Innocence found

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by Jacob Baynham
HE SERVED 39 YEARS FOR A CRIME HE DIDN’T COMMIT. NOW HE’S OUT OF PRISON – AND FREE OF ANY BITTER REGRET.

The Ricky Jackson story

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INNOCENCE FOUND

Ricky Jackson stands in the snow outside his apartment in Cleveland. America’s longest-serving wrongfully convicted prisoner, he served 39 years and was released last November through the help of the Ohio Innocence Project.

Three months and six days after he walked out of prison, Ricky Jackson has a decision to make.

The past few months have been full of decisions. Where to live? What kind of car to buy? Who to see? How to dress? Every time he turns around another set of choices is staring back at him. Mr. Jackson is 58 years old – almost retirement age – but these decisions are as new to him as they would be to a teenager. For the past 39 years, the particulars of his life have been dictated by the Ohio Department of Rehabilitation and Correction. Now, on the other side of the fence, the possibilities in a free life are overwhelming.

Not that every decision is major. Now, for instance, he’s sitting with friends in a Hungarian restaurant near his new apartment in a squat row of brick buildings in East Cleveland. He holds a menu that he’s been studying for a while. He’s leaning toward the pan-seared chicken until his friend urges him to try something unfamiliar – the chicken paprikash.

If Jackson is preoccupied, he can be forgiven. He’s had a lot on his mind since he left prison. He’s been thinking about what to do with the remainder of his life. About what to make of the lie that landed him on death row at age 18, making him the longest-serving wrongfully convicted person in American history. It’s a lie that has tested the limits of human forgiveness and resilience. A lie that forced him to not let his circumstances, however tragic, define who he is.

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It’s a lot for one man to process, but Jackson is trying to stay patient, making each decision on his own terms. “Do you know what you want?” the waitress asks him.

He looks up and his weathered smile and arched eyebrows etch his face with the confidence of a man who has endured more than most. “No,” he says. “I’m going to need more time.”

Time has been a capricious currency for Jackson. From where he sits now, it’s just a 12-minute drive to the street corner that marked an abrupt ricochet in the trajectory of his life. It’s not much to look at today – just a bus stop, a parking lot, and a crumbling Roman Catholic church at the corner of Petrarca Road and Stokes Blvd. But 40 years ago it was home to the Fairmount Cut-Rate, a cramped corner store that sold milk, beer, chips, and cigarettes to the residents of a small neighborhood abutting the train tracks on Cleveland’s tattered eastern edge. The store belonged to Robert and Anna Robinson, a friendly couple who let their neighbors buy on credit when they didn’t have money.

The store also sold money orders, and every week a money order agent would come to collect the payments and settle the accounts. In 1975, that agent was Harry Franks, a big man with a kind face and a long chin. Franks traveled the same circuit every Monday, collecting receipts from 11 different shops. Fairmount Cut-Rate was his final stop.

On May 19, 1975, he arrived at the store after 3 p.m. with a leather valise containing blank money order notebooks and $429 in cash from his previous stop. It was a stuffy afternoon in East Cleveland. He walked in and greeted Mrs. Robinson – she remembered him as a quiet, courteous man – and positioned himself at a counter to complete his paperwork. A small air conditioner above the door rumbled some relief from the heat.

Franks finished his business and left the store. After he stepped outside, Robinson thought she heard a groan. A liquid splashed against the window. She walked to the door and saw Franks on the ground. A man was hitting him on the head with a pipe, trying to tear the bag from his hands. He wouldn’t let go. Another man pressed a .38-caliber revolver into Franks’s torso. The two shots sounded like fireworks.

Instinctively, Robinson rapped on the window. “What’s going on?” she shouted. The gunman fired through the door, shooting her in the neck. By 8 the next morning, Franks would be on the Cuyahoga County coroner’s table. A pathologist would determine that he had been splashed with battery acid, burning his face and blinding his left eye. He’d been shot through the heart and liver. His grieving widow would wonder why he didn’t let go of his bag. He’d been mugged before and had always said it was foolish to resist. But for now Franks was sprawled on the pavement, dying. In the store, Robinson was also on the floor. A dark pool of blood spilled around her head and under a milk crate.

