

SENTENCED  
TO LIFE FOR A  
MURDER HE  
DID NOT  
COMMIT, **CHRIS  
SCOTT** LOST  
EVERYTHING:  
THE LOVE  
OF HIS LIFE,  
HIS TWO  
YOUNG SONS,  
A PROMISING  
FUTURE.  
EXONERATED  
IN 2009,  
HE AND TWO  
OTHER  
EX-CONS ARE  
BACK ON  
THE STREET,  
FIGHTING TO  
WIN FREEDOM  
FOR MORE  
VICTIMS  
OF THE BARE-  
KNUCKLED  
TEXAS  
JUSTICE  
SYSTEM.

BY **PAUL  
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PHOTOGRAPHS BY  
**JACK THOMPSON**

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march 2016



Scott confers with Isaiah Hill, who has served 37 years for a murder he says he did not commit.

**“The D.A. said, ‘Listen up, nigger: You’re in a white man’s town. If you don’t plead guilty, I’ll make an example of you.’”**

He’d already met the love of his life, a lovely young cashier named Brandi Simmons. She was going places herself, earning credentials to become a nurse, and she adored his two boys, who were school-age now and mostly living with him. They’d put a down payment on a just-built house in the middle-class suburb of Mesquite. A month before moving in, they were sitting up one night, talking about furniture and wedding plans, when the phone rang at about 10. Scott’s friend Claude Simmons was depressed about a drug problem and needed someone to talk to; could Scott drive over and hang? Scott, who started his weekdays at 5 AM in order to pick up his kids after school, said no, he had to work the next morning. But Simmons kept calling, pleading with him to come. On the fourth call, Scott relented and drove over.

He picked up Simmons at his house and circled the block as his friend unburdened himself. On the drive back to Simmons’, there were cop cars swarming the street. Scott, on probation for a drug arrest (for “possession” of three Benadryl tablets, he says), ducked into a friend’s house until things calmed down outside. The next thing he knew, a riot of cops barged through the door. They yanked everyone out of the house, planted them facedown at the curb, and demanded to know where the drug stash was hidden. Scott was dragged to a waiting cruiser, where his hands were dusted for gunshot powder. He tried to tell the officers that he sold *groceries*, not drugs, and had an uncashed paycheck in his wal-

let to prove it. The uniforms snickered and called a detective over, introducing him as “Columbo,” Scott recalls. “You know why we call him that? ‘Cause he always gets his man,” the cop told him. “You’re going to jail for the rest of your life, boy.”

At the precinct, Detective Columbo (real name: Ken Penrod) grilled Scott for hours but wouldn’t divulge what they’d actually picked him up for: the murder of a drug dealer named Alfonso Aguilar in front of his girlfriend, Celia Escobedo, earlier that night. Baffled and exhausted — the questioning went on until dawn — Scott offered to take a polygraph then and there. He asked for a lawyer three times. Penrod, an interrogator famed for extracting confessions, laughed at him. “A lawyer can’t help you,” he said.

As he was being led to a cell, Scott was stopped by one of the cops who’d been at the scene of his arrest. “He said, ‘You know what you’re being accused of?’ I said, ‘No, sir, they won’t tell me.’ ‘Well, it’s capital murder, but I don’t think you did it. One, you don’t fit the description over the scanner, and two, your tires don’t match the tracks we found.’ He said, ‘If this goes to trial, you subpoena me as your witness. All we got is the girlfriend’s word, and she lied about everything.’”

Scott spent seven months in county jail awaiting trial. During that time, a number of notable things happened. First, the gunshot-residue test came back negative, strong evidence that Scott was not the shooter. The prosecutor tried to deal him down, but Scott flatly refused to plead. Second, people from the North Park section came forward to tell

the cops who the *real* killers were — a pair of vicious crackheads named Alonso Hardy and D-Mite Anderson, who’d plagued the community for years. The cops ignored these tips and didn’t pass them to Scott’s lawyer, as they were required to do. The third was that said lawyer, a court-appointed attorney by the name of Jerry Birdwell, spent less than 30 minutes consulting with Scott in the run-up to his capital murder trial. Birdwell, according to Scott, failed to do even basic legwork, like confirming Scott’s alibi with his soon-to-be fiancée, Brandi, or obtaining phone records that could have proved that Scott was at home when Aguilar was killed across town. (Birdwell, who now runs an inn in Lake Tahoe and is no longer practicing law, repeatedly claimed that he couldn’t recall Scott’s case, then denied that his work had been substandard.)

The trial went on as scheduled that fall, though the case, which hinged entirely on witness testimony, couldn’t commence until a jury was chosen — three dozen prospective members said no when asked by the judge if they could convict a man of murder without evidence, motive, or weapon. When an all-white panel was finally seated, the prosecution called its witnesses. The first, a crackhead, told an incoherent story, then recanted it on the stand and was dismissed. The next was the patrolman who’d pulled Scott aside and told him he wasn’t the killer. Both he and his partner testified that the victim’s girlfriend had lied and failed to pick Scott out of two lineups.

That left only the girlfriend, Escobedo. She was not a blue-chip witness, having radically changed her statement before trial. She’d told detectives, first, that Scott was the one who shot her boyfriend, then that he’d handled the gun but didn’t fire it, and then that he’d merely stood by the door and watched the shooting happen. Any minimally competent lawyer would have cut her testimony to shreds. But Birdwell, Scott’s lawyer, barely raised these flaws on cross-examination and never troubled to mention the lies she’d told the cops before they searched her house. (She’d claimed there were no drugs or firearms in the house and that she and her boyfriend didn’t deal crack. The cops found guns, scales, and large amounts of crack there.) She was on the stand less than 30 minutes, including direct examination and Birdwell’s cross-examination.

