

2 ex-death row inmates released from Okla. prison

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OKLAHOMA CITY (AP) — Two men who spent nearly 15 years on death row for the 1993 killing of a teenage girl during a drive-by shooting in Oklahoma City were released from prison after prosecutors dropped the murder case against them.

Yancy L. Douglas, 35, and Paris L. Powell, 36, both walked out of the Oklahoma County Jail on Friday after prosecutors decided they could not successfully retry the men for murder because of conflicting stories from the key witness, District Attorney David Prater said Monday.

A federal judge dismissed the men's convictions in 2006 after ruling that a "linchpin" witness in their cases, Derrick Smith, received a deal from prosecutors that was never disclosed to the defense. That ruling was upheld earlier this year by a federal appeals court.

Prater, who was not in office when the men were convicted, said he and two of his senior prosecutors all reviewed the archived evidence and police reports from the original case independently and came to the same conclusion.

"We all came to the opinion that without Derrick Smith, we did not have a case we could prove beyond a reasonable doubt," Prater said. "Because the federal court already determined him to be not credible, ethically I had problems even calling him as a witness."

In June 1993, Smith, then 17, and 14-year-old Shauna Farrow were walking down a street in south Oklahoma City when gunmen opened fire, killing Farrow and seriously wounding Smith, an admitted gang member who prosecutors alleged was the target of the shooting.

Smith testified against Powell and Douglas, but later said in an affidavit he never saw who shot him, that he was drunk and high that night and that he testified only because prosecutors threatened him with more prison time if he didn't.

Powell's attorney, Jack Fisher, said his client has maintained his innocence from the beginning and that his release is bittersweet.

"It should have happened a long time ago," Fisher said. "It's unfortunate that he had to spend 16 years of his life in jail.

"What it boils right down to is they had no evidence that he was guilty. The testimony that they used to convict him was false."

An attorney for Douglas, Perry Hudson, said both men plan to do some work for an

anti-gang ministry in Oklahoma City.

Powell was at the funeral of a relative on Monday and said he did not want to comment until he met with his attorney. A message left for Douglas was not immediately returned.

In a jailhouse interview with The Associated Press in April 2008, Powell said he refused to lose hope that he might someday be a free man.

"I've never really sat back and contemplated my last meal or anything like that. I've refused to accept that," Powell said at the time. "I don't prefer death at all, but if I have to die ... I'd choose old age."