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WAYNE COUNTY

DNA clears Detroit man of slaying after 26 years in prison



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New Haven — A piece of DNA the size of a grain of salt is giving a Detroit man his freedom back after prosecutors say he was wrongly convicted of murder decades ago.

Lacino Hamilton walked out of the Macomb Correctional Facility a free man after a Wayne County judge vacated his conviction for the 1994 slaying of his foster mother, Willa Bias, ending 26 years behind bars.

"I'm a little overwhelmed but I'm extremely grateful," Hamilton said during the video hearing before Judge Tracy Green of Wayne County Circuit Court.

After leaving the prison, Hamilton was met with hugs at a nearby golf course by the law school students who assisted in the case. Also on hand to celebrate with him was Ramon Ward, who was released from prison in February after being exonerated of a slaying he didn't commit.

Hamilton said he first wanted to experience the joy of being able to walk down the street, take a shower and talk on the phone without interruption from a fellow prisoner. Next, said Hamilton, he wants to begin working on a career in judicial reform and work toward helping reforms in place "on the front end" so that no one else experiences being imprisoned for something they didn't do.

"We made the decision long ago to never give up fighting for Mr. Hamilton's release," said Mary Chartier, Hamilton's attorney with the law firm Chartier/Nyamfukudza in Okemos. "While we are beyond thrilled that he has been exonerated, he lost 26 years of his life waiting for this day."

Takura Nyamfukudza, Hamilton's co-counsel, added: "This is the culmination of consistent and concerted efforts by many. He believed in us and trusted us with his case and his life."

Hamilton, 45, always contended he did not murder the woman he considered more like a biological mother than a foster parent.

Bias was discovered shot to death in her Detroit home in June 1994 and Hamilton became a suspect partly due to the false testimony of a "jailhouse snitch" who testified that Hamilton had admitted the slaying, according to Hamilton's lawyers.

That man had allegedly made claims against "numerous others" to get leniency for his own criminal conduct, said Hamilton's lawyers.

The lack of DNA testing in Hamilton's case also was a factor. DNA did not become widely used in solving crimes until the mid-990s.

Hamilton, who was 19 at the time, was tried and sentenced in January 1996 to 50-80 years behind bars for second-degree murder and felony firearm charges. He appealed to both the Michigan Court of Appeals and the Michigan Supreme Court to have his conviction overturned but he was not successful.

"He wrote 5,000 letters to everyone to get them to take his case," Chartier said. "Lucky for him he hit upon Claudia Whitman (of the National Capital Assistance Network)."

The exoneration follows more than two decades of Hamilton trying to prove his innocence. His journey began when Whitman began working on his case from her office in Colorado.

Two years ago, Chartier contacted the Wayne County prosecutor's newly-formed Conviction Integrity Unit to ask for a review of the case and testing of DNA material scraped from under Bias' fingernails on one hand.

Bias fought with her attacker before she was shot to death. Her fingernails were scraped for possible DNA evidence but the prosecutor and Hamilton's attorney had not been told about it. The testing, performed just recently, cleared Hamilton.

"There were swabs from underneath the victim's right and left hands," said Valerie Newman, the director of the Wayne County Prosecutor's Office's Conviction Integrity Unit. "The swab from underneath the fingernails on the left hand excluded Mr. Hamilton."

The case connecting DNA evidence to an exoneration is the first for the two-year-old unit. Newman said her unit worked on the case for two years with assistance from the Western Michigan University-Cooley Law School Innocence Clinic and Hamilton's defense attorneys.

"I think it's great," said Newman. "It's nice to have the science (and) something concrete and definitive."

She said her unit had to do a tremendous amount of work and also locate the DNA evidence, which was still in the possession of Detroit police.

"Evidence is not always where it should be when you have to do a lot of detective work," Newman said.

Green, the judge who dismissed the charges against Hamilton, apologized for the time it took for his case to be resolved.

"Two years is a very, very long time to spend in prison," the judge said. "I'm sure it's even harder for an innocent man."

"There are thousands of Mr. and Ms. Hamiltons sitting in prison but they don't have the resources (to help them)," Chartier said. "Many of the thousands of men and women who are wrongfully imprisoned have been convicted based on 'snitch' testimony."

Chartier said the case highlights the importance of conviction integrity units but also "the inequity and injustice if the DNA had remained hidden forever."

In addition to the previous lack of testing of the DNA, "perhaps even more alarming, is the woefully improper use of informants in this case by the Detroit Police Department," Wayne County Prosecutor Kym Worthy said. "The use of informants can be a very valuable tool in fighting crime and seeking justice, but in this case it was used and abused horribly."

Chartier said Hamilton is "coming out (of prison) as such a powerful voice" in the effort to free more wrongfully-convicted individuals.

Metro Detroit attorney Wolf Mueller, who has worked with many of the exonerated individuals, called Hamilton's release "another success story within CIU and the work they're doing."

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