

STATEMENT

DEFENDANT: JERRY HAMMOND
SANDRA JACKSON
88-08-0708

TIME 1645 Hours DATE 12-28-88

PLACE C.I.D. 88-08-0708

My name is EDDIE MCKISSICK of _____
having been advised of my rights under the Fifth Amendment to the Constitution of
the United States as to compulsory self incrimination, my right of counsel and my
right of trial, and not having been made any promise, offered any reward, threatened
or given any other inducement to make this statement and knowing that anything I say
may be used against me in a Court of Law, and knowing, that I do not have to make any
statement, do hereby give the following voluntary statement to SGT. MCGRIFF
who has identified himself as a Police Officer, City of

Dothan.

DM: State your full name.

EM: Eddie McKissick

DM: Do you have a middle name, Eddie?

EM: Eddie Waymon. W-A-Y-M-O-N

DM: And what's your date of birth?

EM: September 1st, 24.

DM: What's your current address?

EM: 1704 Lake Street.

DM: Eddie, back in, on August the 4th, 1988, were you living at 716 Hutchins Street?

EM: 1700 Lake Street.

DM: O.K. Is that the house faces Hutchins, is that right?

EM: Right. Right.

DM: So that's the corner of Lake and Hutchins?

EM: Right

DM: Who were you living with?

EM: James McNeal

DM: O.K. How long did you live with James McNeal?

EM: Uum . . eleven months.

DM: Did you pay him rent or . . .

EM: Yeah, a hundred dollars a month.

DM: Had you just paid him that day?

EM: Yeah

DM: How much did you pay him?

EM: A hundred dollars.

DM: That was cash?

EM: Yeah. Five twenty dollar bills.

I have read or had read to me the above statement consisting of _____ pages and attest
that it is true and accurate account of the events which took place on _____.
It was given by me freely and voluntarily without fear of threat or promise of re-
ward.

Witnessed by _____ Page 1 Of 9 Pages

13Y
AW
AOC

STATEMENT

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DM: On Wednesday, August 3rd, you remember about what time you left home?

EM: Yeah, I left and went to the bank and cashed my check.

DM: Do you remember about what time that was?

EM: Three o'clock in the evening.

DM: Did you then go back home or what?

EM: Went back and paid him.

DM: Do you know if he went anywhere then?

EM: No, I don't.

DM: Did you go somewhere then?

EM: Yeah

DM: Where did you go?

EM: I went down to the store

DM: Barber's?

EM: Barber's Grocery, yeah.

DM: And that's the Barber's on Parker Street?

EM: Right

DM: How long did you stay there? *3*

EM: A couple of hours.

DM: Did you drink anything there?

EM: No. I went across the street to a friend of mine.

DM: What, what's the friend's name?

EM: Her name is Phyllis Hollis. And my neice, Catherine McKissick they were there.

DM: And did you drink anything there?

EM: Yeah

DM: What were you drinking there?

EM: We was drinking Seagram V.O.

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Witnessed by _____ Page 2 Of 9 Pages
PD 67 cf

135
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STATEMENT

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statement, do hereby give the following voluntary statement to SGT. MCGRIFF
_____ who has identified himself as a Police Officer, City of
Dothan.

DM: Do you remember how much you had to drink?

EM: Well, I had three or four shots, but I wasn't near intoxicated.

DM: And that was at about three thirty?

EM: In the morning?

DM: No, in the afternoon.

EM: Naw, around seven or eight o'clock when we first

DM: When you went across the . . .

EM: Right

DM: Do you remember how long you stayed there?

EM: I stayed there until I went home, and I went to, uh, I left there and my neice took
me home.

DM: You don't know about what time it was?

EM: No, I don't have no idea.

DM: Do you know if it was after midnight?

EM: I don't think it was after midnight.

DM: After you got home, was James McNeal there?

EM: Yeah, he was there.

DM: What was he doing?

EM: He was in bed.

DM: Was he asleep?

EM: No, he wasn't asleep cause I talked to him.

DM: How long did you talk to him?

EM: Maybe ten minutes, and then I went to my room and went to bed and laid down.

DM: When you talked to him, was he in the bed and you, uh . . .

EM: Yeah, he was in the bed and I was in the den and I was talking to him and then I
went to my room.

