

UVA LAW | darnell-presentation

DEIRDRE ENRIGHT: So I'm Deirdre Enright. And Jenny Givens-- we are the directors of the Innocence Project Clinic. And we are the privileged people who got to help get Darnell out and into the arms of his fiancé. So we thought we would start by just asking him general questions, so that you all could know sort of his back story, before we talk about the issues and all the things that went wrong that need to be corrected. So, Darnell, I think the best thing to do is to tell us about that day you got plucked off your street.

DARNELL

First of all, I want to say hello to our staff, students. To me, this is the utmost, the most

PHILLIPS:

honorable day for me that it has been since I've been out. Because 428 days ago, I was just coming out of a literal dungeon after having done 28 years for something I didn't do.

To go back, reverse it to that first day that this situation happened, I was just a young, normal 18-year-old. I was trying to go about fulfilling a music career. I don't know whether or not you all have ever heard of the rap group, Public Enemy. The guy, Flav, had a big clock on his neck.

Well, anyway, we were trying to pull together some tracks, so we could get a demo. And so I met one of my buddies who's from New York. We used to go to the gym and box together. And so that particular day, one of my buddies from Norfolk State-- he dropped me off there.

As we begin to talk-- it starts the night before. As we begin to talk about things, my friend never came back. So I couldn't get a ride. And so I had to get a bike to ride back to where I lived there, which was probably about 10 miles away. That's was a long bike ride.

I came back the next day, rode the bike back. And so my friend, Michael Norfleet-- he just passed away a couple months ago. He asked me certain things. Well, how do you want to put this track together? So we were just-- we were brainstorming. I'm like-- nothing particular, just brainstorming.

I think if we put this type of track on or this type of drumbeat on it. And so when we walked out of the house, I never knew that this day would totally alter my whole sense of how I saw things. I walked into an investigation of a rape of a 10-year-old Caucasian girl, just straight from the house.

And the officers-- I thought-- because I grew up around officers who were very kind. We shook hands with the officers. I live in Virginia Beach. We laughed with the officers. If we were walking home late at night or something, they would sometimes ask us, you need a ride or something? Because it's kind of late out here.

So I did not realize that that day, my naiveté day, I would run across an officer that really

would make me a target. And so they questioned me about, what did I see? We had saw a young-- maybe a guy. A middle-aged guy walked by us. He asked my friend for a light.

And once my friend gave him the light or whatever, he walked across to apartment complex. And the police said, look-- once we ran in to them, they said, well, look, can you tell us what you saw? And we're thinking-- I mean, we really didn't see anything, just a guy walk by.

But anyway, they questioned us that night. They asked me to put on a hat that we had. Because I guess, evidently, I had a hat. It was a Chicago Bull hat that I guess the person who committed the crime had. That was a very popular hat at the time. It was a fisherman's hat with a Chicago Bulls emblem.

So I didn't think anything of it. My conscience is clear. And so when I-- I guess later on that evening, the officer-- he drove me home. Two days later, I meant to go and meet my friend down at the beach. I didn't know that the police had already targeted me and pegged me as the primary suspect of the person who raped a young girl.

That right there was the beginning of one of the most horrible times in my life. Because that Friday night-- from that Friday night, it would take from 1990 to up into 2018 for me to walk out and see my family again. Of course, I got out on bond for a few months.

But to really live, I had dreams. I had visions. I had goals. I wanted to be an entrepreneur. Those things were pouring through me. I wasn't a guy out in the streets acting a fool. I live in Virginia Beach, [? Kingsford ?] area. I don't know whether anyone in here knows about Virginia Beach area, right?

But that's not a very gangster area. You understand what I'm saying? Most of the guys were all either trying to work on being an athlete. That was popular. They wanted to open their own business up. They wanted to get into real estate. These are things that we spoke about all the time.

And so that day, haven't done anything but walk out of the house. Nothing-- had witnesses. I had my friend's mother. She was a pastor's wife. She had brain cancer. She was sitting on the couch. I was beside her. I was watching *Family Feud* I didn't know up the road, maybe like a quarter mile away, a crime was being committed.

So I walked right into that particular day, that investigation, smack dab into an investigation. Who thinks that your days are going to be altered? I only wanted to have a music career. But I

ended up being an inmate for 27 years.

**DEIRDRE
ENRIGHT:**

So I can't really talk very much anymore. Can you tell them about the interrogations and how they claimed to get evidence against you?

**DARNELL
PHILLIPS:**

Yes. The Friday night in August-- I believe it was August 12. When they pulled me in for an investigation, I was walking across the street. They said they saw somebody who looked like Darnell Phillips or whatever. And I don't know how you saw it in the dark-- look like me.

But anyway, they pulled up on the car. They took me down to the police station. I asked them the whole time. I said, why am I going to the police station? They just told me kind of be quiet. And they would just look at each other and just kind of smile. I'm like, well, what is he smiling about?

So I didn't know anything. Because I didn't think about two days before, when I had been questioned by the police officers. Because like I said, I hadn't done anything. So when I got down to the police interrogation room, I sat in a room. I might have sat in that room maybe about an hour.

He kept just walking in and out, look at me. I guess they were trying to get me restless or whatever. And in that process of time, I kept asking him, can I call my mother? I wasn't thinking about a lawyer. Because I really didn't have anything to cover up.

And I wasn't that familiar with the legal system. I never thought you can get locked up behind just being out. So when that night I met an officer named detective [INAUDIBLE], I guess they were playing good cop, bad cop. They were saying, well, your friend is in the next room. And he's telling me that you did it.

I said that's impossible. Then another one came in. He was like, look, we just want to help you. So they we're just going back and forth for hours. But my whole objective was I wanted to get to the phone. Because, look, I want to call my family. It's kind of late. It's like after midnight.

I want to talk to my mother or my father. I had a very close-knit family-- both mother and father there. And later on, maybe about 3:00 or 4:00 in that morning, I met a guy named Shawn Hoffman-- detective. Now, mind you, I had just been questioned for hours with another-- officers. Two officers that day, right?

I didn't tell them anything, because I didn't have anything to tell them. And so 18-- at that time,

they took me down to the police station and to the magistrate. And they began to give me the paperwork. I didn't know what the paperwork was. I'm looking at the paper.

I'm like, what is this? I'm seeing crimes up here. I'm like, well, what is this? This says rape. This says-- he said, man, that's your life. That's the first thing he said when I met-- he said that's your life. I said, what do you mean, my life? He said, you don't have any more life.

Now, you're telling a 18-year-old that you will never go home. I'm like, what do you mean, I'll never go home? Well, little-- unbeknownst to me, they had told my mother that same thing when they went to the house trying to find clothing or whatever, right?

And so I'm sitting in there. And I began to cry. 18 years old. You're telling him-- because like I say, I was a dreamer. And you're telling me I'm never going home. And so I began to kind of cry. I was like, man. That kind of hurt. I was bawling. Boo-hoo.

