

PROJECT: JUSTICE FOR GERALD MARSHALL



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GERALD MARSHALL

Gerald Edward has been incarcerated on Texas' death row since 2004 (Plunsky Unit Livingston, TDCJ-ID #999489). He was born in 1982 and spent his childhood and youth in Houston, mostly in a foster family. His childhood was marked by the drug abuse of his parents and physical and emotional abuse, even in his foster home.

INEFFECTIVE COUNSEL AT TRIAL LED TO SENTENCE OF DEATH

A failed fake robbery, in which Gerald was only minimally involved, resulted in the death of a man in May 2003. Gerald was charged with capital murder which led to his conviction and sentence of death by the State of Texas (Houston, Harris County).

Gerald sincerely declares his innocence. The existing records, documents and trial transcripts suggest that there was no hard evidence for his conviction. Witnesses' attorney didn't investigate important evidence for use in the trial.

LIFE ON DEATH ROW

For almost 11 years, Gerald Marshall (32) has spent his life on death row. He lives 22 hours a day isolated in a small cell. There exists only a narrow window slit which is so small that barely look outside. During so-called „recreation“ death row inmates are allowed to spend their time in a separate cage in the hallway in front of the cells, or alternatively in a cage outside. Even during recreation the inmate is isolated. The only possibility for activity is the basketball hoop and a ball in the outer cage.

Gerald is very interested in art and literature, drawing, painting and writing poetry and short stories. It is important for him to keep his mind healthy despite isolation and deprivation, so he reads many books to educate himself. Gerald's correspondence with his pen pals is his only possibility to have contact with others on a personal level. He has got no contact with his family since he was convicted. Nevertheless, he is trying hard to be a good father to his eleven-year-old son who he has met 3 times!

UNQUALIFIED ATTORNEY DURING APPEALS PROCESS

Gerald Marshall's first appeal was denied. For his second appeal he was another court-appointed attorney. He gave Gerald the belief that he would investigate all undiscovered evidence and look into the obvious procedural errors and submit them to the court for the appeal. But actually only a minimum of the complied facts have been filed to the court. When the attorney has been mentioned in connection with other proceeding concerning his unqualified work in a newspaper report by name, he withdrew from the case.

Gerald was given yet another court-appointed attorney. This man was also known through press and TV for his extremely negligent work. Several times he missed crucial deadlines for appeals, which ultimately led to the execution of his clients by lethal injection. Since this attorney was appointed to Gerald's case, he has not corresponded with Gerald at all. He doesn't even respond to his letters. Therefore, Gerald is working nonstop to investigate his case on his own in order to save his life. Since he is not in a position to hire a private investigator and prosecutor, he is preparing to represent himself *pro se* in his current and further appeals.

FRUITLESS SEARCH FOR HELP

Gerald contacted countless human rights organizations and so-called „innocence projects“ and asked for help because he has no financial resources. His case was rejected because innocence projects deal primarily with cases where DNA evidence can prove innocence, and Gerald's case does not fall in that category. Human rights organizations, such as Amnesty International only get involved once an execution date has been set, which, in Texas would be two or three months before the execution, and too late in Gerald's case.

OUR GOAL

Our association wants to support Gerald Marshall in his fight for a new trial. Only with the help of qualified attorneys will he be able to prove his innocence and avoid his execution by lethal injection. Furthermore, there is the need for hiring a private investigator and several other experts.

We also want to support Gerald with a monthly amount to enable him to buy toiletries, stamps, stationary or food at the prison commissary. Another focus of the project is to take care for the welfare of Gerald's son and to organize the first long-awaited meeting between father and son.