

The BLACK C o M M e n t a t o r

An independent weekly internet magazine
dedicated to the movement for economic justice,
social justice and peace - Providing commentary,
analysis and investigations on issues affecting
African Americans and the African world.

www.BlackCommentator.com

Dec 13, 2012 - Issue 498

Why is Anthony Fletcher on Pennsylvania's Death Row?

The Color of Law

By David A. Love, JD

BC Executive Editor

There was no movie made about Anthony Fletcher, but there should be one.

Although we don't know for certain how many innocent people sit on Pennsylvania's death row, we do know that six innocent men have been exonerated in the Keystone state over the past 30 years. Those who are condemned to death in Pennsylvania are disproportionately from Philadelphia, and [overwhelmingly black and Latino](#), with the highest proportion of racial minorities of any death row population in the U.S.

One of those Philadelphians is [Anthony Fletcher](#), prisoner #CA1706, who has been on death row for two decades. Fletcher should be a free man today. And if there is justice, he will be a free man.

An honorably discharged Army vet who had learned to box in Germany and became a lightweight prizefighter, Anthony "Two Guns" Fletcher came from a boxing family. His uncles were fighters, and his mother Lucille was the first African-American female boxing judge in Philadelphia. Anthony was the sparring partner for [Sugar Ray Leonard](#) in preparation for his win over Marvin Hagler, and [made a name for himself](#) by [beating such greats](#) as Ray "Boom Boom" Mancini, Harry Arroyo, Johnny Bumphus, Jimmy Paul and Livingstone Bramble. But a detached retina and a bout with Bell's Palsy slowed down his career.

Now Fletcher is in the fight of his life, a fight to prove his innocence, and a fight against an out-of-control justice system. And for years in Fletcher's hometown of Philly, under the reign of the infamous district attorney, Lynne Abraham, that system kept tallies on expendable black men, aiming to win rather than seeking true justice.

Fletcher, then 37, was sentenced to death in 1993 for the robbery and murder of Vaughn Christopher. Christopher, 26, a [crack addict](#), suffered two gunshot wounds. Fletcher does not deny that he was at the scene, but maintains he was [railroaded](#). The devil is in the details, and those details point to a grave injustice.

Based on the [account by Fletcher](#) and people close to the case, Christopher had robbed Fletcher at gunpoint for \$50. Weeks later, Fletcher saw Christopher from a distance while driving in his car, confronted him regarding the stolen money and punched him. Vaughn [pulled out a gun](#) from under his shirt. Fletcher quickly placed his hands on Vaughn's forearm in an act of self-defense. The gun discharged, two bullets struck Vaughn in the thigh and abdomen and he fell to the ground.

Christopher's injuries were not life-threatening. Yet he bled for hours in the University of Pennsylvania Hospital, and died because his mother, a Jehovah's Witness, refused a blood transfusion.

The D.A. said it was a homicide, and sought the death penalty for Fletcher. Lynne Abraham, who was known as "America's Deadliest D.A." for her overzealous use of the death penalty, did not pass up the opportunity in what was, at best, a case of self-defense, and as worst a simple assault if not an accident.

Fletcher maintains this was payback, given that Abraham wanted Fletcher to testify at a murder trial, in which a member of the Junior Black Mafia was tried for firing into Fletcher's car and killing his cohort. Anthony - who ducked to save his life and says he never saw the shooter - attended the trial but changed his mind about testifying.

The prosecution painted Fletcher as a coldblooded drug dealer who murdered Christopher over a drug debt. Their case rested on the eyewitness testimony of Natalie Renee Grant, a self-professed addict who had a long criminal record. She testified that the incident stemmed from a drug deal and that Fletcher murdered Christopher execution-style and fled the scene. Anthony's bungling defense failed to challenge Grant's unsubstantiated hearsay testimony. Meanwhile,

Grant – who was facing prostitution and theft charges - was given probation in exchange for her testimony.

Fletcher's witnesses were barred from testifying.

No gunpowder test was performed on Christopher's clothes, which the police misplaced, and his weapon was never admitted as evidence to prove it contained Anthony's fingerprints. Surely, had there been fingerprints, the prosecution would have used such evidence against him.

There were other problems with the case. For example, Fletcher and his supporters maintain the prosecution used as evidence falsified hospital records and an autopsy report containing photos of two African American men both purported to be Vaughn Christopher.

In addition, the prosecutor claimed Anthony's nickname was "Two Guns" because he carried two guns on the street, a fallacious claim his defense lawyer failed to challenge. The defense also declined to allow his client to take the stand.

Further, the prosecution claimed Fletcher shot Christopher once in the thigh and once in the back, which does not square with the autopsy report. And Hydrow Park, the Chief Medical Examiner who conducted the autopsy, did not testify because the D.A. said he was unavailable and failed to notify him of the trial date.

Park's underling, [Ian Hood](#), who was unlicensed in Pennsylvania and disciplined by the state board for pretending he was a licensed medical doctor, took the stand instead. Hood, who testified there was no physical struggle despite the bruise on Christopher's chest, recanted his testimony in 2003.

Meanwhile, Common Pleas Judge John Milton Younge vacated Anthony's sentence in 2004 and [ordered a new trial](#), citing as prejudicial the failure of Dr. Park to testify, [Dr. Hood's erroneous testimony](#) - which was contradicted by the autopsy report that proves Fletcher's innocence - and ineffective defense counsel. But the retrial never occurred, as Judge Younge pursued a Superior Court seat and the court failed to find a replacement judge. The D.A. appealed the decision, and four years later, the state Supreme Court ruled against Anthony Fletcher.

Allegations of missing and fabricated evidence, sketchy witnesses, prosecutorial misconduct and [crappy lawyering](#). Don't forget racial overtones. These are some of the essential ingredients of the death penalty. And this is what put Anthony Fletcher and others on death row in Philly and elsewhere around the country.

BlackCommentator.com Executive Editor and Columnist, David A. Love, JD, is the Executive Director of [Witness to Innocence](#), a national nonprofit organization that empowers exonerated death row prisoners and their family members to become effective leaders in the movement to abolish the death penalty. He is, is a graduate of Harvard College and the University of Pennsylvania Law School. and a contributor to [The Huffington Post](#), [the Grio](#), [The Progressive Media Project](#), [McClatchy-Tribune News Service](#), [In These Times](#) and [Philadelphia Independent Media Center](#). He also blogs at [davidalove.com](#), [NewsOne](#), [Daily Kos](#), and [Open Salon](#). Click [here](#) to contact Mr. Love.



Copyright © 2002-2012
www.BlackCommentator.com
All Rights Reserved