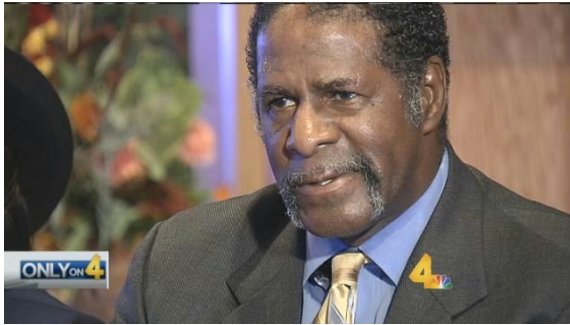


Parole board says wrongfully imprisoned man has not proven his innocence

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Reported by Dennis Ferrier



Lawrence McKinney spent 31 years in jail before DNA evidence cleared his name.

Lawrence McKinney was released from prison when DNA evidence cleared him, but the Tennessee Board of Parole said he has not proven that he is innocent.

When McKinney's supporters attempted to get him the maximum \$1 million compensation from the state for 31 years of imprisonment, that effort was blocked by the parole board.

McKinney was convicted of rape in 1978 after he was identified by the victim. The Innocence Project later cleared him of any involvement and he was released in 2009.

McKinney's work ethic and lack of bitterness earned him a huge following. Immanuel Baptist Church and Pastor John Hunn became champions.

Hunn said McKinney never asked for compensation, but the church insisted he try. The parole board did not recommend his exoneration to then Gov. Phil Bredesen.

David Raybin and Jack Lowery represented McKinney.

"I feel ... that this was one of the worst rulings of my entire career. It was so wrong," Raybin said.

"The judge, the DA, everybody agreed this was an injustice. I had all of that."

The parole board standard is that McKinney had to prove he was innocent. With a 30-year-old crime, it's difficult to prove innocence. The board voted unanimously to not suggest exoneration. In 2005, McKinney had his first parole hearing in 29 years. At that time, he said he was part of the crime.

Raybin said that is standard procedure because no one is paroled unless they admit they committed a crime. He said McKinney followed good legal advice by saying he was part of the crime.

Raybin said that 2005 parole hearing is irrelevant because he advises all clients to admit guilt at parole, whether or not they committed the crime. He said the problem is the exoneration process makes people prove they are innocent.

“It is an insurmountable burden,” Raybin said. “I have been doing this for 40 years. I walked in there with a burden I just couldn’t carry.

“I’m litigating something that is 30 years old. The witnesses were gone, all kinds of evidence disappeared,” Raybin added.

Channel 4 asked to interview the parole board members who voted unanimously to not recommend exoneration. We were told they are like judges and cannot do interviews because they may have to hear the case again.

Pastor Hunn is asking for a new hearing. He is also writing a letter asking Gov. Bill Haslam directly to grant clemency based on evidence.

The law says the governor can grant exoneration if the governor finds the person did not commit the crime.

Hunn said it is important to note that McKinney has never asked for money. His friends are asking for compensation for him.

The letter will reportedly be hand-delivered to Haslam next week.

The governor’s office had no comment on the issue Wednesday. They said they would get back with Channel 4 next week.

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