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                                                December 6, 2011

Henry A. Callaway, III , President, Mobile Bar Association

Barbara Rhodes, Executive Director, Mobile Bar Association

Tammy Anderson, Associate Director, Mobile Bar Association

Merceria Ludgood, ASB Commissioner at Large

c/o Mobile Bar Association

PO Box 2005

Mobile, AL 36652

Dear President Callaway:

Attached is a blog post about wrongful convictions and the failure of State and Local Bar Associations to address the serious miscarriage of justice. Both the Alabama and Mobile Bar Associations are referenced in the blog. Also attached is one of the letters I’ve sent to you previously about this issue in general, and the case of Rodney K. Stanberry, who is in his 15th year of prison for crimes he did not commit.

I think it is extremely important that Bar Associations address wrongful convictions.  I don’t think anyone should be comfortable knowing that there are innocent people in prison. Further, I am sure that the highest standards of ethics are encouraged and when it becomes evident that those standards have been violated, I am sure that you will want to go beyond the ends of the earth to ensure that the violation is addressed and that it does not happen again.  District Attorneys will not admit to wrongful convictions, Bar Associations should insist that they have strong safeguards in place to help prevent wrongful convictions and to address past and present wrongful convictions.

On  November 25th, the *New York Times Magazine* published an article entitled “The Prosecution’s Case Against DNA.”  Here is an excerpt from that article:

* + - * Why prosecutors sometimes fight post-conviction evidence so adamantly depends on each case. Some legitimately believe the new evidence is not exonerating. But legal scholars looking at the issue suggest that prosecutors’ concerns about their political future and a culture that values winning over justice also come into play. “They are attached to their convictions,” Garrett says, “and they don’t want to see their work called into question.”

			“Jed Stone, a local defense lawyer, described the legal community as “an echo chamber.” “The problem with everyone coming from the same background, from the same state’s attorney’s office, from the same narrow political spectrum, is there is a failure to see the other side,” he said. “You begin to view people as others. And when you begin to see people as other than you, they begin to become expendable.” [http://www.nytimes.com/2011/11/27/magazine/dna-evidence-lake-county.html?pagewanted=9&hp](http://www.facebook.com/l.php?u=http%3A%2F%2Fwww.nytimes.com%2F2011%2F11%2F27%2Fmagazine%2Fdna-evidence-lake-county.html%3Fpagewanted%3D9%26hp&h=dAQGBF6oNAQHJf3ICiLyxF69ei779A-n4hi-z-9_fmtqegg)

When a former prosecutor is a law partner of the county attorney and an active member of a Bar Association, the “us v them” mentality becomes greater and innocent people convicted become expendable. The system needs to be reformed, but there is no incentive to reform it, even if someone who actually believes that justice should trump politics wanted to reform it.

Sincerely,

                                                            Artemesia Stanberry, Ph.D.