

Shawn Hawkins: a grave risk of executing an innocent man

Shawn Hawkins (“Shawn”) was convicted of the 1989 murders of Diamond Marteen and Terrance Richard and sentenced to death. After a brief investigation, Shawn was arrested and charged with the murders despite very thin evidence gathered by investigators.

Since the time of the trial and investigation, serious questions remain unanswered which raise doubt about the validity of Shawn’s conviction. Further, new evidence strongly suggests Shawn Hawkins was not responsible for the murders for which he was convicted.

We deeply sympathize with the family and friends of Terrance Richard and Diamond Marteen for the loss they have endured and continue to endure. We keep them in our thoughts and prayers.

Unreliable testimony

- The prosecution’s only eye witness, a 16 year-old named Henry Brown (“Junior”), was a suspect in the killings. Junior told multiple tales of what happened that night and failed two lie detector tests.
- The prosecution eventually granted Junior full immunity in exchange for his testimony implicating Shawn.
- During the appeals process, Junior recanted his testimony before the US District Court, claiming that Shawn Hawkins was not present during the murders. At one point, Junior confessed to his own involvement in the homicides.

Questionable evidence

- The state had difficulty putting its case together.
- The state’s physical evidence consisted of one partial fingerprint, now known to be of questionable validity.
- The state’s fingerprint expert exaggerated the identifiable markers on the partial fingerprint in an attempt to bolster the state’s case.
- No murder weapon was ever found or introduced into evidence.
- No money was found or introduced into evidence in relation to the alleged aggravated robbery.
- At trial, the prosecution improperly insinuated Shawn confessed to the murders to a jailhouse snitch whom the prosecution failed to bring as a witness. The snitch had in fact offered to provide favorable testimony for Shawn in return for payment of \$15,000.
- The state convicted Shawn on evidence so thin it does not factually rise to the level of demonstrating aggravating factors existed.

Procedural errors

- No mitigating information was ever presented to the jury by trial counsel as required before a death sentence can be returned.
- Trial counsel, now Common Pleas Judge John Andrew West, berated and threatened the jury for their conduct in bringing such an unbelievable verdict.
- Trial counsel’s failure to present any mitigating factors constitutes an unfair trial for Shawn.

Mishandling of evidence

- The state's fingerprint examiner disregarded an order to keep the partial fingerprint evidence in the custody of the Sheriff's Department.
- The examiner submitted, without notice, the evidence for additional testing by a third party laboratory and conducted additional tests on the print.
- Additional testing, without permission, on the evidence destroyed any usefulness the partial print may have held at trial excluding Shawn as a suspect.
- Other fingerprints found in the vehicle were never identified and were destroyed by investigators.

Ethical issues

- The state demonstrated a willingness to use less than ethical practices to reach the conviction.
- The state used jailhouse snitch testimony to infect the trial jury and to deceive the Grand Jury. The jailhouse informant was barred from testifying at trial presumably for offering favorable testimony for Hawkins in exchange for \$15,000.
- The state's fingerprint expert disobeyed an order to keep the partial fingerprint evidence in the custody of the Sheriff's Department. Due to the willful disregard of the order, the evidence is now so distorted it is not useful.
- The prosecution never disclosed that the gun they claimed was used in the murders had been in their possession since before the murders took place. Instead, they showed the jury the empty box the gun came in as evidence to convict Shawn Hawkins

Noteworthy misgivings

- Several noteworthy persons have expressed misgivings about the death sentence imposed on Shawn Hawkins.
- The mother and sister of one of the murder victims do not believe Shawn was responsible for the murders.
- Common Pleas Court Judge West does not believe Shawn was responsible for the murders.
- Supreme Court Justice Paul Pfeifer expressed grave concerns with the evidence presented at trial.
- Common Pleas Court Judge Norman Murdock the trial judge expressed his sympathy for Shawn by wishing him "good luck" during a habeas hearing in Dayton.
- Shawn's sentence was reversed in U.S. District Court, but on an appeal it was reversed.

Shawn Hawkins is scheduled to be executed on June 14, 2011. His execution would serve no useful purpose. Shawn's death sentence should be commuted. This conviction raises the gravest concerns that Ohio is preparing to execute a man for a crime he did not commit.

To sign a petition asking Governor Kasich to grant clemency to Shawn Hawkins go to www.thepetitionsite.com/1/justus-4-shawn-hawkins

Many thanks for your help!