

# Solitary Watch

## Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2011/11/07/texas-prepares-to-execute-hank-skinner-without-testing-dna/>

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close

Search

close

close

by [James Ridgeway and Jean Casella](#) | November 7, 2011

**Update:** *On Monday afternoon, the Texas Court of Criminal Appeals stayed Skinners execution to review how changes in the state law on DNA testing requests affect cases like Skinners.*

Our piece on Hank Skinner, who is scheduled to be executed in Texas this Wednesday, appears today over at [Mother Jones](#).

Any time DNA evidence can be used in its context and be relevant as to the guilt or innocence of a person on death row, we need to use it. This was the statement of none other than George W. Bush, Texas governor. [He said it](#) in June 2000, about granting a last-minute reprieve to death row inmate Ricky McGinn, who was seeking DNA testing of forensic evidence he claimed might exonerate him. (It didnt, as it turned out, and McGinn was executed several months later.) Bush was running for president when he made his decision to delay the execution to allow for DNA testing.

Today, Texas governor and presidential candidate Rick Perry faces an almost identical decision with the case of Hank Skinnerthe main difference being a greater likelihood that Skinner might actually be innocent of the crime for which he has been sentenced to death. Skinner, who is scheduled for execution on November 9, was convicted in 1995 of killing his girlfriend, Twila Busby, and her two adult sons. He insists he was passed out from intoxication at the time, and that the real perpetrator was probably Busbys uncle (who has since died). At the time of his trial, Skinners lawyers chose not to have certain items tested, they said, because his DNA would likely be everywhere in the home he shared with the victim. But since 2000, Skinner has been arguing that theres a chance DNA evidence could exonerate him.

The odds of getting that chance from the Perry administration look slim. On Skinners last scheduled execution date, in March 2010, it was the US Supreme Court, not Perry, who issued an eleventh-hour stay

Read the rest on [MotherJones.com](#).

We will also be publishing excerpts from some of Hank Skinners own writings over the past several years. Check back later today for these dispatches from Texas death row.

James Ridgeway (1936-2021) was the founder and co-director of Solitary Watch. An investigative journalist for over 60 years, he served as Washington Correspondent for the Village Voice and Mother Jones, reporting domestically on subjects ranging from electoral politics to corporate malfeasance to the rise of the racist far-right, and abroad from Central America, Northern Ireland, Eastern Europe, Haiti, and the former Yugoslavia. Earlier, he wrote for The New Republic and Ramparts, and his work appeared in dozens of other publications. He was the co-director of two films and author of 20 books, including a forthcoming posthumous edition of his groundbreaking 1991 work on the far right, Blood in the Face. Jean Casella is the director of Solitary Watch. She has also published work in The Guardian, The Nation, and Mother Jones, and is co-editor of the book Hell Is a Very Small Place: Voices from Solitary Confinement. She has received a Soros Justice Media Fellowship and an Alicia Patterson Fellowship. She tweets [@solitarywatch](#).

Accurate information and authentic storytelling can serve as powerful antidotes to ignorance and injustice. We have helped generate public awareness, mainstream media attention, and informed policymaking on what was once an invisible domestic human rights crisis.

Only with your support can we continue this groundbreaking work, shining light into the darkest corners of the U.S. criminal punishment system.

by [Mirilla Zhu](#)

October 26, 2022

by [Juan Moreno Haines](#)

October 25, 2022

by [Caitlin Konya](#)

October 19, 2022

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People interested in this case need to take a step back & view this case in its entirety BEFORE jumping on this DNA analysis bandwagon.

As in:  
Skinner DECLINED to have this evidence analyzed pre-trial that he's NOW trying to get tested, in order to stave off execution for a horrendous & brutal crime the slaying of 3 people in their home.

What ELSE can it be BUT to delay his meeting with the Grim Reaper in requesting this evidence be analyzed NOW? He had the opportunity to have it tested PRE-trial, but declined on account of the other evidence being VERY inculpatory, & didn't want any more of THAT.

Tell me, if this evidence he DECLINED pre-trial to have analyzed could have possibly exonerated him, WOULDNT HE HAVE USED IT IN HIS DEFENSE & BEEN ACQUITTED?

The stark, obvious answer is Yes.

If this evidence could NOT have exonerated him @ trial, pray tell HOW can it exonerate him NOW?

This is nothing else but a transparent attempt to buy more time from heading to the death chamber for which I can't, & don't, blame him. Anybody on death row would do this if given this chance that Skinner is asking for. The TX Court of Criminal Appeals has stayed his execution pending its review of a newly-enacted law saying that Skinner can have previously UNtested DNA evidence analyzed. Evidence he did not have tested for use in his defense @ his trial 10 years ago.

I think the TCCA ought to turn his request for this DNA analysis DOWN. If it could've excluded him as the murderer @ his trial, he'd surely have had it tested & used it. What could not exonerate him THEN, can NOT exonerate him NOW.

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