The case lasted a day. Scott was found guilty and sentenced to life without parole. Simmons, his co-defendant, was tried separately the next day. His guilty verdict came back in six minutes. Two weeks later, Scott boarded the “chain bus,” shackled wrist and foot to the inmate next to him for the three-hour drive to prison. They were bound for Coffield Unit, the most notorious, mobbed-up pen in the state, a viper pit of Crips, Bloods, Aztecs, Aryan Brotherhood, and Mexican Mafia. “I’m listening to these dudes, 6-foot-3, 240, talk about Coffield like it’s hell



on Earth," says Scott. "I weighed a buck-40 and ain't never been in a gang. I'm thinking, 'How am I gonna do these 50 years?'"

**ON A BROILING FALL** day in Cedar Hill, a prosperous suburb 20 minutes south of Dallas, I join Scott for lunch with Johnnie Lindsey and Steven Phillips, his associates at HRH. Lindsey, sentenced in 1982 to 26 years for a rape he didn't commit, is a nattily dressed black man with the laconic charm of a single-malt scotch served neat. He favors Italian dress slacks and two-tone loafers, spends a tidy sum on singing lessons, and speaks with the careful cadence of someone who knows how much one mistake can cost him. Phillips, a white man in his middle sixties, is the wild hair of the outfit. Jailed 24 years for a series of rapes that were done by another man who went on attacking women after Phillips was convicted, he is a coil of spring-wound energy whose appetites weren't dulled by the years in prison. He gulps a beer before lunch, shows off the selfies he's taken with strippers, and gets around Dallas on a mountain bike, having squandered the better part of his post-release fortune on entanglements with women and fraudsters. Despite his misadventures, he is cuttingly smart and the last guy you'd step to in a brawl.

The three men met at Scott's exoneration hearing and joined forces about a year later. (It's a tradition in Dallas for exonerates to show up whenever someone else wins his freedom.) Now they get together about once a week to brief one another on cases in progress. Since Scott founded it four years ago, HRH has sifted through hundreds of pleas from inmates with minimal hopes. Its mission is to take on only those men for whom DNA testing isn't applicable, either because the cops failed to gather it from the scene or

because wrongdoers left nothing to sample. That means that HRH must unearth a major piece of exculpatory evidence many years after the fact, or persuade the real criminal to confess to his crime and turn himself in to cops. "These guys are really doing the Lord's work," says Peter Neufeld, co-founder and co-director of the Innocence Project, which has won the freedom of 340 inmates, the vast majority through DNA testing. "Without biological evidence, proving innocence is

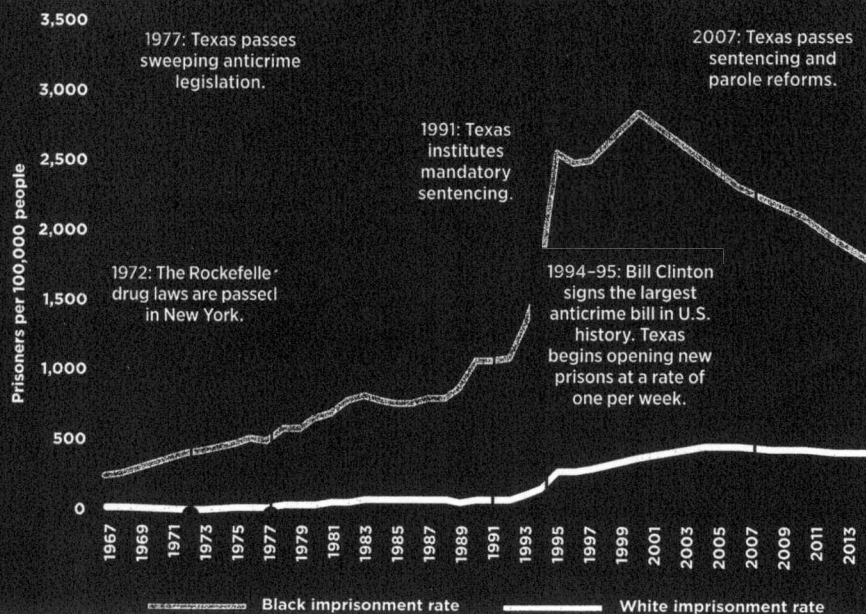
backbreaking because the system sees these cases through the prism of guilt." In several cases, HRH has found compelling proof of innocence and identified the actual perpetrator. But in Texas the wheels of justice creak, to the extent that they turn at all. Hence the weekly meetings and progress reports, where the ground gained is in inches, not yards.

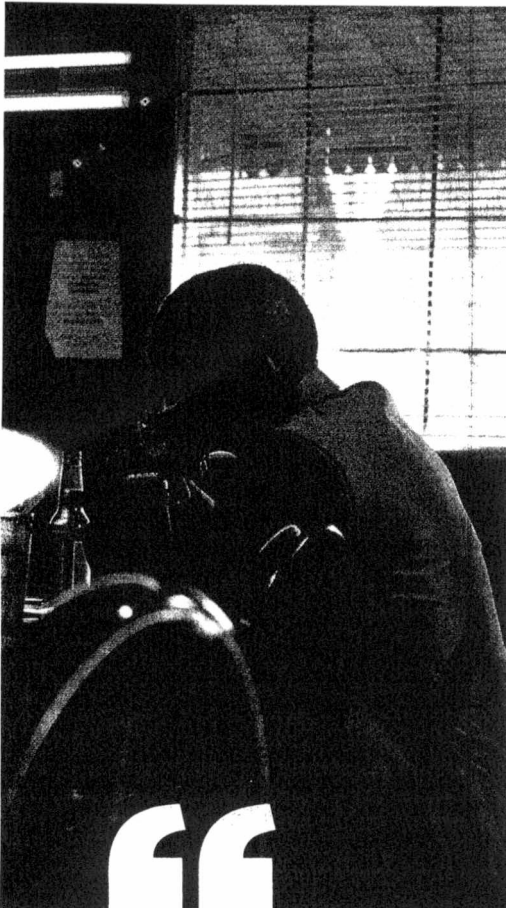
"What's the situation with Dawson's mom? Did you show her that picture of Thirty-Pack?" asks Phillips. "I swung by



From left: Scott, Phillips, and Lindsey review documents in a Dallas barbecue joint.