But that kind of hurt me. And so he started getting into my ears, acting like he was trying to comfort me. And he kind of pulled me in. And he was like-- he started calling me an animal, a moocher, started saying little things to me. And right then I said, oh, you're not trying to help me, man. You're trying to destroy me.

And he said, because you did it. And I'm like-- well, then he kept-- I kept-- we got kind of real combative about where-- my whereabouts. Well, I said, look, man. I was not there. I don't know why you're doing this, but you have the wrong individual. And I tried. I said, man, I want to talk to you.

And so after a while, he just kept-- he'd go out. He'll come back in. Well, he'll argue with me. And finally, he told me. He said, look, you don't have to worry about ever go home. But if you want some help-- he said, I'll give you some help. He said, I already know you did it.

I said, I keep telling you. I did not do this. I said, why are you saying these things? The animal thing was really getting me. Because I'm like, this guy automatically assuming it's about me. I said, I'm an intelligent person. Why is he calling me an animal? And then he kept telling me, I'm going to take that young girl.

He said, who you think they're going to believe, me or you? He said, I'm going to take that young girl. I'm going to bring her into the courtroom with pigtails. And as soon as-- he said-- they see you, a big man, and see her, they said, you're going to prison. You're never getting

out, but I can help you.

And so he kept trying to fill me in with-- I guess like, well, what color was her underwear? I said, I don't know. He said, well, what color was-- I said, I don't know. He said yes, you do. Yes, you do. I'm like, I don't know. And he just kept trying to really fill me in.

Finally, me, personally, I said, well, now, whatever, man. Whatever you say, man. Whatever. I didn't think any more about it. I'm like, whatever you say. And so when he got up, he said, well, that's all I need. And I'm like, well-- I said, I didn't tell you anything. That was it. He said yes you did.

He just kept going. And I said, why is this dude doing this thing? And so about 4:00, 5:00 that morning, they were bringing me down into the jail cell. That's the first time I had ever been in a jail cell, had never been in trouble. Not so much as an open container or anything-- throwing a soda can on the ground.

And that was my introduction into being incarcerated. That Monday morning when I went to court, the first thing I heard was saying, well, we have a confession. I did-- it's an unsigned confession. Because I didn't sign anything or anything. It was an unsigned confession.

But the man said he took the papers. And the papers-- what I told him-- he wrote it down, balled them up, threw them away, then he went to type in or whatever, right? Mind you, I didn't sign anything. I didn't tell this guy anything. But nevertheless, I'm listening to a whole litany of things that he said I told him, to which I couldn't have known, period.

And so that day there, 18 years old, I kind of felt like my life was really over. Because he told me. They told me what each of those charges represented. I heard it. I was facing at the time three lifes-- 30 years. Something like that.

DEIRDRE ENRIGHT: Shawn Hoffman, the cop that he was just talking about, was within maybe the last year-- was arrested for trying to kill his wife and throwing her down the stairs. And so he's been suspended from the police force.

JENNIFER GIVENS: He's back on the force now.

DEIRDRE ENRIGHT: Oh, really?

JENNIFER Yes, he's back.

GIVENS:

DEIRDRE He's a lovely, lovely guy.

ENRIGHT:

[LAUGHTER]

Yeah, and he literally turned--

JENNIFER The charges were dropped.

GIVENS:

DEIRDRE Charges were dropped. Charges were dropped.

ENRIGHT:

JENNIFER But maybe he's not.

GIVENS:

DEIRDRE I don't care what we say about Shawn Hoffman.

ENRIGHT:

[LAUGHTER]

So at the same time-- so they did turn that un-videtaped, unsigned, no written nothing. Prosecutors went with that as a confession at trial with absolutely nothing behind it. And I think you should also tell them about how they got the IDs, starting from taking Polaroids to the hospital.

DARNELL Yes. As far as what the police officers did?

PHILLIPS:

DEIRDRE Yeah.

ENRIGHT:

DARNELL OK, they got the IDs. That night, my friend, Michael, was 16. And I was 18. I had only been 18 like six months. But we used to-- we'd go to the gym. We boxed together. He-- and my cousin, so I kind of drew to the guy. Most of my friends were at Norfolk State or Hampton University.

So that night when the police officers-- they drove Michael and I to his house.

They asked us. Would we mind-- take a picture with the hat on? I'm like, well, yeah, it's my hat. So they took little Polaroid pictures, had us stand up by the wall. They asked Michael. Take a picture. Get the picture. I didn't think any more of it; And so from those Polaroid pictures, we didn't think anything.

I mean, why would we think anything about it? So those were the pictures that night. I believe it was Detective [INAUDIBLE] Shawn Hoffman. They brought those pictures to the victim with that Chicago Bulls hat on. And I guess that's when a lot of the dirt started really started coming into play.

**JENNIFER
GIVENS:**

Well, so what-- is this on? No. It's on. So what happened is they go to the hospital with two photos, one of Darnell and one of Michael Norfleet. Darnell is the only person in the Chicago Bulls hat. And so the victim has described her attacker as wearing this-- a hat like this.

And so they show her two photos. She's been physically assaulted. She can't see out of one eye. She's 10. And she's just-- this is the night of the offense. And they bring two photos. And she says, well, I don't recognize the faces, but I recognize the hat, basically.

So from then on, that's turned into, oh, she ID'd Darnell. And so his pictures later-- the only one put in a second lineup after she's already seen him. And so there is never a definitive ID, but it was certainly cast as such by the prosecutors. So now, they have a confession and an ID.

**DEIRDRE
ENRIGHT:**

And this might also be the time to say, as part of our investigation to help Darnell, we found that the victim had moved to Atlanta. And she was in some sort of facility, but it was impossible for us to tell what. So I literally just got on a plane, and flew to Atlanta, and went to the facility where mercifully, the gate-- it was a gated community.

And the gate was broken. And the guys who were trying to fix it said, oh, do you want to just go in? And I said, yeah, I do just want to go in. And I found her. She was in the beginning of rehab. She'd had an unbelievably terrible life of drugs, and alcohol, and violence.

And she had just reoffended. She was in a program. And I got to her counselor and told her what I was doing there. And I said it's probably going to be in the paper. And we just didn't want her to read this in the paper, so I came. So she can ask me anything she wants to ask

me, whatever.

So I then spent hours with Mae and who sobbed hysterically and about the news that there might be DNA, and that it wasn't Darnell's DNA. And then in the course of all of that with her counselor present, she said, I didn't ever ID him. And she said, they told me to ID him. They said he had raped other children. They said there was DNA. They said-- so they absolutely--

**JENNIFER
GIVENS:**

They said he confessed.

**DEIRDRE
ENRIGHT:**

They said he confessed. And her testimony in court was described in the newspapers as sort of militaristic, like very programmed and very-- which she said, I was trying to do the answers that they had told me in preparation. So she is now an advocate for Darnell.

