

## Justice, delayed and denied

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### **Anatomy of Injustice: A Murder Case Gone Wrong.**

By Raymond Bonner. *Knopf*; 298 pages; \$26.95. To be published in Britain in March; £17.99.

WHAT sort of town was Greenwood, South Carolina in the early 1980s? It was the kind of place where a prominent white man could get away with shooting and killing a black man who walked across his property at night. When the local chief prosecutor, William T. Jones, brought the case before a grand jury, he was not looking for an indictment. Surely anyone would have behaved the same way under the circumstances, he argued. Surely, he told the jurors, they too would have picked up a shotgun. The grand jury did not indict.

A few months later Jones persuaded the same grand jury to indict Edward Lee Elmore, a 23-year-old black man, for the murder of Dorothy Edwards, a 75-year-old white woman. She was found inside her bedroom closet, bruised and repeatedly stabbed. Mr Elmore was sentenced to death less than 90 days later. This grim case is the subject of "Anatomy of Injustice", a gripping and enraging book from Raymond Bonner, a veteran investigative journalist at the *New York Times*. Mr Elmore would spend 27 years on death row, despite strong circumstantial evidence suggesting that he did not commit the crime. His capital sentence was ultimately overturned thanks to the tireless efforts of Diana Holt, his lawyer and the book's hero, who spent more than a decade seeking justice on his behalf.

Mentally disabled and barely literate, Mr Elmore was 14 years old when he dropped out of school. He could add and subtract using his fingers, but he could not tell the time, he did not know the seasons and he could not understand directions. He became a neighbourhood handyman, and he cleaned Edwards's gutters and washed her windows two weeks before she was killed. He was arrested because his fingerprint was found at her house.

At his trial, Mr Elmore was given two lawyers. One was known as the "bourbon cowboy". He was

twice arrested for drunk driving, and his breath smelled of alcohol in court. The other lawyer referred to his client as a "redheaded nigger". They had Mr Elmore testify, a rarity in murder trials, and they called no other witnesses. The judge dismissed four potential jurors because of their opposition to capital punishment. (This judge later served on South Carolina's Supreme Court, and landed in some hot water by professing to find racist jokes inoffensive and funny.) It took the jury less than three hours to convict Mr Elmore, and an additional 50 minutes to sentence him to death.

But Mr Elmore did not die in jail. After the Supreme Court ruled in 2005 that states could not execute the mentally disabled, his sentence was commuted to life in prison, where he still sits. Opponents of capital punishment may be familiar with arguments about its expense, unjust application and inefficacy as a deterrent. But it is another thing entirely to read about patently biased judges, policemen who lie under oath (and may well have planted evidence) and bloodthirsty prosecutors.

In telling Mr Elmore's story, Mr Bonner deftly weaves in a brief history of American capital punishment and its discontents. Following a brief moratorium in 1972, when the Supreme Court ruled that the death penalty's application violated the Eighth Amendment's ban on cruel and unusual punishment, it was reinstated in 38 states from 1976. By 2010, 1,226 more executions had taken place, 1,010 of them in the South. Most of these executed inmates have been black; a vast majority of the victims in capital cases were white. But Mr Bonner's book is not a treatise against the death penalty. Rather, it is a dismal look at what happens in America's justice system when justice is absent.