## JUSTICE, LONE STAR STYLE





white D.A., and a bitch-ass white guy puttin' on our case."

"Yup, that's Texas," says Lindsey.

Indeed, in Dallas, jury-packing is a time-honored tactic dating from the early 1950s. It was codified and practiced with ruthless precision by the iconic district attorney Henry Wade. A onetime agent for the FBI and near-perfect doppelgänger of J. Edgar Hoover, Wade was the bulldog face of the law-and-order South for his 36 years in office. He prosecuted Jack Ruby for the murder of Lee Harvey Oswald, was the named defendant in *Roe v. Wade*, and ruthlessly built his brand as America's toughest D.A., sending hundreds to death row and winning thousand-year sentences, even in cases that didn't involve murder. He famously jeered to staffers that "any lawyer can convict the guilty; convicting the *innocent* is the trick." His assistant D.A.s withheld evidence from defense attorneys, coached witnesses to falsely identify plaintiffs, and turned a blind eye to cops with histories of misconduct resulting in wrongful convictions. The office bible was a manual containing, among other things, explicit instructions for keeping "minority races," "overweight people," and "free thinkers" off juries.

**"When I got out, my son told me it was my fault I was gone. He said, 'It had to be something you were in for.'"**

her yesterday," says Scott. "The dude who's coming around her, she says it ain't him. We need a better photo of the guy."

The mother he referred to has a son, Tim Dawson, who's spent 24 years in prison for a nightclub murder. Like most of the cases that come HRH's way (Scott keeps a P.O. box to receive inmates' letters and collects the stack twice a month), Dawson's was a clown show of bad lawyering, zero evidence, and lazy police work. Dawson, who was tall and thin with a medium complexion and long hair cut in a shag, got picked up by cops a day after the killing of a bystander, though people at the scene said the man who opened fire was short and stocky with dark skin. At trial, only a single witness came forward to point the finger at Dawson; after the verdict, however, her neighbors said they had overheard her boast of having falsely accused him.

"Talk about reasonable doubt," I say. "How did 12 jurors find him guilty?"

Scott and Lindsey exchange glances, then burst into laughter. "Shit, the same way they did all of us!" says Scott. "They put 12 white people on that jury, and had a white judge,

These truths about Wade trickled out after he left office. But nothing much was done until Craig Watkins was elected the first black district attorney in the history of Dallas County. Watkins served two tumultuous terms, from 2006 to 2014, during which he fired or forced out dozens of senior staffers for doing unethical and illegal things to win convictions. "I had A.D.A.s who'd brazenly woodshed witnesses, meaning they coached them on whom to pick out of a lineup or told them what to say on the stand," says Watkins, who now runs his own legal practice in Dallas after a narrow loss in his last election. He leaked to reporters the names of rogue cops who "falsified evidence or coerced confessions" and did everything in his power to purge the office of Wade's ethos, which had been carried forward for 20 years by his two successors.

But Watkins' boldest stroke by far was the creation, in 2007, of America's first Conviction Integrity Unit, a stand-alone department in the D.A.'s office that checked out inmates' claims of innocence. Consisting of two lawyers, one full-time investigator, and a small group of law-school students, the

CIU went to work on hundreds of pleas left unread by Watkins' predecessor, Bill Hill, who had been hired by Wade.

Watkins sent evidence for testing at independent DNA labs. What came back was pure thunder: irrefutable proof that dozens of prisoners had been falsely convicted, men who, in all, had served centuries in prison for crimes they didn't commit. In his first term alone, Watkins exonerated 35 inmates. Steven Phillips was number 18 on that list; Johnnie Lindsey was right behind him at 19. A year later came Chris Scott, number 26. He and Claude Simmons, released together to an overflow crowd of hundreds, were the first — and thus far only — men in Texas exonerated of murder. They are also the only two who have won their freedom without DNA testing, a fact that gives some sense of the hurdles involved. According to the Innocence Project, DNA evidence is available in about 10 percent of conviction appeals. Meanwhile, Texas has an inmate population of 170,000, more than the combined total of that of the U.K. and Germany.

"I was told by everyone I wrote to that I had no shot without DNA," says Scott, whose bulging right biceps is tattooed with the phrase AGAINST ALL ODDS in block letters. "But I just said, 'Fuck y'all, I'll be the first one then.' I got down on my hands and knees and said, 'God, if you give me a second chance outside, I'll spend the rest of my life helpin' guys in my shoes.' That's why we go and go on these cases and never see a dime for all our work. Ain't no one else here tryin' to help them out."

**LIKE LINDSEY AND PHILLIPS**, Scott has no training in the art of private investigation. What he does have is the tenacity to get to the bottom of cases that the system botched beyond all recognition. He also has the time to run down every lead, no matter how frayed or improbable.

The day before, we'd driven to South Dallas to speak to Tim Dawson's mother. In its digging, HRH has identified the person it suspects may have done the shooting. He's a short, dark man who goes by several street names, one of them being "Thirty-Pack." No one has heard from Thirty in ages, though Dawson's mother thought a man who fit his description had been dropping by her block. On the squalid lip of porch outside her sun-beaten house, we knock on the front door and wait. At length, a grizzled woman in an ill-fitting housecoat peers through the glass at us. Shown a picture of the man reputed to be Thirty, she shakes her head no, then launches into a rant while we absently stand there, shooing away clouds of brazen flies.