**JENNIFER
GIVENS:**

Darnell, do you want to talk a little bit about the trial, and your trial attorney, and what you thought of how things proceeded, and what you expected at your trial, and what really happened?

**DARNELL
PHILLIPS:**

Yeah. I expected-- I came out. I spent out on bond, maybe about eight months, I'm thinking. During that time, I didn't really-- to be honest with you, let me be transparent as possible. After that, when I went on bond, my outlook was totally destroyed of society and of the police force. One time, I waved to police, talked to them.

Then I was totally terrified of the police force. I had went to jail, stayed there for five months. And I got to check-- chance to see really some vile things in jail. So I'm on bond now. I'm 18 years old. And so when I went to town and went to trial, I didn't think I was going to get locked up, even though I had-- went through that particular five-month period.

But when I went on trial, I went to the back of the courtroom, because my lawyer-- he informed me. He said, look, Darnell, don't go to the defendant stand. Don't go to that table. He said go to the back of the courtroom. I went to the back of the courtroom with the rest of my friends.

Some of the guys who were actually-- they were witnesses to where I was. At that time, I saw a prosecutor. They grabbed the lady, Mae-- the girl, Mae. And they said, look, Mae. I guess come on with us. Because I saw her talking to her.

And so they walked her right to where I was amongst like three or four young guys. And she kind of turned her to me. And I'm like, man. Because I had never seen the girl. They had told

me I was in a [INAUDIBLE] with her. And I didn't know that.

Evidently, she didn't know me either. Because if something like that happened to you, I would scream out if somebody did something to me and I'm seeing them again. It didn't happen like that. She kind of pointed her in my direction. And so my lawyer-- when he saw it, he told me.

He's like, well, this is going to be a problem. And I'm like, well, what's going to be the problem? I didn't do anything. He said, Darnell, you don't-- so we ended up-- I got on the stand. They did the jury pooling. And I had a-- I'm not a racist person, but I had an all-white jury.

Everyone was older than me. I think the youngest-- probably like 20-something years old. So immediately, I said, oh, man. I said this is going to be a problem here, right. I knew enough to know. I said this is going to be a serious problem. And I already saw the prosecutors how they applied-- they would give my lawyers blackened papers.

They'd look at the paper and say hold on. They would look. And they would say hold on. What's in her file? They'd go, she got a whole written page of stuff, but it was blacked out information. And so I really-- that day at trial, that was horrible-- had a bunch of cameras in my face.

Them portraying me-- what hurt the most was they're portraying me as a rapist, a molester. And I'm like, man. I mean, at the time, I had a gorgeous fiancé at Norfolk State. I'm like, what? That was painful for me. Because my mother-- she had a daycare center, so I loved kids.

It was a three-day trial. First day-- I'm looking at myself on TV and stuff and looking at this. And second day. But the third day when, finally, it was like 8:00 o'clock at night, I heard the most-- the hardest words I've ever heard is they said, Darnell Philips, you stand up. We found you guilty-- the jury.

I'm like, found me guilty? And I asked my lawyer. I said, man, what does that mean? Am I going home? I didn't know anything. He's like-- his words he used. I don't curse. He said hell no. That's what he said to me. I said, you mean I'm not going home? He said no. And so at the time, it was in the newspaper.

They printed as-- I said judge, please, I didn't do it. I did say that to the judge. Please, I didn't do it. And so they took me to the back of the courtroom, back where they got the little-- I guess holding cells or whatever, right? And I'll tell you all something about that later on that was--

that let me know that day I would be walking out of here.

DEIRDRE Wait. I think we should go where you're going.

ENRIGHT:

DARNELL Well, they said-- I'm going to be honest with you. When the man said they found me guilty and
PHILLIPS: I would have a hundred years-- when they said that, it's like the judge's voice-- I don't know what happened, but like the judge's voice just kind of-- it was blocked out.

And I felt real peaceful for something. I said, man. I just started smiling. And be honest, I started smiling. Now, what they interpreted as-- I don't know. But I started smiling, because I felt like this is not over. And so they took me to the back of the courtroom-- went to the back of the courtroom.

They said in the paper-- they carried me out, which wasn't true. They had me by the arms, and they got me out. I went to the back. They took me to the back. And in the back where the holding cell was-- there was a door ajar. You could see cameras out there and everything.

But the cell that they put me in-- the officers put me in-- they never closed the cell. I didn't even have cuffs. That's what was crazy. They took the cuffs off of me. Now, I don't know whether they expected me to run. I don't know what it was. But that door being open-- I said, man, isn't that something? I said, man, this door is open.

What the world is going on? And I thought to me, personally, I was like, well, you know what? Maybe it's just a sign that, look, you're going to walk out of here one day. And so what I did-- I was so peaceful. Now, mind, I could have ran out the door if I was being erratic or something like that.

I knew they had [INAUDIBLE] what I'm going to lose. And so I just shut the door, and I stepped back. And from that day, I promised myself. And I'm a person-- I've been brought up in faith, so I promised myself in God. I said, you know what?

I said as long as I have to be here-- I said, I'm going to be here. And I said as long I have to be here, I'm going to not let this place change me. And that's what I told myself. And that was my resolution the whole time. I stayed there 27 years.

DEIRDRE Tell everybody about how we all met each other.

ENRIGHT:

DARNELL You're talking about when-- oh, I met Dennis first.

PHILLIPS:

DEIRDRE Let's talk about your bossy sister.

ENRIGHT:

DARNELL Oh, I'll let you tell that. Because I was there. You tell them. You know I was there.

PHILLIPS:

DEIRDRE That's true. Fair enough. So it was-- what year? It was very early in the clinic having started.

ENRIGHT:

DARNELL Actually, that was-- to be honest with you, that was right after my father died. My father died
PHILLIPS: July 29, 2009.

DEIRDRE And then so we had just opened.

ENRIGHT:

DARNELL Maybe about a week later, Dennis came. I met Dennis Barrett. Yeah.

PHILLIPS:

DEIRDRE So one of the first clinic students was obsessed with Darnell's case. He had gotten assigned to
ENRIGHT: it. And he went to meet him. And then not that long after, I came back from somewhere. And
Cindy Derrick, the secretary in our hallway, said, there's people here. And they aren't going to
leave. And I said, well, who are they? And she said, I don't know. She said, they have boxes
and bags, and they're staying. And so I went to the clinic door. And there was Marvella, and
her niece was with her.

DARNELL Andrea?

PHILLIPS:

DEIRDRE Yeah. And she said, I know you're very busy. And I know I don't have an appointment. And
ENRIGHT: she said, so we'll just go to the movies and go to dinner. And you'll just call us when you have
time to sit down and talk to us, which I eventually just said, you win.

And we went into the clinic. And she told me that she had all the transcripts. She told me the
story. At that point, the family had already raised the money. One of the issues in this case
was that there was a hair on a blanket that they wrapped Mae in. And they said that the hair

was-- the word on the reports is always a Negroid hair.

