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Research Essay

The Timely Justice Act: Is it Fair Justice

According to the American Civil Liberties Union (ACLU) the State of Florida had imposed twenty-one death sentences in the year of 2012, which was more than any other state in the country. However, Florida also “leads the nation in the number of exonerations from death row,” twenty-four to be exact (Scher par. 2). With advanced forensic science and technology that proves one’s innocence, these numbers should be expected to increase as cases are reviewed for those defendants that now seek for DNA evidence to prove their innocence. “Many of those exonerated from Florida’s death row spent well over a decade – and some closer to two decades – before the evidence surfaced that resulted in their release” (par. 6). Why then would Governor Rick Scott approve a bill that speeds up the execution process, as he made evident when he signed the ‘Timely Justice Act of 2013’ (Killian)? We have a failed system and the American Bar Association recognized this in 2006 when they did an assessment on Florida’s capital-punishment. The conclusion of the report was that there was a need to improve the fairness and accuracy on the death-penalty process. As of 2013, ACLU claims that Florida failed to comply with the ABA’s recommendations (Killian par. 7). Why then is the Florida government so anxious to take away the opportunity of time from death-row inmates when it sometimes takes years and numerous appeals before an inmate can acquire all of the needed evidence that can prove his or her innocence?

The Death Penalty Representation Project says that under this new law, our governor must sign a death warrant within thirty days of the clemency review and schedule execution within 180 days of the

signed warrant (Bagda par.1). Keep in mind, Florida never followed through on the recommendations given by the American Bar Association in 2006 to improve the process. What is the logic behind this? Florida is the only state in this country to have such a law, yet it leads the country in not only the number of death-row convictions, but also for the exonerations of those who have been wrongfully convicted (Bagda par. 3).

I had to search long and hard trying to find someone that would disagree with my feelings on this issue. Other than the Florida Legislators that passed this Bill, I could not find a single supporter of this 'Timely Justice' law (Flatow). I am appalled at what these gentlemen of the legislature have stated on record concerning our death row inmates and this new law. Republican Senator Rob Bradley said, "This is not about guilt or innocence, it's about timely justice." Matt Gaetz, also a Republican that sponsored the bill in the House of Representatives had this to say, "Only God can judge, but we sure can set up the meeting" (Flatow par. 3, 4). These gentlemen of our legislature seem to find this amusing. Do they not realize the one fourth of the people that have been sentenced to die in our Florida prisons were later exonerated because of new evidence that proved their innocence?

I have put several questions out there on this topic, and since I can't find any logical answers, I have come up with my own. It is my opinion that our Florida justice system is flawed to the point that it is looking for a fresh start. If the inmates that are now on Florida's death-row are quickly sentenced and executed, there would be less of a chance that their innocence would later be proven. This would swiftly eliminate the problem. Dead men can't prove their innocence. In turn, Florida can be satisfied that eventually, they will no longer lead the nation in wrongful convictions of death-row inmates.

There is a reason behind my emotion on this subject. I know first-hand that we have many corrupt people in our legal justice system, and the lives of the innocents are in their hands. Trying to fight the corruption is not an easy task, it takes 'Time' as made evident in the case of William 'Tommy' Zeigler. Zeigler has been on death-row in the State of Florida since 1976. He was convicted of four

murders. He reportedly killed his wife, both of his in-laws, and one other male while in his furniture store on Christmas Eve, 1975. My father, now deceased, was the first to arrive on the scene. I am sorry to say that my father, whom I love dearly, was part of this corrupt system. My father gave a very detailed report of his findings at the crime scene, his discussions with Zeigler, and blood evidence on Zeigler's clothes. In regards to Zeigler's blood soaked clothes, my father, Chief Robert Thompson, said that the blood on the clothes surrounding the gunshot to Zeigler's abdomen was dry. Why is this evidence relevant to the case? Zeigler reported that he had been shot, lost consciousness, and later when he regained consciousness he was able to make a call for help. This story makes sense because dried blood obviously would mean that some time had passed from the time he was shot until the time he called for help. The State of Florida, however, claimed that Zeigler called for help, then after placing the call, shot himself to make himself look like a victim assuming that he would receive immediate medical care. The jury would not have been easily persuaded if they knew that Zeigler was not saturated in fresh, bleeding blood. How did they fix that problem? It was simple; they hid my father's original report and had him write out another that would coincide with their argument. The original report was 'buried' and recovered in the 1990's. Private Investigator, Lynn Marie Carty, has published the original report in its entirety that can be viewed on the *Tommy Zeigler is Innocent* website. On this site you will find that Ms. Carty has uncovered and endless amount of additional evidence that should exonerate Zeigler from Florida's death-row, however, it has taken 'Time,' nearly four decades for some of this evidence to surface.

Several months before the murders, Zeigler had been a witness to a case in which Judge Maurice Paul was also a witness but for the opposing side. The party that Zeigler testified for won their case. This is the same judge that is appointed to Zeigler's murder case. Three motions to have this judge step down from the case were ignored. Judge Paul prescribed Valium to a juror because she could not reach a decision. The juror was also pressured by the other jurors by having one of the six guns from the crime scene pointed and clicked to the back of her head. The judge made a lifetime Gag Order that jurors

would never be able to discuss this case with the defense. Lawson Lamar, the state attorney in the case, fought for years to prevent DNA testing on the blood of the crime scene. Finally, in 2001, the court allowed that the test be done. The results of the testing are said to be in complete support of Zeigler's innocence. The State argued against a new trial to prevent the new evidence from being presented, and once again they prevailed (Jagger). Does this not show a 'Flaw' in the system? The book, *Fatal Flaw: A True Story of Malice and Murder in a Small Southern Town*, gives more detailed example of the corruption from the beginning of this case, but not nearly to the end (Finch).

Private Investigator, Lynn Marie Carty, has uncovered the most damning piece of evidence to date that should have Zeigler off of death row and enjoying his final years. The ring that was stolen off of the finger of Zeigler's wife at the time of her murder has been found in the possession of the wife of Zeigler's brother-in-law, Perry Edwards, Jr. This is the same brother in-law that inherited a fortune, as a result of being the sole survivor to the estate of Zeigler's in-laws. (Carty). It took nearly forty years to find this evidence. Did he not need 'Time' to locate this evidence?

Why is Florida so eager to hurry up the process to execute those on death row?

There is a serious problem when one out of four people on death-row is innocent. How many people, such as Zeigler, are going to be murdered by the State of Florida because of not having 'Time' or opportunity to prove their innocence? Zeigler was sentenced in 1976, yet the vital evidence proving his innocence has been discovered in the past two – three decades. Zeigler has had two signed death warrants to date, which resulted in 'Stays of Executions'. I am ashamed of this law that makes murder legal. It saddens me to think of the innocent people that may die because they may not have time to prove their innocence. I can only wonder if God will show mercy on Governor Rick Scott, and the supporters of this 'Timely Justice Act of 2013', when they have that "meeting with God" that Gaetz spoke of (Flatow par. 4).

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