

## WINSTON-SALEM JOURNAL

### **Hunt exonerated**

**By Phoebe Zerwick; Winston Salem Journal  
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Law-enforcement officials say another man, alone, is guilty.

In the end, Darryl Hunt's long imprisonment in connection with the 1984 rape and murder of Deborah Sykes was a case of mistaken identity.

Another man killed her, the police and prosecutors said yesterday. And most importantly, that man acted alone.

The words that ended the ordeal for Hunt, who has spent half his 38 years in prison, were simple.

Superior Court Judge Anderson Cromer this morning signed an order vacating Hunt's murder conviction in the case, a crime for which Hunt always maintained his innocence but served half his life in prison.

SBI agent Scott Williams and Winston-Salem police detective Mike Rowe said that after talking with the man now charged with the crime, Willard E. Brown, they believe Hunt had no part in the attack on Sykes on Aug. 10, 1984. Brown was identified late last year through DNA testing. When confronted by the police, he confessed to the crime and said he acted alone in attacking Sykes.

Sykes' mother, Evelyn Jefferson, and her husband, Douglas Sykes, both addressed the court in emotional tones, saying it would be a travesty of justice for Hunt to be released. They both said they still believed that though he had not raped Deborah Sykes, he still played some role. Cromer gently admonished Jefferson that the proceeding was not the place for such words as she began to talk about Hunt's past.

Hunt stood up to address the judge, squeezing out the words "It's hard for me," before briefly being overcome by his emotions.

"Twenty years I've been trying to prove my innocence," he continued. "Thank you. I give thanks to God and thanks to this court.

Then, in one of the most emotional moments of the morning, Hunt turned to face Jefferson.

"Mrs. Jefferson," he said, voice broken with emotion, "I had nothing to do with your daughter's (death). I wasn't involved. I know it's hard. I just ask that you and your family know that in my heart and my prayers ... that you are in my prayers.

"I feel the pain you felt. ... I didn't do it. I wasn't there. I can't explain why people say what they did and why they lied. Only God can."

Cromer dismissed the case against Hunt "with prejudice," meaning he can never be tried in the murder again.

The hearing took place before about 350 people, who spilled into an extra courtroom where the proceedings were broadcast via closed-circuit television. As the judge read the order, there was applause among the spectators in the extra courtroom, with some rising to their feet.

### **The role of race**

From the start, race played a role in the way the case was prosecuted and in the way it was perceived for the simple reason that Hunt is black and Sykes was white.

In Keith's motion to vacate Hunt's conviction, he makes note of the physical similarities between Hunt and Brown. Both were dark-skinned black men. Brown was 24 and Hunt was 19 at the time of the murder. Brown was 5 foot 7 and weighed 130 pounds in 1986 when he was questioned by police; Hunt is 5 foot 10 and weighed about 150 pounds in 1984.

Hunt was arrested a month after Sykes, a 25-year-old newspaper copy-editor, was stabbed to death on her way to work downtown on Aug. 10, 1984.

Hunt said yesterday that he wouldn't dare believe his 19-year ordeal might be over after a hearing this morning's hearing in Forsyth Superior Court.

"I don't want to be optimistic and then go and be let down again," he said yesterday. "It's just the closer I get to the hearing, you always have that fear that they may do something crazy again and I would end up going back to prison."

Ten years ago, Hunt had expected to be freed after DNA testing ruled him out as the source of the semen evidence in the case. He was wrong; a Superior Court judge said the DNA was not enough to even require a third trial, and every appeals court upheld that decision.

It wasn't until the DNA testing, ordered this spring at the request of Hunt's attorneys, linked Brown to the crime late last year that the district attorney re-opened the case.

Forsyth Superior Judge Anderson Cromer released Hunt from prison on an unsecured bond Dec. 24 after Brown confessed. Brown in his confession expressed remorse over Hunt's conviction.

A gag order, signed by Cromer, has prohibited investigators and the attorneys involved with the case from talking about it since late December. District Attorney Tom Keith spent most of the week drafting papers for today's hearing, and he met yesterday with investigators from the State Bureau of Investigation.

### **Two similar cases**

Keith has said that investigators have spent the past month substantiating Brown's confession. Brown was charged with murder, rape, kidnapping and robbery on Dec. 22. Police looked at him as a possible suspect in the Sykes murder in 1986 after the victim in a second rape in February 1985 identified him as her attacker.

The Sykes murder and the second rape were strikingly similar. Both victims were young, white women who were attacked on their way to work in a downtown office, and both were raped and stabbed. Police have not explained why they never prosecuted Brown in the second rape or why they ruled him out as a suspect in the Sykes murder. They have said that at some point in their investigation that they learned, mistakenly, that Brown was in prison the day Sykes was killed.

Court officials also said that as far as they know, today's hearing was the first test of the Innocence Protection Act, passed by the state legislature in 2001. The act authorizes post-conviction DNA testing, and gives a judge considerable latitude in such cases.

Cromer could have dismissed the charges against Hunt, vacated his conviction and sentence, granted a new trial or entered "any order that serves the interest of justice."

Police first considered Hunt as a suspect in 1984 because a witness, Johnny Gray, called 911 to report the attack and falsely identified himself as Sammy Mitchell. When police went to find Mitchell, they met Hunt, who spent most of his time in the summer of 1984 hanging around with

Mitchell.

Mitchell was charged in the Sykes murder in 1990, but he has never been tried. DNA testing in 1994 ruled him out, too, as the rapist. His attorney was in court today, where Keith announced that the murder charge against Mitchell also would be dropped.

Hunt's case continues to divide the public, as it has since his arrest.

From the start, the case became a parable about race and justice. A survey of jurors before his first trial in 1985 found that blacks overwhelmingly believed in his innocence and whites believed in his guilt. With the recent developments, some who previously accepted the guilty verdicts have come to question the justice system. But to others, Hunt remains a man who will always be associated with a brutal crime.

"If he didn't do it, I feel like he was in on it," said Betty James, of Clemmons. "Was it two trials and two different juries and they both found him guilty? Well, I think he must have been guilty."

Those who believed in Hunt's innocence all along see the recent developments as vindication.

Vivian Spears, a retired nurse at Forsyth Medical Center, knew Hunt slightly before he was convicted and kept up with his case over the last 19 years.

"By Deborah Sykes being a white woman, they were trying to solve the crime expeditiously without regard to whether the person was guilty or innocent," she said. "What people don't realize is it could happen to their son, their brother, their father. I don't care what color they are. An innocent person should not be in jail."

### **Broader issue**

Hunt's exoneration makes him the 141st man across the country to be cleared by DNA evidence.

A coalition of groups calling for a moratorium of North Carolina's death penalty cited today's ruling as reason why the legislature should take such action.

"Historically, our General Assembly has shown strong leadership in enacting reforms needed to ensure a fair, reliable criminal justice system," Janet Moore, spokeswoman for the North Carolina Coalition for a Moratorium, said in a statement. "Flaws in that system are costly to everyone involved -- victims, defendants and their families bear the worst costs. In Darryl Hunt's case, a man lost 18 years of freedom. We must identify and correct those flaws; we cannot accept or condone them."

Last year, the N.C. Senate approved a proposal for a moratorium, but the House has not yet taken up the measure.

As for Hunt, his next step is likely to be a request for Gov. Mike Easley to formally pardon him. Such a step required under state law for Hunt to collect remuneration for his years in prison. He stands to receive \$360,000 if the pardon is granted, \$20,000 a year for each of his 18 years behind bars.

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