And they claimed that that belonged to Darnell. And as probably everyone in the room knows, that kind of microscopic hair comparison testimony is now ridiculed by all. So their family raised enough money to have that hair tested on their own. And the judge ordered the testing. And not only did it come back to not be Darnell's hair, it also wasn't a Negroid hair.

It belonged to a Caucasian, a man who had a Caucasian mother. So all of that had transpired when we met him. And that was how we sort of-- that was where we were when we started our investigation into his case. And, Jenny, I think you should talk about physical evidence and finding it.

**JENNIFER
GIVENS:**

Well-- and also, I think it's important to note that by the time Darnell and Marvella came to the clinic, I think your family had spent close to \$100,000 on appeals and DNA testing and got nowhere. Lost it at every level. And so I came to the clinic in 2015.

And a big issue for the clinic in prior years was that they couldn't find the physical evidence or couldn't determine whether there was any physical evidence left in the case. And the police refused to answer the question about whether they had any physical evidence, despite multiple requests.

And in fact, the clinic team was ultimately referred to Detective Hoffman, the guy who extracted the confession with any inquiry about the evidence in the case. And then, of course, we didn't get an answer. So in 2015, I happened to be talking to the clerk in the circuit court in Virginia Beach about another case.

Or I was talking to her-- oh, she-- I don't remember why I called her. But anyway, we were talking about another actual innocence case that had just gotten testing granted. And she was asking me if I knew anything about that case. And I said, I don't. But I said, I wish we could do the same in this other case we have-- Darnell Phillips.

I said, but we can't get any answer on whether there's any physical evidence left. And she said, oh, we have a bag of stuff here in that case. And I was like-- and I said OK. So we'll be there tomorrow. And then I took two students with me the next day. And we went down.

And sure enough, in this paper bag was the [? park kit ?] from the victim-- the victim's clothes, the clothes they collected from Darnell's house. So everything that you could hope for physical

evidence wise. Now, the problem was it was all in the same bag.

So the integrity of this evidence was at best questionable. But there were some things that were still-- some parts of the [? park kit ?] were still kept separately. So then we began this quest to get DNA testing done. And that was a long road as well. You want to talk about that?

DARNELL Yeah.

PHILLIPS:

JENNIFER And what you thought about that process. Because you got to see some of it in court.

GIVENS:

DARNELL Yeah. Well, prior to-- I fancied myself an institutional attorney at one time. Because, look, my
PHILLIPS: family had spent so much money. My father-- like I said, he's a working-class man. And so they spent all that money, so I started doing things [INAUDIBLE]. Because I started reading the law books in the jail. Even though I had an attorney, I didn't really trust him for good reasons.

And so in-- I remember in 1999, we found that there were two places. There was [? Selmar ?] in Maryland. And there was a place in London. That place in London cost too much money to get it tested. And so since there was only two people doing this in the department-- forensics of science, they were doing mitochondrial tests.

We went with-- we tried to do it with [? Selmar. ?] But then all of a sudden, the Department of Defense-- they agreed to do it, which I found it kind of strange. And so they did it. And on September 2001, I had found out the testing that they tested-- hey, it wasn't mine. I knew this, but--

JENNIFER Darnell, you're talking about--

GIVENS:

DARNELL The first.

PHILLIPS:

JENNIFER --the hair test.

GIVENS:

DARNELL Oh, yeah. I was taking them back to that.

PHILLIPS:

JENNIFER

Yeah. No, no, no. I just to make sure they know that.

GIVENS:

DARNELL

OK, yeah. Yeah, because there's a whole lot to this.

PHILLIPS:

[LAUGHTER]

It really is, right? Trying to condense everything is kind of hard, right? But September 2001-- I thought, OK, wow. You know what? That was what they called at the time the 21-day rule, where you had to have everything filed after you found the information in order to get in court.

So my lawyer-- we waited up to that time. Once he found out, he said look, Darnell, we know the DNA is not yours. I'm going to do what I can to help you. 20 days came. I said, mom. I called home. Because I'm working out and doing things. I said, man, I'm about to go home. I'll get my life back.

At the time-- had been locked up like 10 years. I said, man, I'm about to go home. Everybody in the institution-- I had told everybody. Man, I'm about to go home. Guys we're happy. Staff members were happy. But then the 21st day came. I was like, mom. She said, son, trust your attorney. He knows what he's doing.

I said, mom, I'm telling you. He has not informed me of anything. 30 days come. I'm thinking the stuff is filed. I said-- I called him up. He said, Darnell, I haven't done anything with it. At that time, keep in mind now. DNA was at its early stages.

He didn't know what to do with it. We didn't have really any patterns to go after. Earl Ruffin, and some other guys, and-- Earl Ruffin, [INAUDIBLE]-- they had got-- a little bit after that, they had got released on DNA. So they were pretty much fresh in it.

And even though they had excluded me, nevertheless, from 2001 to 2004, I had to wait till-- for a law to come out, so I can go ahead and start putting stuff in pro se. 2004-- I put in a writ of actual innocence, but I put it in backwards. The deadline for the DNA testing to put it in for the 21-day rule-- they had already passed.

But I said, look, I'm going to shoot my shot. What can that hurt me? I already got 107 years.

And so I put it in. Supreme Court-- they acknowledged, look, the DNA wasn't mine, but of course, statute of limitations. After that, I had to do other little fighting in court, tried all I could, but it didn't work.

I'd had a couple of times whereby I was called by an attorney to tell me, look, they said that they found some more DNA. I didn't know it-- what it was-- it was just the blood coming back from the test that they did with the mitochondria, right? It was my own blood. So all those times-- there was like a lot of ups and downs.

Because you're expecting something to relieve you. You're expecting. You hope to go home. And you know you got a sense that you're going to go home, but you're not seeing any type of physical manifestation with it. And so when I heard from Jenny-- well, Jenny, you're the one who called me, actually. No, no, you called the institution I had to call.

DEIRDRE I think we had you--

ENRIGHT:

DARNELL Was it [INAUDIBLE]?

PHILLIPS:

DEIRDRE --call. And then weren't we together?

ENRIGHT:

DARNELL No, somebody told me.

PHILLIPS:

DEIRDRE Jenny and I were just bawling. That's all I remember.

ENRIGHT:

DARNELL Well, because you told me to sit down or something. Because she asked me. Was I sitting
PHILLIPS: down? And I was-- I had came off of the yard. And she said, are you sitting down? I'm like, no. What's going on? I'm wet. I'm soaking wet. I ran inside. And she's like, well, they found some testing, too. I'm like, man, finally. [? I'm going to see ?] this thing. And that was what? 2016?

JENNIFER Yeah. Well, we found it in 2015.

GIVENS:

DARNELL 2015. So they said they were going to put things in to get it tested. First DNA test came back.

PHILLIPS: They didn't have anything. I'm like, wow. I'm like, come on, now. What's going to take place now? Then they sent it out more and more, more and more. That was like three times?

