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## In our broken criminal justice system, Donald Trump is not the victim | Opinion

*If we faced criminal charges, we know it would not help our defense if we insulted or threatened that very same criminal justice system. Yet Trump says he is the victim of a witch hunt.*

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No one is above the rule of law.

That's the promise of the American justice system — a promise that is tested by former President Donald Trump.

Trump is facing dozens of criminal charges related to election interference and business dealings.

Like clockwork, what follows Trump news is Trump noise. He hurls insults at judges, prosecutors, investigators and their agencies as he pushes back in an ugly, unprecedented fashion to pump up his already angry-at-America base of supporters.

If we faced criminal charges, we know it would not help *our* defense if *we* insulted or threatened that very same criminal justice system.

Yet Trump says he is the victim of a witch hunt by Democrats and his enemies, that he is suffering like Alexei Navalny, just like Jesus, just like Black people.

It's a ludicrous assertion.

But he's not entirely wrong. The legal system is sometimes unfair, but not in the ways Trump suggests, and not to Trump and people like him.

Consider that Trump has bought and will continue to buy the best available defense, with \$50 million in legal fees spent on just one losing civil case so far, and what that says about the stark contrast between Trump and those who are struggling, and must accept whatever the justice system throws at them.

With money and influence, the usual lawful process can be delayed, compromised, or crushed along the way.

Without money and influence, Americans facing criminal charges crimes often lose the game they are forced to play. They're walking into a meat grinder, almost always represented by struggling, inexperienced court-appointed lawyers without the finances to support a good defense.

**'Uncommitted'** votes risk putting Donald Trump back in office

There is plenty of evidence that more often than we'd like to think, the truly innocent have gone to prison for crimes they didn't commit, and not because of politics.

Since 1989, 3,481 Americans have been exonerated, according to the National Registry of Exonerations, after serving 31,070 years for crimes they did not commit. Those numbers clearly indicate, and I think most of us would agree, that we have a broken criminal justice system in need of reform.

To understand true legal persecution, look no further than less-privileged Michigan citizens like Temujin Kensu, aka Fredrick Thomas Freeman, and Detroit native Ray Gray.

### Too many jailed wrongly in US prisons

Kensu and Gray are among the estimated 25,000 to 30,000 people condemned to lengthy U.S. prison sentences for crimes there is ample reason to believe they did not commit. The Innocence Project currently believes 4% to 6% or more of the nation's prison population is factually innocent.

Kensu was convicted in 1987 of murder in Port Huron for the broad-daylight shotgun slaying of 20-year-old Scott Macklem. Just before 9 a.m. on Nov. 5, 1986, Macklem was cut down as he walked away from a classroom building on the campus of St. Clair Community College.

Several witnesses testified that on the morning of the murder Kensu was hundreds of miles away in Rock, Mich., outside of Escanaba. But he was convicted by a jury when the prosecutor, Robert Cleland, presented without any proof a theory that the man with no money, a pregnant girlfriend, no job and living on food stamps chartered a plane to travel 450 miles to commit the murder and return undetected.

When Kensu convinced the federal court that mistakes and harmful acts by the prosecutor, his drug-addicted lawyer and corrupt cops meant he should be released or be granted a new trial, an appeals court decided federal Judge Denise Page Hood's ruling didn't count. The Antiterrorism and Effective Death Penalty Act of 1996 time-limited his innocence claim.

At age 60, Kensu remains in prison, very ill and unable to get the governor to commute his sentence.

## **Released after 48 years**

Raymond Felton Gray spent more than 48 years in state prison for the robbery and murder of a drug dealer, convicted in a bench trial of the 1973 crime based on witness testimony, even though his family and one of the robbery suspects testified that Gray was at home when the crime was committed, styling the hair of one of his barber customers.

Despite police reports of two male perpetrators, one armed with a pistol at the time of the robbery, only Gray was charged, and convicted when a judge chose not to believe the testimony of Gray's relatives.

**Everyone hates this election.** It's our Gettysburg.

The Wayne County prosecutor's office agreed to release Gray only if he pleaded to some element of the crime.

## **Wrongfully convicted deserve protection and help**

The wrongfully convicted and their families have been awarded in millions in compensation for their suffering through judgments or state-mandated payouts. Imagine what the cost to communities would be if the nation recognized and paid damages to all the *known* victims of the justice system's shortcomings.

Unjust actions in the criminal justice system have left many wondering why the Constitution didn't fulfill its promise to them.

In June of last year, the right-wing majority of Trump's Supreme Court, led by Associate Justice Clarence Thomas, stacked with a right-wing majority, again slammed the door on innocence claims. Trump is counting on this same Supreme Court to save him from criminal prosecution.

The rule of law claims to grant equal rights and protections to everyone. It's up to us to make that promise a reality.

Maybe now, as we face the madness of Trump's bogus claim of unfair treatment, we should consider the real unfairness in our criminal justice system, and enact long-needed reforms and improvements in to better protect those of us who aren't rich and famous from punishment we truly don't deserve.

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