

LANTZ v. COLEMAN

OPENING STATEMENT

*by William E. Murray, Esq., Edwards Angell Palmer & Dodge LLP*

The great jurist Learned Hand once admitted that our system of justice “has been always haunted by the ghost of the innocent man convicted.” He accepted that reality because he thought, over 85 years ago, that improving on the imperfect criminal justice system we had adopted was nothing but an “unreal dream.”

We have come a long way since then, Your Honor. As a society, we have lectured the world on basic human rights and the evils of torture. We have cast aspersions at those peoples who have failed to understand and implement freedom of speech. We have held sacred and protected the fundamental right to privacy and self-determination. Despite all of that, we are still haunted.

Before you sits Bill Coleman, a man who maintains his innocence and believes he has been convicted and incarcerated unjustly. As a result, he believes his children are being subjected to abuse. He has dedicated himself to the cause of exorcising Learned Hand’s ghosts. His chosen method is not violence or terror but rather the peaceful hunger protest used by Gandhi. Through his protest, Bill Coleman has shown his undeniable commitment to his cause, even in the face of the prospect of having a tube forcibly inserted through his nose and down into his stomach.

Most of us cannot even imagine going without solid food for 16 hours. Yet, here sits a man who has done so for over 16 months. The State may try to cast doubt on Mr. Coleman’s motives. It may question the nature and extent of his protest. But, the State cannot deny Mr. Coleman’s conviction in his cause. After all, here we all are, in this courtroom, to determine whether we are going to take another step toward exorcising the ghosts that haunt our system or whether we are going to ignore those ghosts and continue to accept them and the torture that comes with them, while jettisoning the fundamental principals of free speech, right to privacy, progress and improvement. Let us not be haunted by the ghosts of the past.