JENNIFER Yeah.

GIVENS:

DARNELL Didn't find anything. Then finally, I was on a lockdown. And I had an opportunity. I had called
PHILLIPS: Deirdre. When I talked to Deirdre, Deirdre had said she heard about a guy in California do something like the vac.

DEIRDRE Wet vaccing.

ENRIGHT:

DARNELL Wet vaccing.

PHILLIPS:

DEIRDRE It's very professional.

ENRIGHT:

JENNIFER [? MVAC. ?]

GIVENS:

DARNELL They call it [? MVAC? ?]

PHILLIPS:

JENNIFER [? MVAC. ?]

GIVENS:

DARNELL [? MVAC. ?]

PHILLIPS:

JENNIFER Yeah.

GIVENS:

DARNELL And she said, I know they said that they can, I guess, withdraw and separate all the DNA. I'm
PHILLIPS: like, OK. Let's give it a shot. I said, I don't have anything to hide, so let's-- and so they did it. And I'll let you explain that. You're better with the scientific.

[LAUGHTER]

JENNIFER

GIVENS:

Yeah. So the problem was that the court granted that our testing request said send the evidence to the Department of Forensic Science. That's the state lab here. The state lab did what testing they could. And they couldn't find any male DNA on any of the material.

So that's when we sent it to a second lab who employed a different method out in California. They couldn't find anything. We sent it to the third lab using this new technique that allows them to collect material in a different way. They did find male DNA. So we were all getting very excited now.

And it took a long time for the testing and the results to come back. And there were a few different spots on the victim's clothing where they found male DNA. They excluded Darnell as a contributor to those spots on the victim's waistband and shorts.

There was a spot on the victim's underwear. And they couldn't get a full profile. They got like 3 out of 16 locations-- markers. So that really gives you no information. But with that information, it wasn't enough to exclude Darnell, because they didn't have enough sort of information to compare.

So in the state's eyes, that became-- well, there's a match on the location on the underwear. So this evidence is really meaningless or at best inconclusive. And then the state's response was always, well, he confessed. And she ID'd him. Let's not forget.

So whatever piece of evidence we could undermine or attack, then they just sort of shifted focus or changed the theory of the case in order to maintain what they saw as the integrity of this conviction. So we took the DNA evidence and filed a petition for writ of actual innocence based on the DNA evidence in the Virginia Supreme Court.

And while the case was pending, the Virginia Supreme Court decided another case in which they said, we're not going to consider any DNA test results, unless they were generated by the state lab. Well, that's a problem, right? Because the state lab couldn't get results in Darnell's case as they can't in many called cases.

Because they don't have the most recent technology that a lot of the private labs have. So Darnell's case is pending. We now have gotten word that this court doesn't look like they're going to consider his test results. So we filed a writ of actual innocence, a petition for writ of actual innocence based on non-biological evidence.

We included the DNA test results as well as what we now knew from the victim, that she didn't really ID anyone and what we now knew about this dirty cop. And after-- I would say we were in court for a couple years on those. We lost the DNA one first.

And then we litigated for probably another year, the non-DNA one. And lost that in the spring-- or June, July of this year. So despite all of this evidence, Darnell had lost-- has continued to lose this fight in court. Fortunately, we had also filed.

Darnell had been in prison so long that he was eligible for parole under this old law. And so we had filed a parole petition based on his innocence and his sort of sparkling clean record. I don't think you had any disciplinary actions in 27 years. And so he was-- he's technically out on parole and has his part in petition still pending.

But this gives you some idea of what we're up against, right? That his case, I think, should be very clear. And yet, we've been rejected at every stage of the litigation. And so his hope for an absolute permanent exoneration is now within the hands of the executive.

**DEIRDRE
ENRIGHT:**

And it's also a very-- I think it's very notable, having lived in Virginia for such a long time, that the courts, which have never been defendant friendly, and I don't imagine they will be for a long time, but that the parole board is the responsive party here, that the parole board has become-- is much more understanding.

And when we presented Darnell's case, it didn't take really very long to convince them that this was an innocent person. But the courts can't hear it. But the parole board does, which is just kind of amazing. Do you want to talk about getting out?

**DARNELL
PHILLIPS:**

Ooh. September 25, 2018. I'll never forget that day. I'm telling you. Because from-- first, I was on bond till I was 19. So I had missed-- imagine this now. Everything about the computer, about technology, about vehicles. I couldn't tell you a 2001 Lexus from a 2018 Lexus.

**JENNIFER
GIVENS:**

Oh, no.

**DARNELL
PHILLIPS:**

Because even though they-- no, I'm just telling you.

**DEIRDRE
ENRIGHT:**

[INAUDIBLE]

DARNELL

Well, you got to keep in mind now. All these things had bypassed me, even certain movies.

PHILLIPS:

Because I'd say in an institution, you might get a TV show. But a TV show might be late, might not be something current. I might be watching something that came out in 1996, in 2013.

And so I'm thinking, man, when did this come out, dude? And the guy who may have been locked up only a few years is like, well, man, that's been out since the '90s. I'm like, wow. Fashion trends have passed me, the death of loved ones. My father died. He was waiting for me to come home, help me start a business and everything.

Man, all my grandparents died. A lot of aunts, a lot of uncles. I had like five people die before-- man, like 2010. So all of these things had passed me by. I had never seen my nieces on the street. I have one niece who's 26. The other one is 15. Never seen them on the street.

Because of the institutional rules, one of them-- I've only seen one time in life, until I walked out on September 25, 2018. So everything I've seen go on behind bars-- no going to funerals, none of that stuff like that. You just have to deal with it and in that cage.

I'm going to call it a cage, because that's what it was, a cage that I had to determine-- it's going to have to be a university for me. Because like I said, I'm not going to allow the circumstance to change me, to alter who I am. And so September 25, 2018-- never forget that morning.

They woke me up like 3:00 in the morning. And they were telling me. I had already been through the reentry program or whatever. And they were telling me, look, this is your day. I'm like, man, I held on for this whole time. I bit my tongue. Believe me. Because you have to bite your tongue in that type of environment.

You're around 900 individuals every day. I still had to bite my tongue every day. The officers. [INAUDIBLE] No offense. [INAUDIBLE] officer. I'm 47 years old. You might have an officer who is 23. He's telling you, look, go in the cell. Go to bed. So you think about that, right?

So I was like, man, I'm finally going to be free from this. I'm finally going to be free to all the plans. I've wrote down all the dreams of having my own business, to get married to my fiancé. All of these things-- I'm saying, now I'm going to be able to do as a free man.

And so on the 25th of September, 2018, I went to that parole office. And all that time, Jenny, and Deirdre, and Dennis, and the rest of the team-- they fought for me. It paid off. I know quite

sure that it didn't feel like it to them that everything was going to pay off.

And they probably thought I was just being overly optimistic. I'm quite sure. You know what I mean? But like I said, one thing I say is that at 18 years old when I felt peaceful that I would walk out, it never left me. I don't know whether you all ever had something that you couldn't see it, but you just felt that. You know what? This is not going to end this way.

