

# Michael Morton Case - A very flawed system



The judicial system does not know what to do with innocent people. It is very adept at finding people guilty but very incompetent at finding the truth. The Michael Morton case sadly illustrates this. The system failed in so many ways. His case is a poignant example that the system does not correct itself, it defends itself.

Mr. Morton spent 25 years in prison for a crime he did not commit. Within a very small time frame he lost his wife, his freedom and his son. During the midst of this man's tragedy, the prosecutor in the case, Ken Anderson, knowingly withheld exculpatory evidence to win his case. During the years that Morton languished in prison and his son rejected him, Anderson said nothing and allowed it to happen.

As a recent [article](#) in the New York Times mentioned, Mr. Morton wasn't exonerated due to the efforts of the Police or to the DA's office, if they had their way he would still be in prison. He was exonerated by the efforts of the Innocence Project and DNA testing. The DA's office resisted the DNA testing adamantly and Mr. Morton was forced to spend extra years in prison while the denials of the dna testing were appealed. One has to ask why deny the testing if you are confident in the conviction.

The system failed in so many ways, it nearly destroyed the relationship between Mr. Morton and his son. I cannot imagine as a young man having to believe that your Father killed your mother. His son had both parents ripped away from him. The prosecutor robbed his son of a relationship with his father all because he wanted to win his case. The system only added to the tragedy, not to mention the pain this caused Mr. Morton's family. Can anyone imagine the unending stress and the condescending looks that a member of his family received when he was found guilty. Unfortunately, most people put misplaced confidence in the judicial system.

Ken Anderson went on to become a judge and for all those years while Mr. Morton sat in prison, Anderson did not say one word about the evidence that he withheld. While the case was appealed, no one from the DA's office had the morality to turn the exculpatory evidence over. This speaks volumes of our system and the people who work in it; it leaves quite a bit to be desired.

This problem is ubiquitous and not isolated. A federal judge recently opined that ***"There is an epidemic of Brady violations abroad in the land. Only judges can put a stop to it"***. Such a short but powerful statement. Unfortunately some judges do not have the will or the fortitude to put

a stop to it, especially in the Courts at the local level such as Loudoun County. The prosecutors and judges see each other quite often; judges are reluctant to deal harshly with a prosecutor who is not playing fair.

The longer a judge resides on the bench the more tainted the system becomes. I wish Michael Morton the best and congratulations on his new [book](#).