People gathered outside. Someone dialed 911. The police arrived and rushed Robinson to the hospital, where an emergency surgery saved her life. Before someone could find a sheet, an officer took off his coat and put it over Franks’s face. The cops cordoned off the scene and canvassed the crowd. A man was hitting him on the head with a pipe, trying to tear the bag from his hands. He wouldn’t let go.

One of those at the scene was a boy who had grown up in the neighborhood. Maybe it was the impulse of an overactive imagination. Or just a loose word that snowballed out of control.

He said he’d seen it on his way home from school. He was a witness. Mr. Hassel took his name, address, and phone number. And that quickly, a lie was set in motion that would take most of a lifetime to undo.

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Jackson was a slender, athletic teen, the eldest of five kids. His mother was 14 when she had him in Mississippi. She brought him up to Cleveland, where she hoped people would be more accepting of poor, but his mother kept their clothes clean. Jackson was a bright young mother. In 1975, the family lived in a ramshackle two-bedroom house with no telephone. Jackson slept on the couch.

Jackson remembers his childhood as normal, happy even. Sure, his stepfather hit him, but that wasn't uncommon. Sure, they were poor, but his mother kept their clothes clean. Jackson was a bright student, but lost interest in school and dropped out in 10th grade. He washed dishes in a coffee shop for $1.90 an hour. When he wasn't working, he walked the city. He liked to visit the art museum.

He dreamed of seeing the world, and the military seemed the way to do it. At age 17 he met a recruiter downtown and enlisted in the Marines. His mother was furious - the Vietnam War was still going on. He shipped out to basic training at Parris Island, S.C., but was honorably discharged after two months because of a technicality.

Jackson and Ronnie didn't give the murder much more thought until almost a week later, when weapon-wielding police burst into their beds to wake them up. Their brother Ronnie was the man who hit Franks on the head. But the judge's chambers.

On the stand, Vernon's testimony was riddled with inconsistencies. Jackson testified that he had refused to sign a confession, Terpay choked and kicked him, calling him a "stupid n-" (Terpay denied this in court). None of the boys accepted plea deals that could have reduced their sentences to a maximum of 15 years in prison. Instead, they prepared for trial.

Jackson's trial took the better part of August. Dominic Del Balso, a police detective who was now 13. For his protection, the police put Vernon up at the Holiday Inn. He entered and left the courtroom through the judge's chambers.

On the stand, Vernon's testimony was riddled with inconsistencies. Jackson said he saw the man attack Frank's car when he was walking into the store. At trial, he said it was after Franks left the Cut-Rate. Vernon said he saw Wileye driving the green car before the shooting and Ronnie left when he hadn't seen the car before the crime. He said he was 50 feet away when the shooting happened. Then he was eight feet away. Jackson's attorney grew exasperated.

"Do you tell lies very often, Edward?" he asked.

"Not often," Vernon said.

"Sometimes?"

"Yes."

Seven youths from the neighborhood testified that they heard Vernon say Jackson hadn't done it. Jackson's mother accounted for his whereabouts on the day of the crime. She said she was working at the grocery store in Cleveland where she hoped people would be more accepting of poor, but his mother kept their clothes clean. Jackson was a bright young mother. In 1975, the family lived in a ramshackle two-bedroom house with no telephone. Jackson slept on the couch.

Jackson remembered the drowning, not as a punishment but as a way to earn his freedom. He did keep a sense of humanity in a place where it was hard to maintain, where he taught difficult dogs to become suitable pets. Most of all, he sought "figuring a way out of there."

From Lebanon he went to Ross Correctional Institution. Then he crossed the street to Chillicothe, the nicest of them all, where he earned a degree in horticulture and worked in a greenhouse. He taught difficult dogs to become suitable pets. Most of all, he sought to maintain a sense of humanity in a place where it was hard to find. "I tried to be the kind of person my mother wanted me to be," he says. "I was a guy in prison. But they were never going to make me a prisoner."

And from there he went to Lebanon Correctional Institution, where he taught difficult dogs to become suitable pets. Most of all, he sought to maintain a sense of humanity in a place where it was hard to find. "I tried to be the kind of person my mother wanted me to be," he says. "I was a guy in prison. But they were never going to make me a prisoner."

