injustices reminiscent of Southern-style justice. Reggie was accused but never convicted of rape. Linking the rape of white girls to black youth made for titillating media coverage and jury influence for Prosecutor Nels Moss who was running for Circuit Attorney at the time. To this day, the Chain of Rocks Bridge tragedy raises more questions than the courts ever tried to answer.

Back in Texas, we find out that Finley has gotten over on the courts system before. Five years earlier, he accidentally shot his "friend" three times while trying to shoot two gun-toting black men who were trying to rob them. It probably was the same two black men who Bonnie Sweeten said abducted her and her young daughter a couple of weeks ago in Philly. Authorities later found Sweeten kicking it up in Disney World.

It appears that Finley gets the hook up whenever he needs it. His court-appointed defense attorney for that 2003 "accidental" death is now the district attorney who dropped the charges in the McClelland death. District Attorney Gary Young saw no need to recuse himself. Missouri Governor Jay Nixon who was the state attorney general pushing for Reggie's execution also believes he can still be fair and objective wearing his new hat.

American-style justice works if you're white, if you have political connections or money, and if your victim is poor or black. In a court of law, the main difference between Shannon Finley and Reggie Clemons is the color of their skin. Ditto with Tom Cummins. Cummins originally confessed to the murders of his two cousins and was charged accordingly. Somewhere along the way, Cummins went from being to prime suspect to the State's star witness. The prosecutor wants us to believe that Clemons, who had no criminal record, went from being a happy-go-lucky kid to a murderer. Unfortunately, Moss was able to convince twelve, mainly white jurors, that such a transformation had indeed occurred.

Racism, class, politics, economics, a corrupted judicial system, and police abuse can cut down an innocent black man's life but be the very same factors that are used to save a guilty white man. Our responsibility as a civilized country is to ensure equal protection under the law for all citizens be they suspects or victims. Otherwise, we can count on the Reggie Clemonses, the Troy Davises, the Mumia Abu-Jamals and others from our communities being devoured by a system that suffers from self-admitted blindness.

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