

## LONG ODDS, BUT HOPE GROWS FOR A CHANCE TO PROVE INNOCENCE

Detroit Free Press (MI) - Monday, November 24, 2003

Author: JEFF GERRITT

It might sound crazy to call a man who has spent 19 years in prison for a crime he didn't commit lucky, but **Darrell Siggers** feels fortunate. Without DNA evidence or plenty of dinero, getting out of prison through the legal system is just about impossible. But **Siggers**, a 39-year-old Detroit native, has a shot.

Convicted of murder in 1984, he is serving a life sentence at Riverside Correctional Facility in Ionia. I wrote a column about him on Nov. 25 of last year, raising serious doubts about his guilt. After that, attorney F. Martin Tieber of East Lansing, cofounder of the Michigan Innocence Project at Cooley Law School; David Santacroce, a professor at the University of Michigan Clinical Law Program; and Jennifer Morris, a University of Michigan law student, got on the case. They are about to file a motion asking Wayne County Circuit Judge Vera Massey Jones to grant **Siggers** a new trial.

Most innocence projects take only cases with DNA evidence. **Siggers**' case doesn't have it, which makes it doubly hard to get legal help while locked up.

In a troubling twist, asserting your innocence in prison can make it harder to get out, too. The Parole Board, rightly, wants prisoners to take responsibility for their actions, but you're not likely to fess up to a crime you did not commit.

A jury deliberated for three days before convicting **Siggers** of gunning down James Montgomery. The shooting occurred Feb. 16, 1984, after a fight over some liquor at a party on Detroit's east side. The verdict was tainted by witnesses who withheld information under police pressure or fear of the killer, an eyewitness who upheld the street code of silence and didn't come forward, and the kind of ineffective defense many poor people get from overworked and underpaid court-appointed lawyers.

Once convicted, **Siggers** lost something precious: the presumption of innocence. Now he must convince a judge that there's enough new evidence to warrant a second trial.

That won't be easy, but most prisoners without DNA evidence never get this far. The few attorneys who will take these cases without pay get hundreds of requests from prisoners; the attorneys don't have time even to find out which cases are worth doing.

Getting a primo attorney like Tieber to work free is a real long shot. He and Santacroce wouldn't have picked up on **Siggers**' case if I hadn't written about it. Like any journalist who writes about prison issues, I get at least a dozen letters a month from inmates asking me to look at their cases. I can't check them all out, either. I took a serious look at **Siggers**' case only because his wife, Tina, kept calling me and agreed to bring me two witnesses -- William Arnold and his sister, Christine Hooks.

Hooks said **Siggers** was in her house at 4112 Philip when the shooting took place, less than a block away. Arnold said he was at a friend's house nearby when a man named Toby Red came to the door with a rifle and said he had just shot someone. Arnold said he'd kept quiet about what he knew because he feared the real killer.

One of the other witnesses I talked to, Darryl Dulin, said he was about eight feet away from Toby Red that night, and saw him cock a rifle and shoot Montgomery. Everyone who knew Toby Red described him as a light-skinned black man with freckles and longish hair. He lived within two blocks of the shooting. **Siggers** lived nearly two miles away.

The two eyewitnesses who identified **Siggers** as the shooter were at least 50 feet away on a dark, unlighted street and were probably drunk.

**Siggers** knows he had dues to pay in this hard-knock life. Before prison, he bought and sold guns illegally. When I visited him recently, he described himself as "a functionally illiterate man-child who could only live day by day, trapped in a culture of crimes and drugs, and in the ghetto of my own mind."

In prison, **Siggers** earned his GED and an associate degree. He works in the prison law library and can write a legal brief as well as most attorneys. He has educated himself, reading books by Marcus Garvey, Malcolm X and Nelson Mandela. When he's free, **Siggers** wants to earn a law degree and help people like himself.

In his last letter to me, **Siggers** wrote about the struggle to keep his humanity and spirit.

"Each step brings pain," he wrote, "but you have to bear it and keep walking. There is nowhere to rest along the journey and, if you stop before reaching your destiny, the pain will consume you."

Still, thanks to his wife and some dedicated attorneys, **Siggers** has some hope, at least for now.

That's more than most prisoners in his spot will ever have.

JEFF GERRITT is a Free Press editorial writer. You can reach him at 313-222-6585, at [gerritt@freepress.com](mailto:gerritt@freepress.com), or write him in care of the Free Press editorial page.

Caption: Photo

**Darrell Siggers**, who has served 19 years of a life sentence for a 1984 murder that new evidence shows he probably did not commit, hugs his daughter LaDonna during a prison visit two years ago.

Edition: METRO FINAL  
Section: EDP; EDITORIAL

Page: 8A

Record Number: 0311220191

Copyright (c) 2003 Detroit Free Press