And that's how I felt about that. And so September 25, 2018 is the day I saw that manifestation. To see their lovely faces that day-- that was beautiful. Because all the other times, I saw them in a little boxed room, and sitting, and talking, and meeting Deirdre, and meeting Jenny. Jenny is the serious one. Deirdre is funny.

[LAUGHTER]

JENNIFER I can be funny.

GIVENS:

DARNELL Seeing [INAUDIBLE].

PHILLIPS:

DEIRDRE I think what you called me was salty.

ENRIGHT:

[LAUGHTER]

DARNELL No, I mean-- but like I said, I love them both. I love them. Because that was one of the few times. Even though I had a lot of favor in the institution-- I had a good record with staff, and inmates, and stuff like that. 20-some years-- no fights or any of those things. No accusations or nothing.

As a matter of fact, the inmates automatically assumed when I got in there from the beginning that I was innocent immediately. They just-- my personality or whatever, right? And it's kind of hard to con guys who've been living around. You live around 900 cons every day.

So it's kind of hard to con guys like that, right? They can see right through you. And so seeing them on the outside and seeing the student who actually started my case-- Dennis Barrett. I'll never forget that day. Being able to just sit down at a table and eat around family.

I had missed all those Thanksgivings from the time I was 19. I missed all my Thanksgivings, all my Christmases, all my birthdays. I had missed those things, because I was behind bars just trying to fight to get out. And so that was the most special day of my life.

After that, I counted every day like that. And I said to myself-- I said, I'm going to honor the work that the Innocent Project put in. Those students. They put in-- I said I was going to honor that. I was going to honor that by going forth and fulfilling all the dreams I had planned all those years to come out and start a business.

Right now, I'm in the process of trying to get my ministry, so I can be in my own church and all those other things. So I'm just trying to-- as I hear young people sitting there, I live my best life now. I mean, for real. There's no need to be afraid.

Like I said, I faced the worst you could pretty much face. And it didn't break me down. I don't call myself a survivor. I call myself an overcomer. And like I said, I'll never forget the work that Innocence Project has done. I've done a lot of interviews.

And to me, I'm at home with UVA. My first week out, I came up to UVA. A lot of you all probably weren't here, right? But my first week out-- I came up to UVA. They had their fundraiser. That was beautiful. Because I'm thinking-- you keep in mind now.

They put me in a lovely hotel. And I had just came out a dirty cell for real. I don't care if you sweep it, how you try to freshen it up or what you do. It is still a cell. And just to be welcome like that with the staff from UVA-- that was that was beautiful to me. I felt human again.

So I would say it's kind of hard for me. I'm not the type of person that express a lot of emotions, right? So I'm just kind of slow walking it now. I just felt honored. I felt honored. And I still do feel honored. I just feel honored. Every day when I wake up in the morning, first thing on my mind-- my cousin always say, you trying to say, I got to get that money.

I said, no, that's not what it is. The first thing on my mind is honoring the promise I made to my father. My father-- before he died, he told me something on his death bed. He's said, son, you know too much to come out here and work for somebody else. He said, man, why don't you come out here, man, and open your own business?

I said, I had already planned that, dad. He said, son, come out here and be with your legacy. And you know what I said? The first thing on my mind is legacy. First thing every morning. I

get up 4 o'clock every morning. I don't lay in the bed. I get up. I'm studying. I'm studying scriptures. I'm studying some type of form of business.

If I was in my college class, I'm studying my college class. Because I said, I'm going to honor everything that the Innocence Project invested in me. I know. And I really appreciate you all both. I really appreciate you all both as crazy as you are, Deirdre.

DEIRDRE
ENRIGHT:

I adore you.

[LAUGHTER]

JENNIFER
GIVENS:

Do you and Nicki want to talk a little bit about just sort of what it's like to try to start and maintain a relationship, and how you're trying to maintain these human relationships on the outside, and what it was like from Nicki's perspective, too?

DEIRDRE
ENRIGHT:

Nicki, you should-- Nicki should tell us how she met and how long she visited.

NICKI:

OK, let's see. I met Darnell, actually, when he was out on bond. We became friends. Let's see. We were friends for a little while. He was trying to have a relationship with me. And it's like, he's in prison.

[LAUGHTER]

I'm free. I was like 20-something. So I disappeared for a little while and went out and did my little thing. But I always thought about him and to go back. When I first met Darnell, he was up front with me about his case that was going on. And I automatically knew he was innocent. I just felt that's what the case was, that he didn't do it.

So I'd go back to when I left. And I came back. So I was-- always thought about him and remembered him. I said, let me check and see if he's home yet. Because I knew he was innocent. And at some point, he was going to be coming home. So I found a letter of his. And I called his mom. I love his mom. And talked to his mom.

And he was in Greenville back in that particular time. So I wrote him and told him what was going on with me. And then eventually, we were able to reconnect. And that was like in 2000

when I came back into his life-- him into mine. And we got together in 2001. He asked me to marry him. And we got engaged. So we have engaged. And we've been together for 18 years.

DEIRDRE Come on now.

ENRIGHT:

[LAUGHTER]

NICKI: Yes, 18 years.

JENNIFER And then he got out and put a ring on it.

GIVENS:

NICKI: Yes.

[APPLAUSE]

DEIRDRE Yeah. So I have to bow to Taz. Should we--

ENRIGHT:

JENNIFER Do we have time for questions?

GIVENS:

DEIRDRE Can we ask--

ENRIGHT:

SPEAKER 1: [INAUDIBLE]

DEIRDRE Couple questions from you guys. Because I'm sure we were trying to make him say nice things
ENRIGHT: about us. But you guys might have questions.

DARNELL And you all forgive me. Because it's kind of hard to condense a lot of that stuff. Because I had
PHILLIPS: a lot of twists and turns in this case, right? So forgive me if I didn't tell you everything.

DEIRDRE He's absolutely right, that at the end of every phone call we had with him, he would say
ENRIGHT: everything's going to work out. And Jenny and I would look at each other and be like, how in the world? We're going to let him down so hard. And it was constant, though. All right. You guys ask questions.

SPEAKER 2: I've got a question to start off.

DEIRDRE Good.

ENRIGHT:

SPEAKER 2: Darnell, [INAUDIBLE] up on the screen behind you is one of my favorite photos of all time. And I wondered if you might tell us a little bit about how you were feeling in that moment-- who you're hugging and how that all came to be.

**DARNELL
PHILLIPS:** Yeah, that's my 81-year-old mother. My mother had been sick for several years. I didn't know how serious. She's in the first stage of dementia. So when I came home, my mom-- she knew who I was. But she thought I was her brother coming out of the military.

That was precious to me. Because I hadn't held my mother in like 11 years. I talked to her on the phone. But she couldn't come in. Because my family is like this. They're very protective of the matriarchs. So that was the first time I had seen my mom in like 11 years. Yeah, 11 years.

