CRIMINAL SCIENCE:  
THE PAUL HOUSE CASE

CAN WE RELY ON FORENSICS AS THE ARBITER OF TRUTH IN THE COURTROOM? IN HIS LATEST INVESTIGATION, SIMON COOPER EXPOSES A CASE OF CORRUPTED SCIENCE AT THE HEART OF OUR JUSTICE SYSTEM—AND THE FORENSIC FAILURES THAT PUT A MAN ON DEATH ROW.

UNIT TWO  
From the road, Riverbend Maximum Security Institution, just outside Nashville, Tennessee, looks like an English country park. You can’t see the prison building itself because subtle hills have been landscaped into the foreground of the existing countryside, keeping the unsightly fences, razor wire, and other evidence of the prison from view. Driving into Riverbend’s 132 acres, one feels an eerie sense of order, as though leaves there never fall from their branches, and all flowerbeds bloom at peak capacity and efficiency. Once you can see the prison proper, it seems as though even the wire fences are cleaned and polished.

Once through a metal detector and an X-ray machine, I am escorted through layers of security into the heart of Riverbend, each new layer smaller, harder to access, and more claustrophobic than the last. First I pass through a double set of gates on a pair of impossibly high fences, then into a large building where guards control the prison from inside a cage made of steel and slabs of bullet-proof glass. The back of my hand is stamped with invisible ink, and I am required to hold it under an ultraviolet light before being given permission to proceed. Next, my escort and I walk through an armored door and out into the prison’s broad yard, where small groups of prisoners are attending to the numerous flower beds and immaculate lawns across the interior of the complex. My escort walks me toward the sand-colored, pod-like building known simply as Unit Two.

There are 96 cells in Unit Two, 95 of which presently contain an inmate condemned to death. It’s death row: a surreal world of suspended reality in which inmates must be kept alive so that, at some point in the future, they can be killed. I am here to see one of those men: inmate 109390—Paul Gregory House, sentenced to death in February 1986 for the first-degree
murder of his neighbor and friend, Carolyn Munsey. The state presented scientific evidence to prove that House beat 29-year-old Carolyn to death with a baseball bat to cover up an attempted rape. They had been acquainted for years and lived just a mile apart. But after Carolyn's murder, the crime scene was thoroughly compromised, leaving little physical evidence to work with.

The only hint about what might have happened to Carolyn comes from the sketchy recollections of Lora and Matt, who said that sometime after they went to sleep, they heard a voice calling for help. They did not actually see anything, but they were convinced that the voice was coming from the woods.

THE STATE PRESENTED SCIENTIFIC EVIDENCE TO PROVE THAT HOUSE BEAT 29-YEAR-OLD CAROLYN TO DEATH TO COVER UP AN ATTEMPTED RAPE

In the early 80s, the criminal justice system evolved with freakish speed and a seemingly unimpeachable star witness became the backbone of the evidentiary system, a seeming certitude that many scientists employed by law-enforcement agencies, whose services were in high demand; when the evidence in the House case arrived in his laboratory, he joined a chorus of approximately 300 scientists who were testing for blood, fingerprints, and other forms of evidence that often tells a more definitive and irrefutable story than any amount of human testimony; the voices of the scientists were speaking loud and clear, and their words were not to be ignored.

Prelude

Carolyn and her husband, William Duchess, were found Carolyn's body in the woods; she was wearing her nightdress, which was pulled out of Man B's head by the expert; the bullet entered her head and killed her; it looked like she was asleep. She lay on her outstretched right arm. In a way, it seemed more definitive and irrefutable than any amount of human testimony; the voices of the scientists were speaking loud and clear, and their words were not to be ignored.

House was convicted on the apparent strength of two major pieces of forensic evidence: a couple of fingerprint stains on the victim's nightdress and panties, and the victim's blood smeared—Robert Coe, convicted of murder of his neighbor and friend, Carolyn Munsey. The state presented scientific evidence to prove that House beat 29-year-old Carolyn to death with a baseball bat to cover up an attempted rape. They had been acquainted for years and lived just a mile apart. But after Carolyn's murder, the crime scene was thoroughly compromised, leaving little physical evidence to work with.

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As they were recounting their story to the sheriff, House pulled up in a car. Hensley spotted him and took Sheriff Loy to one side, hissing in his ear, “I see that fellow come up out of this ditch,” and pointed down the embankment toward Carolyn. Sheriff Loy walked over to House and said, “Well, I guess you need to go over to the jail; we need to talk more with you.” House was led away without protest.

Carolyn’s body was lifted from the embankment on a stretcher and taken away. The first rain in three days began to fall. The pathologist conducting the autopsy, Dr. Alex Carabia, opened Carolyn’s dress and panties. Carolyn’s vagina and sealed it inside an evidence test tube. He drew a large syringe of blood directly from her heart, decanted it into four test tubes, and sealed them with rubber stoppers. He finished the next morning and put the evidence in a laboratory refrigerator, where it remained until it was picked up by a Union County deputy.