"This ain't like what you see on *48 Hours*," says Scott as we walk to his silver Infiniti. "Twenty-five years done come and gone. We hit a lot of dry wells out here."

Still, Scott would drive out the following week to reinterview Dawson in prison. Surely he knew *someone* who might have recently seen Thirty. If so, (continued on page 86)



angel's trumpet. The jaguar of natural hallucinogens, the flowers can be fatal when not cooked properly. Weiss was years into his training before he requested pehe. Cesario told him to plant the flowers, giving him a year to prepare while they grew. When I ask Weiss to describe pehe, his eyes widen and he cocks his head. "Let's put it this way: After two days, you drink 'honey' to get your sight back, to start coming down. It culminates initiation into visionary states. People turn to it as a last resort — if they can't get over the drowning of a child. Most people call it quits after one experience." Weiss has consumed pehe twice. Cesario, six times, the most among living Secoya.

Fewer young Secoya have interest in these traditions. This saddens Cesario. A chasm has opened between his generation, which was born free inside a vast and borderless forest, and those born into the permanent settlement of San Pablo. I ask what it means to him that Weiss will keep the flame of the old ways. "Lucas came from far away, and from the beginning showed a love for our culture and a desire to learn," he says. "He became a Secoya. If the rest of the youth had the love for the culture that he does, we'd be much stronger."

• **Two mornings** before he leaves for New Haven, I help Weiss clear brush around the plot behind his house, where he grows yuca, plantains, fruits, and corn to feed dozens of chickens. A few stout palms provide the chambira twine for weaving. "You need a mile of string for one hammock," he says. "It takes months of twining. As you can imagine, not too many youth are picking up the skill." During our work, several wasps attack Weiss' face and neck after he whacks a nest. His expression barely changes during the attack. "Another thing about yage is it helps you deal with pain. The old guys say bee stings give you strength."

As the morning sun begins to beat down, I ask if he misses anything about living on a modern grid. He pauses. "There are times," he says, "working out in the field on a hot day when I really miss a cold glass of water."

In a few days, Weiss will have cold water, if not the thirst needed to enjoy it fully. He'll spend his days in classrooms, libraries, and high-tech labs, researching the biochemistry of yoco. He hopes the vine can be developed into a cultural bridge between Cesario's generation and younger Secoya, who are forced to find their way in a global economy with limited resources and land, where the old ways of life are neither possible nor desirable.

"People have this false romantic image of indigenous people living under trees in the forest," says Weiss. "We understand there's no going back. We have a yearning to merge with society without losing

our culture and the integrity of the forest. We don't see it as one or the other." Not far from us, Weiss' daughters are playing with dirty dolls on the riverbank. Weiss speaks English to them at home; the elder of the two is already trilingual. (They've spent a year in New Haven, and Weiss teaches her English at home.) It's easy to imagine the girls one day leading the modern-traditionalist movement their father hopes to nurture. It's just as easy to imagine them moving to Lago Agrio or Quito, away from a beaten culture, a poisoned river, and barren forests.

But Weiss is optimistic. "I think the kids leaving now will realize they had a good thing back in the territory," he says. "A lot of them come back. Hopefully, they'll fight to protect what's left here, before it's gone."

• **On a biting cold** late afternoon in February, I visit Weiss at Yale. It's been six months since we met on the Aguarico. He pulls up in front of my downtown New Haven hotel, in an old Saturn on loan from a fellow student. The winter has been nasty even by the standards of his native Michigan. "The girls love sledding, but we're all ready to go back home," he says. As we drive toward his lab, he describes events beckoning him to San Pablo: The oil companies have found their oil and are pushing more drilling contracts. His mother-in-law is seriously ill with parasitical worms. On the family farm, his fruit palms are blooming, and they are missing the harvest.

We park alongside a snowdrift outside Yale's Environmental Science Center, and Weiss leads me to his third-floor lab. The room is crowded with beakers, micro-scales, and plastic jugs with hazmat warning labels. He shares the space with a half dozen other students, including one who is researching mercury levels in the hair of indigenous Peruvians who live on rivers contaminated with mining waste. "His findings are scary," says Weiss.

We walk over to a case of tubes containing 50 samples of distilled bark and leaves from the yoco vine. Yoco contains a substance called theobromine, the "happy" alkaloid found in chocolate, which contributes to yoco's euphoric effect. "They've all been tested," Weiss says. "Now I know the theobromine is in the leaves and the bark. The caffeine is concentrated in the bark."

Helping him is Florencia Montagnini, a senior research scientist at the forestry school and a leading expert on tropical silviculture. Like Weiss, she's encouraged by his findings. "With the demand for energy drinks and organic products, yoco's stimulating and mood-lifting effects make it a very interesting plant," Montagnini says.

If there is promise around the yoco project, there is also growing urgency. Since his departure, the Chinese firm Andes Petroleum has submitted long-term drilling and pumping contracts to tribal leaders.


They sent Weiss copies of the documents, which have yet to be signed. "They're using skewed and outdated numbers from the 1980s," Weiss gripes. "The companies and the government have always taken advantage of our inexperience and naïveté."

Many Secoya are coming around to Weiss' position. Andes Petroleum recently started drilling in neighboring Siona territory, and the impact has already been felt downriver. "They put the platform right on the Rio Wai'ya, known as 'the river of fish,' just for convenience," Weiss says. "They said there'd be no sedimentation flooding into the river, but you can see it. What's flowing in that we can't see? From day one, they're breaking promises, using the river as a sewage system."

Most of Weiss' fellow students, meanwhile, are angling for well-paid gigs in Washington, D.C., and New York. They are shocked to learn that Weiss isn't doing the same and that his life in Ecuador isn't some elaborate résumé builder. "Everyone says, 'You're really going back to the middle of nowhere with a Yale degree?' And I'm like, 'Yeah, I am. There's freedom down there. It's a much more interesting life for me. You can have all of this — the noise, the rush, the Stop & Shop chickens.'"

