

Gov. Bill Haslam exonerates Wilson County man wrongfully convicted of rape

Andy Humbles, USA Today Network – Tennessean 12.20.17

Gov. Bill Haslam on Wednesday exonerated a Wilson County man released from prison in 2009 after a court overturned a 1978 conviction for rape and burglary in Memphis because of DNA evidence.



Lawrence McKinney, 61, had his record expunged after his release from prison, where he spent more than 31 years.

But McKinney was continually frustrated in attempts to achieve the executive exoneration from the governor necessary to file for compensation with the Tennessee Board of Claims.

"I never doubted it because God is in control," McKinney said in Lebanon alongside his attorneys

David Raybin and Jack Lowery Sr. "You can't be surprised when you serve the Lord."

The Tennessee Board of Parole voted unanimously against recommending exoneration for McKinney in 2016. At the time, at least one parole board member questioned the completeness of the DNA evidence that cleared McKinney.

It was McKinney's second time to apply for executive exoneration. The parole board recommended against it shortly after his release and then-Gov. Phil Bredesen did not act on the application.

The governor is not bound to follow the parole board's recommendation and can either grant, deny or choose not to act on an executive clemency request. It was Haslam's first exoneration.

"Though the facts of this case are complex and reasonable minds may draw different conclusions from them, ultimately I respect the determinations of the Shelby County Criminal Court and District Attorney General that Mr. McKinney was not guilty of the crimes for which he was convicted and would not have been prosecuted if the DNA testing results had been available at the time of trial," Haslam said in a statement.

"In the eyes of the judicial system, Mr. McKinney is innocent. While I appreciate the hard work and recommendations of the Board of Parole, in this case I defer to the finding of the court charged with determining Mr. McKinney's guilt or innocence."

McKinney had the support of state legislator Mark Pody, Pastor John Hunn of Immanuel Baptist Church in Lebanon and his attorneys.



Raybin anticipates filing for compensation next week and will seek the maximum amount. He is confident McKinney will receive the entire amount. Raybin estimated a ruling in the next several months, he said.

The compensation, if awarded, would enable McKinney to have a home of his own with his wife, Dorothy, and be able to travel, which probably would include mission trips, Hunn said.

"This gives me a little bit of hope," Hunn said of the exoneration. "I'm proud to be a Tennessean today."

McKinney spoke about the time he lost in prison, and was most emotional about not being able to see his mother grow old.

"Money will never compensate him for what has happened, but the exoneration from the governor is more valuable than any money could be," Raybin said. "Because it vindicates him."

The Tennessee Black Caucus of State Legislators has made criminal justice reform a priority and applauded the governor's ruling.

"Mr. McKinney will never be able to regain the years of his life that he lost due to wrongful prosecution, but exoneration is a step in the right direction," said Rep. Raumesh Akbari, D-

Memphis. "The Tennessee Black Caucus of State Legislators will continue to fight for justice, fairness and smart criminal justice reform across Tennessee."

Pody, R-Lebanon, has been an advocate for McKinney and drafted a bill that seeks to eliminate the need for the governor's approval and enable anyone who has spent at least 25 years in prison and is cleared through DNA evidence to go directly to the Tennessee Board of Claims.

That bill passed a subcommittee vote and was scheduled to go before the full House Criminal Justice Committee. But Pody, who won a special state Senate election on Tuesday, didn't have the support to move the bill forward, which led him to put the bill on hold to keep it alive.