DEIRDRE Yeah?

ENRIGHT:

SPEAKER 3: Hi there, Darnell. Thank you for coming. So my question is about a comment you made earlier where you fancied yourself an institutional lawyer, when you were trying to deal with [INAUDIBLE], per se. So what were the resources that you had? Did you feel like you had enough resources? Walk us through. What was that like trying to take on the whole state by yourself?

**DARNELL
PHILLIPS:** That right there-- I just felt like it was a challenge. And it was a challenge that by that time, I had built up enough fortitude. I said, these people-- let me out of here. I'm going to be honest with you, right? So I would go through my old lawyers.

I saw all the holes. Because if you know the truth, then little flaws in information-- you kind of can pick through it or whatever. And so that's what I did. But when I did mine, I said, you know what I'm going to do? I fasted 21 days before I did my brief. I did. I did it wrong, but I'm serious.

I'm serious. Because I'm a person of faith. I held my faith. I've been like that. I've been studying scriptures since I was like 18 years old. So I'm like, you know what I'm going to do? I said, I'm going to fast on this. I'm going to pray on this. I'm going to study this law.

And so I sat at the table. I studied law. I was studying the DNA. I studied old cases and then other little books I can get out of the library, which weren't very good. They weren't really that much up to date. But nevertheless, you have to work with what you have.

And so that's what I meant when I fancied myself-- institutional lawyer. And to be honest with you, they really don't have a lot of good material, especially where I was at Greenville. They didn't have a lot of good materials. Not too many institutions that I know of really do right now. Maybe it's changed over the past year.

But to me, they don't have a lot of good materials and so on. That was hard. It's kind of set up to fail. Even the institution lawyer-- I would ask the institution lawyer. Because once I put a brief together, I would say, well, what do you think about this? Well, he said, well, I can't talk to you about that. I said, well, what do you mean?

And I said, aren't you an institutional lawyer? He said, well, yeah. I just-- I'm here to give you advice. I said, I'm asking you for advice. They would say something like, well, is anyone in the hallway after this guy? That's what they would do. So I'm like, well, this thing is really set up for you to fail.

So I had to do it myself. I'll be honest with you, right? And with the help of legal expertise of several other people who may have studied some type of paralegal courses. All kind of people get locked up. I pretty much would just ask advice. And I did it based off the premise of that.

DEIRDRE Yeah?

ENRIGHT:

SPEAKER 4: Yeah. So I was just wondering. Out of the people that you interacted with while you were incarcerated, did you come across people often that were innocent? One, that you believe were innocent? And, two, even if they were guilty, how often it was that you came across people that were just like, man, this guy should not be in here.

DARNELL PHILLIPS: To be honest with you, I ran across about six people that I really believed were innocent. I'm not talking about people that said he pulled the trigger, but I was with him. I knew what he was going to do. Because you got a lot of situations like that.

Guys will say, I'm innocent. Me-- I look at it as not just circumstantial and factual, but actually innocent. And I only ran across about six guys that I ran across. And one of them-- and

actually, two of them were released. Earl Ruffin-- he was one of the guys.

Thomas Hanesworth-- he was one of the guys. They actually proved he was innocent. And it was just something like a kindredness about it. And a lot of the guys-- one of the guys-- another guy. His name is Marvin Grimm. Well, he called me yesterday to let me know, look, he's been locked up like 42 years.

He's under the case of the New York Innocent Project. He's on their case load. Well, he made parole yesterday, so he'll be getting out. That's beautiful. And so that's just to let you know. This guy-- his case-- actually, it's full of confessions. It's full of things. There's real circumstantial stuff that it seemed like you couldn't really separate it.

But nevertheless, their tenacity to work for him-- he's about to go home, even though they haven't totally got him exonerated. But nevertheless, this is a next step to get free and to go it for the fight. So you got to realize something. Even though it seems as if it may never happen, you're only sometimes a few steps away from an actual breakthrough.

I say about the other question you asked me. I ran across that all the time. Like I told you, I'm a type A personality, right? And so I was never a passive-type individual. Always when in the institution, I always was mentoring guys. I mentored gang members.

I mentored a lot of people. And so we used to go work out. I used to do a lot of things. I was real athletic. So I really never ran across those issues about a guy doubting whether or not I was a person who was a sexual offender or whatever. I didn't run across that.

I told you a lot of guys just assumed that I was in there behind something I didn't do. And so that's how the world is. So when actual-- the newspapers started coming out. And they kept saying there's possible DNA that Darnell Phillips didn't do the crime. Well, a lot of guys said, what will be so long?

Because some of the guys-- I knew for like over 20 years. They were like, well, man, that's not news to me. And that's serious. And I'm honest with you, right? I didn't run across that with staff. And I never ran across that now. I said God grace. In the times I came into prison, if you came there with a sexual offense, it was rape.

Now, I'm being honest with you. There's rape. The guys are getting beat up. The guys are getting extorted for money from their families. They're getting their canteens stolen or whatever. I didn't run across that. I wouldn't let that happen. But I never ran across anything

like that.

SPEAKER 5: Yes, ma'am?

SPEAKER 6: [INAUDIBLE]

SPEAKER 7: I want to say thank you again for coming back to what you call your home. I think your resilience and your just over-passionate and optimistic personality right now is-- your aura is very [INAUDIBLE] and good to see, despite your adversities.

My question was-- because you were able to maintain this optimism throughout the ups, and downs, and plateaus of your process of getting innocence, what do you think on the tail end of things, your reentry to society? What do you wish would have been available to you in terms of-- you talked about the financial literacy or how much technology has changed. What do you wish was more available to you at the tail end of things?

JENNIFER GIVENS: As part of your reentry, what do you wish they would have done?

DARNELL PHILLIPS: I wish-- to be honest with you, I expected-- I thought Virginia would be a little fair, because it's over 20-something years. I thought I would be cleared. And I thought I'd be compensated. Because first, I really didn't care about compensation.

I just wanted to be home with my mother. I didn't want another family member to die without me being there, so I really didn't care. But I had wanted to be compensated, so I could start businesses, so I can start my ministry, so I can help some people.

But since Virginia hasn't relented in that, I had to go about it another way. I wish that I would have had capital. Everybody don't think like me now. Because some people like to nurse their hurts. A lot of guys I knew that were innocent-- even when I went to New York, talked to a lot of guys from different states.

Even though these guys have been compensated, they still want to nurse their hurts. So you have hurt millionaires. And I'm like, man, brother. You have another opportunity. But I understand that that is a wound that they'll probably never get over. I guess it was God's grace I'm resilient to it.

I wish I would have had someone to teach me more about the computers. I had someone

teach me somewhat. But a lot of times, I realized everybody is not as that abreast, right? That's what was sad to me. Because I'm like, I could go on forever, I had archaic computers in the prison.