This is the first time I hear an edge in his voice. Weiss can be frustratingly dispassionate about his life on the Aguarico. It's unclear whether this is just the detachment and serenity of someone who drinks a lot of yage, or he simply hates talking about himself. Or maybe it reflects his transformation into a Secoya, a tribe with a quiet, enigmatic bearing that confounds outsiders. "Sometimes I think about all the events that led me to end up there," he says. "It could just as easily have been somewhere else."

The next chapter of his Secoya life will be an eventful one. When he gets back, his tribal leadership role will be larger than before. "People are going to look to me for answers and help," he says. "One of the important things about coming here was meeting allies, people in the law school, the business school, other researchers focused on the tropics. They're necessary." He plans to enlist them on behalf of the other tribes who face similar threats in the region.

From someone else, these words might be symptomatic of a "white savior complex." But there's nothing about Weiss to suggest he draws power or even personal satisfaction from being in a position to help his adopted tribe. I believe him when he says that he'd rather not be in New Haven or dealing with oil contracts, that he dreams of a quiet life as a shaman, lived out on clean rivers that meander through healthy forests full of peccaries, monkeys, and yoco. But that lost world is far from the one he stumbled into as a backpacker in 1996. From the world he's returning to, it's farther still. 

Scott would get a current physical description, hire a sketch artist to rough out a likeness, then go around the neighborhood with Phillips and Lindsey, papering delis and pool halls with flyers. Some of the people canvassed recognize the men, having seen or read their stories at the time of their releases, and are eager to be of use — to call around on their behalf or put up posters where they shop. Or sometimes they're secondary parties to a case, such as the woman in the industrial town of Brownwood, Texas, whose husband, a cop, had assisted in the investigation of Hill and been troubled by its outcome for years.

"We turned up several folks in Brownwood who were bothered by how they did Hill, but none of them wanted to go on record," says Scott. "Then we found the juror Lois Copic, and she gave us the whole damn story."

Copic, a stately blonde in her sixties who looks at least a decade younger, now works as the comptroller for an oil-services company and lives in San Angelo, Texas. Thirty-seven years have passed since the trial, but her memory of it is vivid and sour, a guilt-stone stuck in her throat. "They put on such a bad case, the cops and district attorney," she says. "No evidence, no lineup, and the only witness they had changed his testimony to say he was sure."

In June 1978, someone robbed a motel in Brownwood, pulling a knife on the counter clerk and making off with a small sum of cash. Hill, a 30-year-old man who was mentally challenged (he had a tested IQ of 69 and quit grade school without learning to read), had checked into the motel with a man named Don Wallace and Wallace's girlfriend, Dianne Clemons. Hill had known Wallace, a prolific felon, from a jail stint he'd served as a teen, when he was busted for joyriding. A decade later, the men crossed paths again, and Wallace invited him to take a ride up to Brownwood. The three rented a double room, swam in the motel pool, and watched TV together. Then, according to Hill, Wallace grabbed Clemons' wig and went downstairs with a knife. Several minutes later, he came back with a bag of money that he claimed he'd "talked" the clerk into giving him.

Shortly thereafter, cops knocked on their door and hauled the three of them, including Clemons, to the lobby. But the white clerk couldn't tell which of the two men had robbed him, saying they looked alike to him. That's when Clemons declared it *had* to have been Hill; her boyfriend had been in bed with her all day. That was enough for the Brownwood cops. They arrested Hill, paraded him in front of the clerk in cuffs, and told the couple they were free to leave.

"What happened next'll make you straight sick," says Scott. "The D.A. came to Isaiah and said, 'Listen up, nigger: You're in a white man's town. If you don't plead guilty, I'm gonna make an example of you.' Isaiah

told him, 'Sir, I don't mean no disrespect, but I can't plead to what I ain't do.' The D.A. said, 'Fine. Have it your way, nigger.'"

That D.A., Gary Price, had no evidence to present except for a snapshot of Hill wearing the wig — though Price couldn't say where or under what circumstances the picture had been taken. That meant the case hinged entirely on the testimony of the motel clerk, Tammy Blanton. But right up until trial, Blanton said he couldn't be sure who robbed him. "So we dug a little deeper," Scott says, "and came to find out that the D.A. paid a visit to his house. He straight up told the clerk, 'Look here, you're gonna say it was him, or he's gonna walk scot-free.' That right there was grounds for a mistrial, but Hill's lawyer barely mentioned it in court!"

Copic, the juror, picks up the story. "On the stand, Tammy Blanton contradicted himself — said he wasn't sure before trial but now suddenly he was *positive* about Isaiah. I voted 'not guilty' when we took our first jury poll. But the other folks, they wanted to find him guilty and go home for lunch." When asked if anything improper had happened in deliberations, Copic barked her disgust. "One juror brought in a *newspaper clipping* and read it out loud to us! It said Isaiah Hill was a habitual offender and had served time in jail before. I yelled, 'You *can't* bring that in here. The judge said he'd slap us silly if we violated the rules he gave.'"

Copic sent word up to the judge, William Breedlove. He addressed the jury in chambers but refused to declare a mistrial or to order the juror's arrest. A day later, after much badgering, Copic gave in and voted guilty, convinced that if she didn't, they'd just pick another jury and convict him. "To this day I'm haunted by what happened to Isaiah," she says. "I wish I'd have stuck to my guns." Hill was sentenced that day to life in prison. Total proceeds of the robbery: \$200.

