

NOMINATED PRESIDENT OF THE NORTH AMERICA CHAPTER OF THE HUMAN RIGHTS FOUNDATION

From June of 2006 to April of 2009, Gary had become a well-known and respected businessman in Central Mexico, by providing benefits to Union workers who could not afford them. Later that year, Mrs. Bolli, the Human Rights Advocate, introduced Gary to persons, who, in 2009, approached Gary with another endowment of social recognition for his payroll card benefits contribution to the less fortunate Mexican workers. For that contribution, and because of his years of perseverance in fighting for the truth, against insurmountable odds, to establish his innocence, he was nominated as the President of the North America chapter of the Human Rights Foundation, for the specific role of reviewing applications for advocate intervention from persons who have been wrongfully convicted, but cannot afford the legal costs to present the evidence that will vindicate them. Resources are sparse and applications are many.

Gary selected the most deserving, based on available resources, which was a daunting assignment. It was like deciding which hungry child in a soup line gets the last ladle full of soup, with others still holding up their empty bowls.

He asked Mrs. Bolli to relieve him of that duty, so he would not be the one to choose who got help, and who didn't. He offered to assist in the actual presentation of the evidence on behalf of those chosen. That was a less stressful function for him. You cannot know the mental anguish associated with the responsibility of having to decide who is denied the relief they deserve. You don't have the resources to help them all. On the other hand, there are few things in life that compare with the satisfaction of seeing an innocent man set free because you took the time to help him.

Gary had one such satisfaction soon after his nomination. A son had killed his mother in a rage of anger. The father took the blame, to spare his son from being sent to prison. Years later, the son took his own life, and left a confession. The father could not afford to pay for the simple filing of that evidence into his court of conviction. The father had never spoken to anyone about the tragedy, or what he had seen, or what he had done.

Under Mexican law, a confession without a witness to the signature is not considered authenticated evidence. Corroborating evidence is required. Gary was able to compare the prosecution's theory used to convict the father, (who had refused to utter one word in his defense) to the detail the son described in his suicide confession. The forensic evidence was a perfect match to the son's detailed account. The confession detail became the corroborating support to the forensic evidence, and together, it was sufficient evidence for a new trial or hearing to consider overturning the conviction. The Foundation hired a lawyer to petition the court to accept the new evidence. Gary was allowed to go with the lawyer to meet the District Attorney who would decide to re-try the man if the court granted a new trial, or if he would oppose the petition to allow the new evidence to be admitted into the case. It was a unique and enlightening experience for Gary. He saw first-hand the extensive power a prosecutor has in deciding how to apply the law, based on his personal conclusions. They treat the finality of a conviction like a coach of a Super Bowl victory. Anything that threatens to overturn that victory is attacked with fierce objection, even when the re-run evidence shows the winning team did not deserve to win.

Their workload seems to prevent them from having time to carefully examine the evidence handed to them by the police or investigating agents. Once you find a way to convince them to re-examine the evidence, their fair and logical side emerges. Gary watched this fascinating process take place. Once the lawyer had the attention of the prosecutor, he paid attention to the persuasive weight of the new evidence. He even gave Gary an opportunity to comment on the opportunity to right a wrong done to an innocent man who was only guilty of protecting his son. Ninety days later, the prosecutor agreed the charge of murder should be vacated, and the charge of obstruction of justice be entered by consent of the father, and he be released from prison with time served on the lesser offense. The jubilant feeling on hearing this news cannot be expressed by words. Gary has never had a more rewarding experience in contributing his time to a worthy cause.

The people of Mexico, in private business, and in government, had embraced Gary with appreciation and acceptance, in spite of his legal scars. Most had taken the time to read the story on www.GaryMcDuff.com, as you are doing now. Instead of condemnation, they commended him for the stand he had taken on the side of truth, when faced with hard choices. It felt good to be appreciated and welcomed by so many people from all tiers of society in Mexico. Life for Gary had reached a place of tranquility, with a daily routine of compliance review work and the completion of trust directives for his long-term clients, dating back to 1989 in Ireland and Europe.

Look for Ceremony
of this on Google Pictures taken
by a Mexican newspaper in Cuernavaca
it will all be in Spanish.
It was on the internet in 2016
when Aden last looked.

Paste that picture and article
from the web above or below
these 6 paragraphs. They came
from the PSI Book Vivian is
working on - renamed
A Modern Day David & Goliath Story