Inside the sheriff’s office, House was lying to his interrogators. He told them that Carolyn’s body was found in the bathroom of the Womack residence. He said that he and Carolyn had been dating for a few months, and that they had been together the night before. He denied knowing anything about the death of Carolyn.

The prosecution’s strong case was strengthened by House’s unreliable behavior; his weird nocturnal wanderings, his lies to the police.

WHAT REMAINS OF THE MUNCEY CABIN TODAY

“WE HAVE ALL ASSUMED SCIENTISTS ARE TELLING THE TRUTH WITH AUTHORITY AND TESTS. AS A RESULT, THE FBI HAS GOTTEN AWAY WITH VOODOO SCIENCE.”

As luck would have it, it turned out that House was a convicted sex offender; he was on parole after having picked him up hitchhiking. The investigation was off to a running start. The task force had a convicted sex offender living within walking distance of Carolyn. They were able to assume Carolyn had been sexually abused before being murdered because bruises had been discovered on her thighs; there was what appeared to be semen in her vagina and semen stains on her nightclothes.

THE PROSECUTION’S CASE WAS STRENGTHENED BY HOUSE’S UNRELIABLE BEHAVIOR; HIS WEIRD NOCTURNAL WANDERINGS, AND HIS LIES TO THE POLICE.
me tomorrow. They don’t have the right to make decisions about my life, so I’m tak- ing it out of their hands. I know you won’t like what I’m going to do, but I think it’s best for me. I hope you can understand that and not love me any less because of it.

He asked for his ashes to be “spread on the wind” in Yellowstone National Park and left his only possession, a clock radio, to his brother, Marty. He signed off, “Love forever and always, your son.”

Then he slit his wrists. A guard found off, “Love forever and always, your son.”

radio, to his brother, Marty. He signed the wind” in Yellowstone National Park

He has resided on death row ever

SEED

whether the jury’s objectivity was com-

retained by, “the state.” In effect, they

eventually be selected. But regardless of

to use House’s prior conviction against

him in the days following the murder.

Death Watch.” Every minute of a pris-

oner’s countdown to execution is lived

under the constant surveillance of a
team of guards. In Department of-

Corrections language, this is done to “maintain the security and control of a

rare to the state against them. The House

case is subject to a more insidi-

ous kind of spoiling.

The civil libertarian Edison Haines

once said, “Law is not justice, and a trial

is not a scientific inquiry into truth. A

trial is the resolution of a dispute. Today, dispute is most often decided as the

result of merging the two philosophically

and methodologically opposed disciplines of science and criminal law.”

At its simplest (and purest), science is an objective, empirical journey to dis-

cover a truth, whatever that truth may

be. But in the real world, science exists in context with that which makes it nec-

essary. It is a fact that the majority of

forensic scientists are employed, or retained by, “the state.” In effect, they

are paid by the same system whose role it

is to prosecute.

The state, in the guise of the prosecu-

tion, has but one objective: to convince a

jury there is only one truth—that of the

guilt of the accused. Forensic science

is perhaps the most powerful tool avail-

able to “prove” that truth, a truth that

indicted for giving false testimony, and a

lab technician resigned while being

investigated for the improper testing of

more than 100 DNA samples. When the

new revelations became public, Lawrence Goldman, then president of

the National Association of Criminal

Defense Lawyers, told the Associated

Press, “We have all assumed the scien-

tists are telling the truth because they do

it with authority and tests. And as a

note the effect of the prosecutorial cul-

ture—a culture where careers are made in numbers of convictions and broken on acquittals and successful appeals.

ATTORNEY GENERAL SUMMERS ARGUED THERE WERE NO LEGAL GROUNDS UPON WHICH TENNESSEE COULD BE FORCED TO REVIEW OR RE-OPEN HOUSE’S CASE.

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there’s no doubt the blood was deliberately wiped onto house’s jeans. the question that must then be asked is, by whom?

of which are death row cases, are being

reviewed for their proper testing of DNA evidence. Almost 400 cases, seven

twisted facts to appease their paymas-

ters. While individuals must be held

responsible for their actions, one has to

and saw Little Hube arguing with Caro-

lyn in the parking lot. He wasn’t the only

to notice. Mary Atkins, a lifelong friend of Little Hube’s, also saw him arguing with Carolyn. In a sworn af-

fidavit, Mary says that after arguing for a while, Little Hube grabbed Carolyn and hit her. Carolyn then walked off. With wit-

nesses placing Carolyn at the dance

and being in the room after she left her

neighbors to put the kids to bed, it’s possible to reconstruct an alternative scenario for the night of the crime.