Within weeks of his arrival at the Ellis Unit in Huntsville, Hill says he was raped by four hulking inmates as prison guards ignored his screams. Hill's ribs were fractured, and his rectum was torn so badly that they couldn't stanch the bleeding; he was carted to a hospital in Sugarland, where he spent weeks. When he was well enough to speak, he reported the crime and was transferred to a federal prison in Georgia. With that, the state of Texas wiped its hands of him — until Scott and Lindsey took his case in 2014. Scott first visited Hill at the Robertson Unit, east of Dallas (he'd been returned to the state system in 2013), obtained his trial transcript and Copic's jury statement, and prevailed upon the Austin Police Department for Don Wallace's mug shots and records. Then he and Lindsey set out to find the real perp and confront him face-to-face.

It took months of road-tripping and knocking on doors, but they finally ran down Wallace. Now in his mid-seventies and holed up at a senior home in Austin, he was surprisingly willing to sit with them and talk. He

bragged to Scott and Lindsey about his life of crime, crowing about "pimping hos" and beating robbery charges at trial. But when the talk came around to the motel heist, "that's when shit got squirrely," says Scott. Wallace sputtered that the robbery had been Hill's idea, that Hill was actually living in Brownwood at the time, and that the wig worn during the crime belonged to Hill.

"I told him, 'You're a liar: Isaiah Hill didn't do it; you and your hooker girlfriend set him up,'" says Scott. "For once in your fucked-up life, tell the truth."

Lindsey, playing the good cop, laid out the incentives to confess. The statute of limitations, five years for felony robbery, had run out decades back. They could provide him a lawyer who would guarantee no risk of incrimination. All he had to do was give a statement and take a poly. There might even be some money in it for him. "I said, 'I know you're a son of a bitch, but that's OK — I was an SOB, too,'" said Lindsey. "But I'm out here now trying to do a good thing, and if there's one speck of goodness, one shred of heart in you, please find it in you and help this man."

Wallace fell silent and mulled the thought over. His eyes, a shade of hangdog gray, moistened as his belly rose and fell. "I can't do it," he said finally.

"Can't or won't?"

"I'm sorry, man. I just... can't."

**SINCE HIS RELEASE** from the Coffield Unit of the Texas criminal corrections system, Scott has been paid about a million and a half dollars by the state in compensation. Lindsey and Phillips have each received north of \$3 million, as they were in for roughly twice as long. That computes to a lump-sum payment of \$80,000 for every year the men were wrongly imprisoned, and monthly checks that total another \$80,000 a year in a tax-free annuity for life. It doesn't begin to repair what the justice system shattered. It is, however, the country's best reparations program and one of the very few that guarantees timely payments to the people it exonerates.

Before the spate of innocents released in Dallas D.A. Watkins' first term, the state was less fair-minded. For years it forced them to sue for damages, and when it paid out, the award was an insult, pennies a day for years in prison. But eventually Texas agreed to pay \$25,000 per year of wrongful time served and later upped the sum to \$50,000. In late 2009, a group of Watkins' exonerees went to the Texas Capitol to lobby for — and ultimately win — the current benefit scale.

Among them were the three men of HRH, who spoke movingly of what they'd lost behind bars: the connections to their children, who were mostly preschool age when the men were convicted; their wives or longtime girlfriends; and the attachments to their parents, siblings, and friends, many of which were ruptured beyond repair. Lindsey's mother had *(continued on page 88)*

a breakdown after he was sent to jail, went into a diabetic coma that she barely survived, and was in such poor health for the rest of her life that she couldn't visit him in jail. Scott's lovingly raised sons were shipped to foster care, where they weathered terrible hardships. One spent a year in a juvenile psych ward after attempting to harm himself. The other wound up serving several years in jail. They began to rebuild their lives only after Scott's release in 2009.

"When I got out — and every one of us has dealt with this — my son told me it was my fault I was gone," says Lindsey. "Said, 'It had to be something you were in for,' and I just looked at him like, 'Are you really that ignorant? What happened to me could happen to you next week.'"

What happened to Lindsey and Scott defies lucid explanation. Scott shivers to recall his first night in county: "They put me in the cell and I actually pinched myself: Is this the Twilight Zone? I kept thinking I'd wake up and be back with Brandi." Six months later, he was on the chain bus to Coffield with a life-sentence pinned to his shirt. He had a pretty face and no friends on the unit; he knew he'd have to fight to stay alive. Sure enough, a Crip called "Tone-Tone" stepped to him as they stood on the commissary line. Sensing it was now or never, Scott told him to knuckle up. They went to an alcove where the guards couldn't see them fight. Two dozen inmates formed a circle around them, laying odds and making bets. "He outweighed me by probably 60, but I busted his eye open with my jab. Everybody's laughing at him — 'You can't do nuthin' with this little bitch?' — and then I straight *punished* him. I cut his face good, and they stopped the fight."

The fight wasn't Scott's last, but it earned him respect from the men in his wing. For seven years he managed to keep his nose clean, waking shortly after dawn to work the fields until a job opened in the kitchen. There he upped his calories, put on 80 pounds of muscle, and had his afternoons free to write anyone he could think of who might help him file an appeal. But then a mass breakout at another unit sent the entire prison system into convulsions. Despite his spotless record, Scott was dumped in segregation, where everyone with more than 50 years to serve was suddenly sent en masse. Segregation is the Guantanamo of Texas prisons. You spend 23 hours a day in an intolerably hot cell and are fed through a slot in the door. There is no yard time, no mess hall, no dayroom, no job — just you and the vermin with which you share your space.

"Every morning I wake up to these big-ass roaches" and rats so bold "they push your meal tray away before you even get it," says Scott. Seg was on the side of the prison compound that got sun all day long. Scott would

turn on the tap, flood the floor of his cell with water, then lie in it to bring his temperature down. He filled the time reading any book he could get his hands on and studying for a GED. But the loneliness closed in on him hard. Each day the mail cart passed without his name being called. His family had stopped writing and putting money on his books, and Brandi had moved on to another man. "Chris was the love of my life and always will be: We were supposed to be married forever," says Brandi Simmons, a nurse's assistant and single mom now raising a teenage daughter. "But I was all alone, and he had 40 years to go. It hurts me even to think about it still." In parting, she withdrew her life savings of \$3,500 and put it on his books to see him through.