DM: O.K. And then you went on to bed, you said?

EM: Right

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Witnessed by _____ Page 3 Of 9 Pages

136
ED
OC

STATEMENT

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statement, do hereby give the following voluntary statement to SGT. MCGRIFF
_____ who has identified himself as a Police Officer, City of
Dothan.

DM: Did you ever get to sleep?
EM: No

DM: What, uh, do you remember how long you were in the bed before, or did you hear someone
knocking at the door?

EM: No, I didn't hear nobody knocking, but, after I, when I, the first thing I heard after
I was laying down was McNeal in there hollering, "please, don't kill me", "don't kill
me", "don't kill me", so, I left my room and went in the kitchen where he was and it
was in the dark. No lights on in the house at all, I was just feeling my way in
there.

DM: Uum, humm

EM: And that's when I was assaulted, stabbed and I turned right around and went to my
room and got under the bed.

DM: To get to your bedroom, can you come out of one door and go into the livingroom, or
do you have to go down a hallway through the T.V. room?

EM: Well, yeah, have to go through a door, past the bathroom, cause the T.V. room, then
the kitchen.

DM: O.K. And that's the way you came?

EM: Right. Two doors I had to go through from the bedroom I was in.

DM: Did you go all the way into the kitchen?

EM: I got into the kitchen, where this meeting was going on, ruckus, and it was still,
"please, don't kill me", and I was stabbed twice in the back, and then I . . .

DM: Did you ever hear any other voice besides, you called James McNeal, Alex?

EM: Alex, yeah.

DM: Did you ever hear any other voices besides Alex's?

EM: He's the only voice I heard.

DM: Did, did you hear any footsteps that sounded like more than three people or two
people in the that room, in the kitchen?

EM: No, I didn't recognize no footsteps, and couldn't see no face, cause it was in the
dark.

DM: O.K. You got up, you heard Alex hollering for help?

EM: Right

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Witnessed by _____ Page 4 Of 9 Pages

137
EJC
EJC

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DM: You walked into the kitchen?
EM: Right

DM: And you felt something hit you in the back?
EM: Right

DM: Did you fall down at that time?
EM: No, I went back, and I felt a sting in my back and that's when I went back in my room cause I knew it was trouble in there and I just laid there. You know, under the bed and stayed there until the officers come got me out from under there.

DM: Were the lights on in your bedroom?
EM: No

DM: You don't know who called the police or . . . who called?
EM: Nothing

DM: Did you ever hear a window break?
EM: No, I didn't. Now, after I went back and got under the bed, I still heard ruckus and noise in the kitchen, and then that ceased. And that's all I heard, you know. I knew it was trouble so I just waiting until somebody come or help or something you know.

DM: Do you know JERRY HAMMOND?
EM: I had seen him. I didn't know him.

DM: Do you know if he's ever been in that house to visit with James?
EM: Oh, yeah. He used to come there all the time, and borrow his booster cables, and borrow money from him. Cause it was supposed to be his uncle, you know. I didn't know him, but I knew his mother and father cause I was gone for thirty five years, you know, from Dothan.

DM: Do you remember the last time he was there before?
EM: Naw. Uh, maybe a month before he come by and borrowed the cables to jump his car or something. But I see him once in a while in the store. He comes in there.

DM: Do you know Sandra Jackson?
EM: No. I never seen her, until I saw her in court in the hearing.

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Witnessed by Page 5 Of 9 Pages
PD 67 cf

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statement, do hereby give the following voluntary statement to SGT. McGRUFF
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Dothan.

DM: You, you had never, you never heard a, a female voice that night?

EM: No

DM: Or anybody talking to Alex?

EM: No

DM: During the time you were, uh, over at your friend's house drinking

EM: Uum, humm

DM: Were y'all drinking from the time you got there until the time you left or did
you just drink three drinks?

EM: Maybe three drinks. Four at the most, you know. Cause I left most of it over
there.

DM: Is there, was there enough light that you could see a silhoutte of somebody?

EM: You mean in the house?

DM: Uum, humm

EM: When this ruckus was going on?

DM: Yeah.

EM: The house was completely dark. All the lights was off.

DM: Were you barefooted when you walked in there? Into the kitchen?

EM: Yeah, I had pulled my shoes off.

DM: You had a shirt on and pants, is that right?