If the voice Lora and Matt heard, say-

ing Little Hube was “in a wreck,” actually said Little Hube was “wrecked,” Carolyn might have headed down to the
dance to confront him about spending what little money they had on alcohol. Once there, as Miller and Atkins attest, she was assaulted by her drunken hus-
band. Shortly after Carolyn was seen leaving the dance, Luttrell Police Chief Dennis “Dink” Wallace saw Little Hube head out as well.

Chief Wallace says he can’t remem-

ber seeing Little Hube return to the

Riverbend Maximum Security Institution, just outside Nashville, Tennessee
entists look for the “Lewis factor”—a question asked by General Phillips during House’s trial. Little Hube admitted he’d had sex with Carolyn on the day of her death. His story was never verified by the defense.

**The Blood**

Carolyn’s blood, smeared all over House’s jeans, appears to be an insurmountable obstacle to claims of House’s innocence. But in contrast to the blood, far from proving that House killed Carolyn, actually proves he didn’t.

After the FBI finished its forensic testing, House’s lawyer arranged for the evidence to be sent to Nashville-based DiaClin Laboratories (whose tests also showed it was Carolyn’s blood on House’s jeans) for the defense’s testing. The blood evidence arrived in the same styrofoam box it was originally packaged in, and before as many as a month has passed. DiaClin’s laboratory manager photographed the evidence as it was received:

> Photographs show the evidence as it arrived in the box. Dr. Blake’s report explains how this evidence was handled by only three people: Union County detective William Breeding and Munsey.

DiaClin received the vaginal swab, it was opened in an envelope. As for Bill Ray Hensley’s eyewitness testimony, it is bolstered by that of his mother, Penny, who watched as the guards wheel the dying Penny away from Responding to the federal judge’s order for a retrial, an acquittal, an execution date…. The MS means he spends up to 24 hours a day in his cell, and he has to rely on others to help him eat and bathe. With a wife and daughter, he says he would have committed suicide by now if for not for a promise he made to his mother.

EPISODE

About the same time House’s first trial was due to start, two sisters—Kathy Parker and Penny Letter—were at a party in Luttrell. Sometime that evening Little Hube wandered in, drunk and clutching a can of Budweiser. Ten or fifteen minutes later, Kathy and Penny noticed Little Hube weeping. Then he started repeating, “I didn’t mean to do it.”

According to testimony given in Federal court by the sisters in 1999, Little Hube was drunk and went to his car in the night of the murder, Carolyn was “bitching” him out. Penny stated, “He said he was drunk and was going to do something about his life.”

Another key piece of evidence wasn’t aired: Before Tribal Special Agent Scott on Little Hube’s blood for testing, Little Hube admitted he’d had sex with Carolyn on the day of her death. His statement was never verified by the defense.

Whatever obfuscation may have taken place during the original trial, new evidence presented by Penny, Little Hube, and Bigbee sheds light on a complete different story. With the death row, trapped by a legal system that will let him go neither forward nor back.

“What’s the point of hoping?” he says. “They’re never going to let me out.”

When Bigbee first left to do the test, though because his case has been so stymied by the legal process, he has no idea what he is waiting for—”an appeal, an execution, a retrial,” he says—“somebody appear out of nowhere.” Because Hensley can neither read nor write, Deputy Joe Ed Munsey wrote out his own statement:

**Suspected Reality**

In myawanoncon- tact cubic, I watch as the guards wheel inmate 1099390 into the space opposite. Since being incarcerated, Paul House has developed multiple sclerosis. He can no longer walk or even wash himself. He is dressed in stained white hospital pants and a stained white hospital top. His hands and ankles are cuffed and chained with a length to his waist. He looks very small in his wheelchair.

But the guards are still there, we are still there, and I am still doing what I mean to do. Penny says she bolted from the house.

As for Billy Ray Hensley’s eyewitness testimony, it is bolstered by that of his mother, Penny, who watched as the guards wheel the dying Penny away from Bear Hollow Road and into the care of the medical personnel. The MS means he spends up to 24 hours a day in his cell, and he has to rely on others to help him eat and bathe. With a wife and daughter, he says he would have committed suicide by now if for not for a promise he made to his mother.
penalty system for the state. At the core of
the proposal is the use of science as a
means to design death-penalty law that is
as infallible as humanly possible.

“The governor wanted us to examine
whether science, which has been so help-
ful in exonerating so many people, could
be used in a positive way to make the sys-
tem work better at the front end,” said
Joseph Hoffmann, law professor at Indi-
aana University and co-chairman of the
commission. DNA evidence, in particular,
is being hardwired into the proposal to
corroborate guilt.

This may not seem so new. DNA and
forensic science are already the lynchpins
of capital prosecutions. Except Mas-
sachusetts doesn’t have the death penal-
ty: science is being marshaled to provide
the momentum to overturn political
opposition to reinstating it.