**THE DESOLATION OF** the six-month stretch in seg could've driven Scott mad. Instead, he came out determined to win his freedom. He sent urgently worded letters to Watkins, then the new D.A., and to law-school clinics across Texas. Simmons, his co-defendant, also sent a post to Watkins. That email, read by staffers, took a while to reach Watkins' desk. He was determined to clear the pipeline of DNA claims, of which there were several hundred backed up. In Scott's unit alone, eight men were exonerated in the first two years of Watkins' term. With each man's release, the cellblock erupted, cheering like a war had ended.

Then, early in 2009, Scott got a surprise visit from a law student named Natalie Ellis, who had come on behalf of the D.A.'s office to check Simmons' claim of innocence. Ellis asked Scott if he would admit to the killing so his co-defendant could go home. Scott told her to shove it and was getting up to leave when Ellis urged him to sit back down. She asked him to retrace his steps the night of the murder; he gave her a blow-by-blow account. "Interesting," she said. "That's just what Simmons told me — and by the way, Alonzo Hardy confessed." (Hardy was one of the two men named by neighborhood tipsters as the actual killer.) Scott sat there slack-jawed, the blood hammering in his ears, as she brought him up to speed. Prompted by Simmons' email, the D.A. had tasked a team of law students at the University of Texas, Arlington, to check his story against Hardy's. They found Hardy ill with cancer and ready to tell the truth in exchange for treatment. He gave an affidavit about what happened that night and was about to take a polygraph to confirm it. If he passed that, then Scott and Simmons would soon do likewise. Conceivably, they'd be home in a few months.

Scott practically burst as he walked back to his cell. A month or so later, he got a notice in the dayroom: *Bench warrant to Dallas — no return.* "Man, I jumped on that table and let out a shout: 'Free at last, motherfuckers! Free at last!'" The next morning he was driven to county jail, where he waited another month to take the poly. When the


day finally came, Scott was sweating so profusely that he worried about shorting the machine's electrodes. The technician asked him six questions, then repeated them in various orders and phrasings. At last he looked up and said, "Mr. Scott, you were telling the truth." Scott, overwhelmed, barely heard what the technician said next: Every cop who'd helped convict Scott was in a room down the hall, hoping against hope he'd fail the test.

In the hallway, they all piled out to file past him. Detective Columbo walked over and extended his hand, offering congratulations. "I said, 'All due respect, I don't want to shake your hand,'" Scott recalls. "You took 12 years of my life for no reason, because you didn't bother to follow procedure. You know what he said to me? 'Well, we all make mistakes,' and turned and walked away."

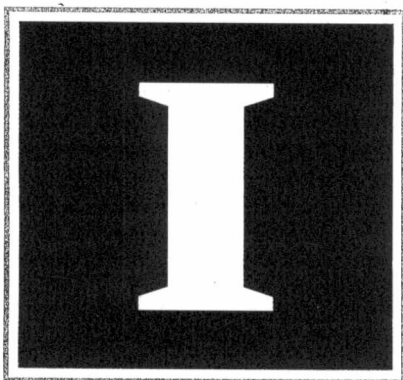
**SCOTT MAY NEVER** prove actual innocence for Hill, though he's produced enough evidence to strongly suggest that Hill didn't get a fair trial. Still, you don't fight your way out of a Texas prison by being the kind who gives up easy. Scott made three trips to see Hill in prison, bringing a camera crew each time. Those visits drew the attention of the Robertson Unit's warden, Ron Fox. Scott sat down with Fox, told him his story, and laid out the facts of Hill's case. Moved by what he heard, Fox apologized to Scott for the hell the state had put him through and commended him for "turning bad into good." He agreed to take a look at Hill's inmate file and, if possible, put him forward for a parole board hearing. After decades in oblivion, Isaiah Hill suddenly had a profile.

Last spring, Hill, now 68, was transferred to a less-restrictive prison, the Mark Stiles Unit, near Beaumont. Scott called over to the warden there, repeated Hill's story to a senior staffer, and later informed her that he'd found Hill a bed at a medical halfway house. By the summer, Hill's status had been upgraded: He was scheduled to meet the parole board in December.

On my last visit to Texas, I drove two hours to see Hill. He is a short, bald man bent forward at the waist, someone who looks like he has spent decades with his hands chained before him. Hill is still ravaged by his rape and kept raising it every few minutes. Each time he did so, he shook with sobs. "All I have is God, sir. I keep asking him to help me, 'cause I can't carry this load!"

I assured him that many people were trying to help, and that a place had been arranged for him, pending release, at a halfway house in Dallas. He brightened at the news and wept again that an angel, Chris Scott, had been sent his way. Asked what he wished for if he made parole, he thought about it, wet-eyed, and said, "A friend." A friend? "Yeah, a nice Christian lady to be my wife and teach me how to read and write. It's so lonely when you're all alone in your mind. And my mind is real messed up, mister." 





It was 105 and *thick* outside, the heat melting the morning along Route 20. Chris Scott had been holding himself together on the three-hour drive from Dallas, taking in the baked-brown pastures and the steers seeking shelter under pecan trees, all the while thinking, "Why do they always build these prisons in the middle of country-ass nowhere?" But then he hooked a left onto a two-lane road, and Scott felt his blood begin to cook. He was sweating through his dress shirt as he passed the prison farm and its razor wire rolls. He saw the inmates picking okra and squash, black men in long sleeves to protect against being bled by the nettles and spines of the produce they were cutting in narrow rows, and the white guards above them, mounted on horseback and barking out threats. "Slavery ain't over. They just moved it where no one sees it," Scott thought as he drove inside the wire.