Two months later, Jackson boarded a bus bound for the penitentiary in Lucasville, Ohio. Handcuffed and chained, he stared out the window as the miles rolled by, each one bringing him closer to his execution.

"It was like this was the last of everything for me," he says.

Death row at Lucasville was a prison within a prison. The inmate population wasn't allowed to talk to other prisoners. But Jackson and the Bridgeman brothers were held in the same cell row. They talked to each other when they could, mostly about football games twice weekly when they were let out to shower and exercise.

"We were trying to devise a strategy," Jackson says. "Trying to figure a way out of there."

The biggest challenge was mental. "You had to devise ways of keeping yourself sane," he says. He read a lot - science fiction, mostly - and prayed. He used his imagination to create a world inside his head, a place he could retreat to that he understood.

Jackson knew the three had the truth on their side, but sometimes it felt like the prison walls were made of steel.

Appeals pushed back Jackson's execution date. Wiley won himself a retrial in 1977, but a second guilty verdict broke him. "Send me to the chair," he told the judge. "I don't want to be reminded each day of my innocence."

In 1978, the US Supreme Court deemed Ohio's death penalty unconstitutional, and the sentences of everyone on death row were commuted to life in prison. Jackson and the Bridgeman brothers were released into Lucasville's general population, which brought its own horrors. The prison was notoriously violent. Attacks usually happened in the chow hall, so they learned to avoid them. They often saw blood on the floors and walls. Ronnie once watched a man be stabbed to death after he bumped into an inmate coming out of the dining room.

In 1984, Wiley and Ronnie were sent to different prisons. Ronnie still recalls the sting of their separation. "I was one of the few at the pen who could cry," he says. They'd been in prison for nine years and wouldn't be together again for another 14.

Jackson was released on parole in 2002, and then sent back to prison shortly before his exoneration in 2014. Ronnie was paroled in 2003 after serving 27 years. He changed his name to Kwame Ajamu. "They sent Ronnie Bridge to die," he says. "And that's what I did. I let him die."

After 13 years, Jackson was sent to Lebanon Correctional Institution, where his security level was reduced. He was establishing in prison the reputation that he'd lost in the free world. He taught difficult dogs to become suitable pets. Most of all, he sought to maintain a sense of humanity in a place where it was hard to find. "I tried to be the kind of person my mother wanted me to be," he says. "I was a guy in prison. But they were never going to make me a prisoner."

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That history was punctuated with parole hearings, too – five in all. The parole board looked for remorse and change – hard qualities for an innocent man to illustrate. Jackson expressed his Sweden, a Cleveland journalist who had written an article for Cleveland Scene magazine about the inconsistencies in Vernon’s testimony and the likelihood that Jackson and the Bridgeman brothers were innocent. Vernon refused to talk to Mr. Swenson. But two years later, when his pastor asked him about the story, Vernon burst into tears. He was ready, he said. It was time to step forward again, this time to tell the truth. So last November, 30 years after the original trial, Jackson and Vernon were in a Cleveland courtroom together again. Vernon was terrified of being sent to prison for perjury. But the need to come clean now outweighed his fear.

Vernon testified that he hadn’t seen Franks die. He said the police fed him information – the battery acid, the caliber of the gun – and coerced him into testifying. He said they got mad whenever he got cold feet. They threatened to send his parents to jail. They controlled him with fear. And once told, Vernon’s story became a monster of its own volition. “They were lies,” he testified. “It was all lies?” the prosecutor asked. “They were lies,” he said. After Vernon’s recantation, Jackson took the stand. “Regardless of what happens here today,” he said, “somebody has the truth for once. I spent 30 years of my life paying for something I didn’t do.” In light of Vernon’s recantation, the state withdrew their case. The hearing ended on a Tuesday. That Friday, 39 years, 5 months, and 27 days after his arrest, Ricky Jackson walked out of the courtroom unshackled. He joined Ronnie and Wiley for a tearful, celebratory meal at Red Lobster.