But when I came home, I needed someone to sit down with me and teach me these things. Not on the go, but teach me these things. So it was money. I needed a person to talk to. Because by me coming out, I didn't have anyone to-- keep in mind now.

Regardless of how they let me out, I was a person wrongfully incarcerated. And so you can get-- it's been studied that you have PTSD, pretty much. For real, right? There's no way in a world you can be exposed to certain things like that and go through that trauma without having some type of PTSD.

I wish I would have had someone to-- hey, Darnell, look, I understand this or tell me about it. To be honest with you, unless it's an interview, I've never had anyone ask me. What did you go through? What was going on? I've kept pretty much that stuff to myself.

People do it on an interview, because they find the story-- I guess my personality kind of-- but to me, I wish I would have had counsel, finances, and somebody teach me about technology. And things worked out. Things are working out. And things have worked out.

Like I said, through Jenny, and Deirdre, and Jason Flom, I got a vehicle-- nice 2016. I've got my van for my detailing business. Jason Flom-- he helped me get into business with a detail company. And he's also trying to help me to expand.

So those were just three of the things I saw that I really needed, right? But I would say and speak on behalf of those who are coming out now. I would say finance. And I would say a whole lot of love, a whole lot of people that really can understand that this person had been through some things.

I talked to a lot of people. And they think-- because they see certain things, you're strong. I say, I am strong. I know this. But I still like to-- how are you doing, man? See, I don't get that. I really don't get that. Because people automatically assume, because of my personality. Well, you got this.

They'll say you got this. I've been to church with pastors. They say, man, you got this. I'm like, brother, you haven't sat down and talked with me, man. You know what I mean? You don't know. Suppose I wasn't like that. And so I'm still on the behalf of other people who are coming

out.

They need people who will set in place like counselors. They need finance. They need a little finance base, because everybody's family is not set up for that. They need someone to really reintegrate them into society about computers. Because I'm going to be honest with you.

As small as that seemed to a lot of people, a cell phone was fascinating to me. And before I learned how to really work this thing, I was perplexed. Something like that can send a person who's been gone a long time-- that can send them into discouragement.

Because they can automatically see. There's a big deficit in my life. I don't know how to work a cell phone. It might sound basic, but those things are hurtful to people coming out like that. So I would just say be patient with people like that.

Be patient with that. Patience, money, kind words. That would be real beneficial. I'm just saying from a person that talks to guys who've been exonerated. That's what they need. It's not always about the money. It's about just showing you care.

SPEAKER 8: [INAUDIBLE]

DEIRDRE Yeah, you had your hand up?

ENRIGHT:

SPEAKER 9: Yeah. What are the implications or restrictions that you deal with being out on parole? And what will it mean to you when you do get exonerated?

DARNELL Me? I'll tell you. I'm going to reverse that. The first thing I'm going to do-- man, I'm going to get
PHILLIPS: on I-95, And I'm going to ride to DC without telling anyone.

[LAUGHTER]

The reason why is because I studied slavery a lot, right? I'm going to be honest with you, right? And they used to have traveling passes and stuff like that. Well, if I want to go to New York, to which I have-- if I want to go-- they don't do it if I'm like in Virginia, whatever.

Because it's going to be my attorneys or whatever, right? I have to ask permission. I'm 47, about to turn 48. I'm not a childish person. So I don't want to be asking someone, can I go here? Can I go there? And so me-- that lack of control in my life-- even though things are--

they're pretty good, but just that lack of control.

I can't go to the gym and work out like I want to. I love that. I love health. I can't go to the gym like that. So that's kind of-- fell off a little bit. I can be creative, do push-ups or whatever. But I want to go to a gym. I love being around people. I can't talk to-- you all are young people, right?

But I can't talk to juveniles. I spent a majority of my time in prison mentoring juveniles. I can't do that. How can I mentor somebody if I can't be around you? When I came out, I give it to you like this. Since my record hadn't been totally cleared, I couldn't even get a job.

Until I got into business, that was the first time I was able to work. I couldn't even get a job. And these people really wanted to help me. But because of stipulations on paper, they couldn't do it. So me, personally, to me, it'll be absolute freedom for me. It would be absolute freedom.

One thing I deal with now is the registration. Every time I register, I put my fingerprints. Let's say, for instance, if I get something done on my vehicle or whatever that kind of obscure it or whatever from what they took the pictures of, I have to register that.

If I want to get online and start-- you all might-- can get on there and start a Facebook account. I can't start a Facebook account. I can't even go on Facebook. If I want to get on Instagram to which I'm permitted to, guess what? I got to register that. So sometimes I might hear someone on my phone and a ping.

I'm like, what is that? You know what it is? It's the state police making sure that this is that exact email address for-- you know what I mean? So it's like they watch everything. But now, the good side about that is I have a parole officer that-- she knows I'm innocent. She said from the core of my being when I met you, I knew you were innocent.

So she said, I don't have a problem with that. And everybody I met-- I've never met anyone since I've been out accuse me. Well, man, this is the guy. I've never had any of that at all, right? So that's beautiful, right? But like I said, I'm going to-- and I told her. I love her. But like I said, I'm going to take a ride to DC by myself.

And because that's going to mean freedom. That's going to mean-- end of me, saying, hey, like a kid. Can I go here? I mean, come on. I'm almost 50, man. And so absolute freedom. That's what I'm going to enjoy. If I want to get on-- I can't even get on-- I don't think I can get on a cruise ship, because of the stipulation.

DEIRDRE So Taz is saying we have time for one more question. I'm going with you to DC, by the way. It
ENRIGHT: won't be complete freedom. Is there one more question before-- OK.

SPEAKER 10: Yeah. Well, first of all, thanks for coming.

DARNELL Yes, sir.

PHILLIPS:

SPEAKER 10: [INAUDIBLE] So when you started this process and said that you weren't going to let it either change who you are to now feeling like you're just-- you are an overcomer than a victim. Do you think it did change you? Or do you think that your personality stuck with you throughout the process?

DARNELL Stuck with me. Absolutely stuck with me. I'm the same person that I was when I went in. And
PHILLIPS: now, when I say I'm the same person, I don't mean that I haven't learned different things and been exposed to different things. Because it's kind of hard to be in that environment. I've seen people killed, overdose, suicide, people [INAUDIBLE]. I've seen a lot of things.

So that portion has made me more compassionate. But as far as changing me to make me want to be a mean or a hateful individual that despised society, untrustworthy-- not at all, my friend. Not at all. I still say I'm an overcomer, not a survivor. I'm an overcomer. Yes, sir. And I'm going to get better, too. You just watch.

[LAUGHTER]

I'm going to get better. I'm going to get better and better. I've been out here now, like I said, 428 days. Tomorrow-- 429. I'm going to be better. And I'm going to strive to be better, so I can be beneficial to more people.

DEIRDRE I'm so humiliated. All right, everyone. Thank you, Darnell. Thank you. This is wonderful.

ENRIGHT: [INAUDIBLE]