EM: Right

DM: So, when you went to bed, what did you do, just lay down on the bed or

EM: Laid there across the bed.

DM: With your clothes on?

EM: Yeah, but I had pulled my shoes off.

DM: Do you know if, uh, Alex had just got some checks, retirement checks or anything
like that?

EM: He got his, he got his, uh, retirement check the first, and his social security
check, he got that on the 3rd.

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Witnessed by _____ Page 6 Of 9 Pages

139
CSW
EJC

STATEMENT

TIME 1645 Hours DATE 12-29-88 PLACE C.I.D. 88-08-0708

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Dothan.

DM: Did he cash 'em that you know of?

EM: Naw, I don't know.

DM: But you know he had a hundred dollars that day?

EM: Yeah, cause I had give him a hundred.

DM: During this, uh, at the time you was stabbed, did anybody ever feel and reach in
your pocket or

EM: No, cause once, the minute I was stabbed, I just turned around and went back to the
bedroom. Soon as I come in, got in the kitchen where this melee was going on, boom-
boom, just like that, I was stabbed. So, I just turned right around. I said, "I
couldn't help Alex".

DM: Um, humm. Did you ever go back to that house? After you got out of the hospital?

EM: No. I didn't never go back. In fact, after I was discharged after 21 days in the
hospital, I went to my sister's. She lives in our family house and I stayed there.
I ain't been back in there period. His daughter wanted me to stay there, you know.
Just to pay the utilities, but I didn't want no part of the house because I'd be
by myself, you know.

DM: Is there anything else you can tell me about that night that we haven't covered?

EM: Well, you see, uh, that particular night, I didn't, you know, know nothing was gonna
happen, you know, so, I just usually when I go home, I go if Alex, maybe he'd be
sitting up watching television, he'd be in his room, I'd say a couple of words, and
you know, and go on and get in the bed, you know, but

DM: When, when you came home, did you go in the back door or the front door?

EM: Back door. I always use the back door.

DM: Was the front door locked?

EM: We always keep it locked.

DM: Did you lock the back door back? After you came in?

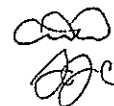
EM: Yeah. Oh, yeah. See, I had a key. When you open the door, the thing goes back
in there and automatically close, you know, when you close it.

DM: In, in the livingroom of that house, I believe it was the livingroom, there was
a table that had been broken, that was sitting on the floor, do you remember that?

EM: Well, that happened way before. This was maybe six months prior.

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140


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DM: Do you know if that window in Alex's bedroom had been broken before that night or was it there when you left home?

EM: Yeah, it had been broken.

DM: All right, . . . if you had seen whoever was in that kitchen, would, would you be afraid to testify against 'em?

EM: No, goodness. I'd be glad to testify. It's fortunate, I didn't see 'em, you know, cause I got messed up the rest of my life, and then what I was trying to do was trying to assist Alex, because he was a friend of mine and whoever was the perpetrator I didn't know them from Adam, and wouldn't have cared if I had been any assistance to him, you know.

DM: Um, humm

EM: I'd be glad to identify 'em. But, I just didn't see 'em, cause it was in the dark. And I didn't have my glasses on, you know, I wear glasses, and I had laid them up on the side of the bed.

DM: Um, humm. . . . O.K. You had your glasses on the side of the bed. Did you put them back on when you, when the paramedics got there or . . .

EM: How I got my glasses, I was laying there and I don't know, by losing so much blood, I was in just about shock. That's what they told me, you know, from losing so much blood when I got to the hospital.

DM: But, you went to the T.V. room somehow, but, for the paramedics to work on you, is that right?

EM: Well, when I knew about it, me being just about in shock after losing so much blood, I was talking to the officers and, uh, the officers told me, said, "you know you've been stabbed?", and "you got to go to the hospital". And the paramedics was there and so they. In fact, they was there to take care of Alex, you know. To see if they could save him, I guess.

DM: When you got home, do you remember where you put your billfold?

EM: It was in my wallet. I mean my pocket.

DM: Your pants pocket?

EM: Yeah, and my money too, but I didn't have, the money was in my pocket not in my billfold.

DM: Did the paramedics take that out of your pockets or do you know who took that out?

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141
CJD
EJC

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EM: Well, the, naw, the police officers told me that he had it, you know, or whatever.
Somebody had to take it out. My wallet and my money I had.

