

# Wrongfully convicted man recalls death row

By Sandee Richardson  
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Friends from Walter McMillian's past visit him in his dreams.

He met them in a stretch of cinder-block cells at Atmore's Holman Prison — Alabama's death row.

"I got to be real close friends with a lot of those guys. We'd go to chapel together and exercise together," he said.

"But there were mornings when we'd wake up and see an empty cell. Every time it happened, the emotions were just the same. It made it hard to get it back together," he said.

Eight men were executed in Alabama's electric chair while McMillian was in prison.

Now 57, McMillian, a Monroeville resident, spent six years on death row for a murder he did not commit. He was released in 1993 after his 1988 conviction was overturned — the only man ever freed from Alabama's death row.

McMillian was arrested in 1987 for the November 1986 murder of Ronda Renee Morrison, an 18-year-old Monroeville resident. She was fatally shot at the cleaners where she worked. The murder trial

lasted two days and ended with a death sentence.

McMillian's freedom came after Montgomery attorney Bryan Stevenson obtained partial recantations from three witnesses and unearthed evidence of police misconduct, which led the Alabama Court of Criminal Appeals to overturn McMillian's conviction.

After his release, McMillian moved back to his hometown of Monroeville.

"It's been pretty rough, but then again it's been good, too. It's hard to get it back together. I've had to learn how to live all over again," McMillian said.

McMillian again faced hard times in 1995. He broke his neck while cutting down a tree. A self-employed pulp-wooder before his arrest, McMillian went back to work for a friend after his release. He said he was on the job when the accident happened.

McMillian said his most difficult challenge is his occasional encounter with Monroe County Sheriff Tom Tate.

McMillian said he has seen Tate twice since returning home to Monroeville.

"He spoke to me like nothing ever happened. It made me sick to

my stomach after all the stuff he's done," McMillian said.

"But, you try to live and keep going. I have to block a lot out because if I didn't I'd wind up doing the wrong thing. It's in me though, and sometimes it takes all I have in me to hold back. God has helped me out so much. I've just turned a lot over to him," he said.

A lawsuit now pending against Tate in federal court is based on McMillian's claim that Tate intimidated a co-defendant into making false statements and then suppressed evidence of the co-defendants' inconsistent statements.

Stevenson, director of the Equal Justice Initiative of Alabama, is representing McMillian in the suit. Stevenson said the pending lawsuit also is an attempt to force Tate to provide compensation for McMillian's wrongful imprisonment.

Alabama does not provide compensation for people who've been wrongly imprisoned.

The suit is based on several claims, including a claim of racial harassment against Tate. McMillian is black; the murder victim was white.

Tate would not comment on the McMillian case, and referred all questions to his attorney.

However, Tate said, "It doesn't bother me in the least to see him (McMillian)."

Tate would not say whether he thought McMillian was owed an apology.

"I'm not going to tell you anything," Tate said. "You're just going to twist this around. I know what you're going to do."

Stevenson said he believes race was a factor in McMillian's case and in the cases of many other blacks who are charged with a felony crime.

A 1997 U.S. House Judiciary Committee document showed that the killer of a white person is far more likely to receive the death penalty than the killer of a black person.

Stephen Bright agrees with those findings. He's director of the Southern Center for Human Rights, an Atlanta-based legal organization that defends people facing the death penalty.

"Whether you get the death penalty does not depend on the crime you committed, it depends on what lawyer is appointed to defend you," Bright said. "What makes a death case is an African-American charged with a crime against a white person."



FILE PHOTO

**Walter McMillian, left, talks with his attorney, Bryan Stevenson, on March 2, 1993, the day he was released from Holman Prison in Atmore. McMillian was the first man in Alabama history to be released from death row. He was convicted of murder in the November 1986 death of a Monroeville woman, but the charges were dropped after his conviction was reversed.**