At the first of two checkpoints, guards searched his rented van and stuck mirrors under the chassis to look for guns and bombs. "They made me get out of the van and checked between the seats for drugs. I'm wearing a blazer and dress slacks, I got a film crew with me, and I'm Texas Man of the Year in 2012," says Scott. "But to these simple bitches, I'm a nigger inside the walls. Ain't a damn thing changed since I left."

Scott, now 44, spent 13 years in prison for a murder he had no part in, one of dozens of wrongfully convicted inmates Texas has freed in the last decade. In the six years since he proved what's called actual innocence — that is, innocence borne out by post-conviction evidence that is exculpatory and persuasive — and was released with a seven-figure sum in compensation, he has lobbied for, and helped win, a radical increase in the monies the state pays to the wrongfully convicted, opened a thriv-

PAUL SOLOTAROFF wrote about NFL super-agent Tom Condon in the May 2015 issue.

ing men's store in a suburb of Dallas, and bought a big house with a Jacuzzi and pool that he shares with his girlfriend, Kelly, and his grandson Trey.

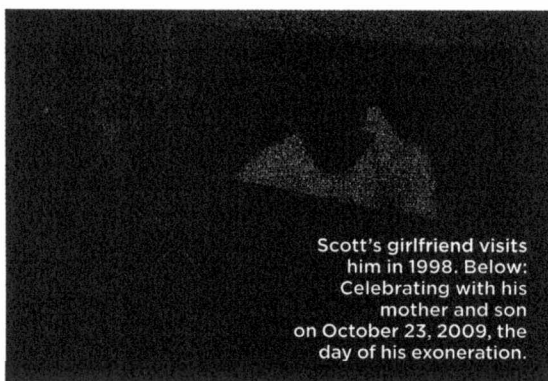
But Scott hadn't driven out there on that broiler of a day to parade his triumphs before the warden. He had come to interview inmate Isaiah Hill and assess his long-held claim of innocence. Twenty-seven years after his own life was cracked wide open by the Texas criminal justice system, Scott was here as the lead investigator for House of Renewed Hope (HRH), a detective outfit started by three exonerees whose mission is to help free other men who've been wrongly imprisoned for decades.

Scott, who looks like Idris Elba would if Idris Elba benched 320, has the barn-door shoulders and mailbox quads of a man who made the best use of his jail-yard time. He

foyer, all those sense-memories doubling back unbidden and raising havoc with his nervous system. By the time he was seated at the bulletproof window, Scott had to pray in order to calm himself down, asking God to get him through the hour.

At last they brought Hill in: a small, stooped man in his mid-sixties with a thwarted, birdlike frailty in his eyes. He looked at Scott and put his hand on the glass between them. "I've prayed 37 years for someone to help me," he said, weeping. "Please help me, sir: I didn't do this thing they say, and they raped me real bad, them four guys!"

Scott put his hand on the glass, holding it up to Hill's as the two men prayed. When they finished, he brought the phone to his ear again and said, "Tell me everything that happened at that motel."



Scott's girlfriend visits him in 1998. Below: Celebrating with his mother and son on October 23, 2009, the day of his exoneration.



drinks nothing stronger than Sprite, doesn't smoke cigarettes or anything else, and is very rarely out past 10 PM, when he settles in front of the TV for the night. "Ain't nowhere safer than being home watching sports," he says.

Because he'd brought a film crew to record his meeting with Hill, it took another half hour to clear the metal detectors once inside the prison. Scott was shooting a scene for *True Conviction*, a documentary that is slated to air nationally on PBS's *Independent Lens* next fall. But stage fright wasn't what had set his heart racing and cause perspiration to pool down his back. It was the sight of those men in the fields outside the gate, the sharp reek of Pine-Sol in the prison

**CHRIS SCOTT WAS ONE OF** nine kids raised poor but proper in the mixed-race streets of Oak Cliff in southwestern Dallas. His father, Oliver, was a roofer who went where the jobs took him and sent cash home when he could. His mother, Zeddie, was a seamstress who worked double shifts at Sears; out of necessity, her children learned to cook, clean, and iron by the age of eight. If they didn't see her much, they didn't lack for nurture: "It was the kind of block where the whole street fed you," he says, and where Mrs. Pearl, two doors down, "would whup you for cussing, then call your mama at work and tell her why."

A born athlete, Scott grew long and lean and was a ferocious hitter on his varsity football team despite never weighing more than 150. He'd get into fistfights at the park, usually over girls, but having seen three brothers get hooked on smack and go to jail for theft, Scott was scared straight from an early age. "I was the kid that cut lawns and delivered papers. I wasn't going nowhere near them streets." But in his junior year of high school, the Scotts' house burned down in an electrical fire. They lost everything and were home-

less for months, putting up at shelters and motels. Though he was a solid B student, Scott quit school to flip burgers. By 19 he was living with his older siblings and had fathered two boys with a sometime girlfriend. But he was a motivated kid with a gift for hard work and an easy grace with customers. He followed his brother Tony into the grocery business and in 1993 became the produce manager at Tom Thumb, an upscale market. He seemed ticketed for big things, his own store or start-up franchise, by the age of 30. Scott surely looked the part: Cole Haan loafers, Polo crewnecks, a used but glossy Acura in forest green. Here was a man with his eyes on the prize and a ticket out of the hood.

PREVIOUS SPREAD: PROP STYLING BY ASHLEY WILSON FOR SEAMINX; PRODUCTION BY TAMCO PRODUCTIONS. FROM TOP: COURTESY OF CHRISTOPHER SCOTT; LARA SOUT/DALLAS MORNING NEWS/CORBIS