

Former death row inmate seeks justice and an apology

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Upon his release from custody in May 2003, Nathson Fields, center, embraces Aaron Patterson, who posted bond, as Fields' sister Ruth Fields looks on. (AP photo/Stephen J. Carrera)

COLUMN

I almost didn't go to the lecture. Ungraded research papers tugged at my conscience, and my kids tugged, literally, at me as I walked out the door. But I had promised the coworker who had organized the event that I'd attend. Besides, how often do you get to hear the firsthand story of someone who almost died?

That someone is Nathson "Nate" Fields, who had been scheduled to be executed for a double murder for which he was later exonerated -- but only after spending 18 years in prison, more than 11 of those years on death row in Illinois.

Fields, now a speaker for the Witness to Innocence project, shared his story on April 19 with criminal justice students and others at Aurora University, where I teach, as part of a discussion about the death penalty and wrongful convictions.

"You guys will be the future judges, the future lawyers, the future presidents," Fields told the audience, citing the "human factor" as the reason he believes the death penalty should be abolished.

"We all make mistakes," he said. "If a player slides into second base and the umpire says, 'Out,' but on further review, he's safe, that man can be brought back from the dugout.

"You can't bring a man back from the graveyard," he added somberly. "With the death penalty, there's no coming back. You can't make that right."

Fields was no angel when he was arrested in 1985 for the murders of Jerome Smith and Talman Hickman. A member of the El Rukn street gang, he had served time for being involved in a previous gang shooting in which one man died, although Fields was not the shooter. The victims of the 1985 double homicide were members of a rival gang, the Black Gangster Disciples.

A year after the murders, Fields was driving to get a cup of coffee when he was pulled over by the police and

later arrested and charged with the crimes. He and codefendant Earl Hawkins were convicted and sentenced to death by Cook County Circuit Court Judge Thomas Maloney in 1986. Hawkins later had his death sentence dropped in exchange for testifying against other gang members in unrelated cases.

When Fields arrived at death row and saw "the gallery" of 8-by-9-foot cells where prisoners spent 23 hours a day, it finally hit him: "These people are about to kill me," he recalled.

He described brutal prison conditions, including beatings and lack of medical care. A friend who complained of chest pain was given a few Tylenol, Fields says. A day later he died of a heart attack.

"The tension in there is so high," he said. "I saw prisoners lose their minds. ... It was the ultimate nightmare."

Fields found himself succumbing to despair after his mother died. "She was my chief supporter," he said through tears. But then, "a miracle happened," he said.

In 1993, as part of the judicial corruption investigation known as "Operation Greylord," Maloney was convicted of accepting bribes, including one from the attorney of Fields' codefendant. But rather than acquit, the judge returned the money after learning he was under investigation and convicted them.

A retrial was ordered after the judge's conviction, but Fields was not immediately released. He remained in custody until 2003, when a fellow exonerated death row inmate posted a \$100,000 bond for him.

Delays lasted six more years, until Fields was acquitted in 2009. He is now pursuing a civil suit against numerous city and county officials, seeking \$360 million in damages -- a sum he feels is reasonable, given all he lost.

"I never got to go to my mother's funeral. I never got the opportunity to be a father to my daughter," he said. "It's things like this you can't get back."

Although Fields did not seem angry while telling his story, he does want the officials he believes framed him to go to jail. And he wants an apology.

In Illinois alone, wrongful convictions have imprisoned 85 innocent people and cost taxpayers \$214 million over 20 years, according to an investigation by the Center on Wrongful Convictions based at Northwestern University School of Law.

This fallibility of the legal system -- whether accidental or malicious -- seems to be driving the recent trend of states getting rid of capital punishment. In the last five years, five states, including Illinois, have repealed the death penalty. Californians will vote on the issue next fall.

Public support for capital punishment is falling, with about a third of Americans now opposing it, up from 18 percent in the mid-1990s, according to a recent poll by the Pew Forum on Religion and Public Life.

I have no data about support or opposition to the death penalty on Aurora University's campus, and I was curious how students -- especially criminal justice majors -- would react to Fields' story.

Some had been required to attend the lecture for a "Capital Punishment and Society" class in which they have been corresponding with "pen pals" on death rows around the country. In class discussions after the lecture, many were emotionally troubled by his story, their teacher said.

"They found it impossible to imagine what it would feel like to actually live on death row, thinking about their own impending death constantly, and watching their friends be escorted to their executions, one by one," said

Stephanie Whitus, associate professor of criminal justice and organizer of the event.

Another student at the lecture raised her hand to ask a question, but first offered Fields the apology he never got. "As a future member of the criminal justice system, I want to say I'm sorry," she said.

In our house, we teach our toddlers that saying, "I'm sorry," isn't enough. You have to promise not to do the behavior again. If only our country could do the same.

[Heidi Schlumpf teaches communication at Aurora University in the Chicago suburbs and is the author of *While We Wait: Spiritual and Practical Advice for Those Trying to Adopt.*]

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