One way Jackson focused was by pursuing any avenue that might lead to his release. Another inmate told him about the Ohio Innocence Project (OIP), a group that represents prisoners who claim they were wrongly convicted. In 2006, Jackson wrote them a letter. They agreed to take his case, but it didn’t look hopeful.

“It’s pretty amazing it stayed open as long as it did,” says Brian Howe, the OIP staff attorney who represented Jackson. “There was no DNA. There was no physical evidence.” The state had lost the cup that contained the battery acid. And as unreliable as Vernon’s testimony appeared, he refused to talk.

OIP operates out of a cluttered corner of the University of Cincinnati College of Law. Like many innocence projects, it relies on law students to investigate cases and explore legal avenues to exonerate wrongly convicted prisoners. The students assigned to Jackson’s case – more than a dozen over eight years – wouldn’t let the case be closed. “It stayed open because students had talked to Ricky,” Mr. Howe says. “He’s so compelling and sincere that they...
On a cold, clear morning in February, Eddie Vernon sits in a pew at his church, the Emmanuel Christian Center, as a Narcotics Anonymous group meets downstairs. He wears black sneakers and a collared shirt beneath his jacket. He's 52 years old now, a short man, with gray in his goatee and a job at a 7-Eleven. He doesn't have a car, so he takes two buses to work, leaving his house before 4 a.m. By the time he’s home, all he can do is eat and pray before he goes to sleep. “I don’t even follow the Cavs,” he says, referring to Cleveland’s beloved basketball team.

Vernon still wears glasses – thick ones, with black frames – and when he starts talking about what happened 40 years ago, it’s not long before he removes them to wipe his eyes. “I feel so bad about how I did those guys,” he says. “They said they forgave me, but how can they forgive me for taking away all those years?”

The past few months have been a season of redemption for Vernon, a spring of forgiveness, but he’s still conflicted about his role in jailing three innocent men for the majority of their lives. The way he sees it, he told a lie, but the police and justice system are guilty, too.

He recalls that warm May afternoon 40 years ago, when he was on the school bus with his classmates. The windows were open and kids were laughing. Then, as the bus crested a hill – POW! POW! – two shots cracked through the air, and then another. The kids saw a white man gasping and gurgling on the sidewalk. Vernon says a friend told him he thought Jackson did it. Vernon thought he should tell that to the police. But when his story swelled into an eyewitness account, he thinks the police willingly overlooked its holes. “They wanted a conviction,” he says. “They went through any means necessary to get one – and that was me.”

Vernon testified in all three trials. Afterward, the detectives advised him to leave town. He went to live with an aunt and uncle in Princeton, N.J. He was bitterly lonely. Terpay told him to never talk about the murder, and if anybody started asking questions, Vernon should let him know. “They put a lot of fear in me,” he says.

When he returned to Cleveland, Vernon floundered. “The more I tried to get ahead, the more I fell back down,” he says. He started drinking and developed a crack addiction that he battled for 17 years. He had a stroke. His kidneys were failing, and his blood pressure spiked. He spent time in prison.

When he got out, Christianity saved him. He found peace in the church, although he was terrified by the Ninth Commandment – Thou shalt not bear false witness against thy neighbor. It seemed written for him. But Vernon found a God who offered forgiveness. And two months ago, in this very church, he met and hugged Jackson, who forgave him, too. Now Vernon is trying to forgive himself. “I can’t take all of it back. I know I can’t,” he says, hitting his knee in a moment of anguish. “I keep living with it. It’s like I can’t let it go. I know that they’re free and everything, but why didn’t this happen years ago? Why?”

Vernon recently moved back to the old neighborhood. It’s even more run-down than before. The Bridgemans’ house is gone. The site of Jackson’s old home is now an empty lot surrounded by a rickety fence. Drafty houses with icicles on the gutters line the narrow, potholed streets. “It looks like a bomb dropped in there,” Vernon says.

But in some ways it’s fitting that he’s back where it all began. Vernon plans to meet Jackson for dinner soon – a simple meal of chicken and greens at his pastor’s house. It will be the third time he’s seen Jackson since his release. Unlikely companions though they may be, the two men share an uncommon history. In 40 years of hardship, they’ve both had to come to terms with the lie that bound them.

And now, 40 years later, they’re both finally free.