DM: Uum, humm. Is there anything else?

EM: Naw

END OF STATEMENT

Sgt. Danny McGriff - 204

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by _____ Page 9 Of 9 Pages

of

142
CSO
DJC

Jeanette Hammond Thomas

1709 Landau Court

Dothan, Alabama 36301

Jeanette52@gmail.com

334-793-2677 or 791-0892

January 2015

Dear Lawyer/Professional:

Below is a delineation of the events that transpired upon my brother's (Jerry Hammond) wrongful incarceration. This letter is a "mercy" call for your aid in helping to free my brother who is innocent yet served years in prison with unrelenting grief. I trust the information below will provide some insight into his case that may be of much help to your benevolent service. If you need more information, I hope you will contact me at the home or email address or phone number above. Thank you in advance for helping me and my brother, Jerry Hammond.

Your sister in humanity,

Jeanette Hammond Thomas

SUMMARY

1. My brother Jerry Hammond was charged for the murder of James McNeal on October 3, 1988.
2. He was arrested along with Sandra Jackson who was acquitted.
3. My brother, Jerry Hammond, was indicted for capital murder/robbery, and he was appointed attorneys Charles Decker, Bruce Hall, and Earl Smith to represent him.
4. His attorneys spoke with Jerry about a plea bargain that the District attorney offered to drop the capital murder charges to allow him to plead guilty of solicitation to commit cocaine sales, which carried 18 years of imprisonment. Against his better judgment, my brother accepted the plea bargain.
5. Initially, my brother refused the plea bargain's offer and wanted to take his chance by enduring a trial.
6. His lawyers, however, told him that if the case went to trial, being black and no money, the twelve white jurors would have definitely convicted him.
7. Reluctantly, my brother, Jerry Hammond, accepted the plea of 18 years for solicitation to commit cocaine.
8. About 10 months later, before he was transferred from county jail, Jerry had a change of thought, a change of heart about accepting his lawyers' advice.
9. The lawyers knew they did not have enough evidence to convict Jerry of capital murder.
10. Jerry appealed for a trial—and he won.
11. Jerry was moved from Dothan, Alabama, for Union Springs, Alabama.
12. By mail, appeal papers resulted to inform Jerry that his appeal request was granted; however, Jerry was not available to sign for the letter's notification.

13. An inmate named Jackie McCloud, who was present when the papers arrived, took it upon himself to forge a petition for writ of Habeas Corpus, challenging his guilty plea.
14. Jerry was not contacted to be asked if he wanted to stay with the 18 years or to appeal it.
15. Jerry never received the proper chance to say "‘yes’ or ‘no.’ I’m going to stay with 18 years."
16. Jerry was transported back to Dothan, Alabama, where he was given a new trial and, devastatingly, he was ordered the electric chair (first trial).
17. In 1996, Jerry won a second trial. To everyone’s astonishment, the court reporter mishandled most of the transcripts; she was ordered 10 days to produce the transcripts; however, she never did produce the transcripts.
18. 1990: Jerry received his first sentenced to death.
19. 2000: Jerry was given life in prison.
20. 2003: *Innocence Project* of Atlanta, Georgia, petitioned the court for a DNA test.
21. Judge White, renewed from retirement, the judge who sentenced Jerry to life, denied my brother, Jerry, a DNA test.
22. *Under duress*, Jerry, my brother, accepted the plea his lawyers’ directed.
23. If Jerry was granted permission to take the DNA test, he might have been found innocent and freed in 1992. Yet, hoping to be freed soon, Jerry continues to insist on taking a DNA test.
24. Jerry Hammond has never been in trouble since his wrongful arrest.
25. While in prison, Jerry is a model inmate, and he teaches GED classes.

My heartache: *“Is it not only fair that my brother has a chance for a fair trial? How can a person be ordered 18 years of imprisonment without proper evidence? How is it possible that a person be asked to plead guilty to a drug charge, where no drugs are/were found?”—*

I, Jeanette Hammond Thomas, the sister of Jerry Hammond, implore your aid to help free my brother, an innocent man, someone who has already served unjustly years, for a “mercy” freedom, for the chance to have a new life rightly born unto him.

Thank you for your earnest help in this delicate matter.