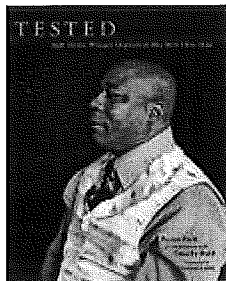


Tested: How Twelve Wrongly Imprisoned Men Held onto Hope

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Tested: How Twelve Wrongly Imprisoned Men Held onto Hope

(Dallas, TX: Brown Books Publishing Group, 2010)

Review by Allen Mendenhall

DNA technology has revolutionized our criminal justice system. The acceptance and widespread use of post-conviction DNA testing for imprisoned individuals has led to exonerations all across America. Organizations such as the Innocence Project have made great strides toward publicizing and overturning wrongful convictions. Authors such as John Grisham, John Hollway, and Ronald M. Gauthier have written forcefully about wrongly convicted individuals and have called attention to flaws and biases inherent in criminal sentencing. The Reverend Dorothy Budd and her daughter Peyton join this trend with their recently released *Tested: How Twelve Wrongly Imprisoned Men Held onto Hope* (Brown Books Publishing Group, 2010).

Tested is a handsome hardback meant for coffee tables and display. It profiles twelve men who were wrongly imprisoned in Texas. Its stark, noirish imagery; sweet-smelling, glossy pages; and cadenced, poetic prose may strike some as incongruent with its focus upon prison and miscarried justice. But these aesthetics are what make *Tested* striking and disturbing and, therefore, memorable. The book's ability to evoke pathos sets it apart from other, more in-your-face stories and incitements about the wrongly imprisoned and accused.

The authors' writing has an almost musical quality, as if the stories were intended for recitation. The authors do not wish to altogether upset the legal system or unsettle the social structures that brought about these twelve injustices; rather, they modestly "attempt to listen to and gain a glimpse into" what twelve wrongly convicted men "held onto when they were tested in ways that would crush most people." The authors focus on humans, not abstract institutions. In Reverend Dorothy Budd's words, the book is "an inquiry into how twelve human beings, trapped in impossible and unfair situations, somehow made a way where there was no way."

Why would a person with no interest in criminal justice want *Tested* on his or her coffee table? For one, the book is, as I've suggested, beautiful. Photographer Deborah Luster has assembled images that are intense, meaningful, and tragic. The Budds have employed and deployed rhythmic, jazzy language that has an incantatory effect. Readers could snap their fingers to the bluesy passages, and theater companies could—indeed should—consider a stage performance, much like Erik Jensen and Jessica Blank's *The Exonerated*, that treats each chapter as an independent monologue or soliloquy.

Even more important, though, is the book's unwavering commitment to the twelve individuals who spent years being punished and "rehabilitated" for crimes they did not commit,

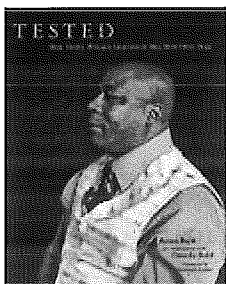
and who now must re-acclimate themselves with the “outside world.” By profiling these individuals, the book transforms an abstract issue—justice—into a personal one. In short, a person should want to own this book because of its bleak-but-beautiful reminder of what human beings are capable of, and of what human beings are able to overcome.

The book displayed prominently in an office or living room would raise provocative conversations about important issues. And as Craig Watkins, the Dallas County District Attorney who penned the introduction to the book, submits, “It’s time that we have an honest conversation about our justice system, the new tools available, and the hurdles the poor face once they are drawn into that system. This book could make that conversation a lot larger, on a national level, and move us down that road so we don’t shy away from the problem or try to make it a racial thing.”

Reverend Budd, a former child sex crimes prosecutor, began *Tested* after speaking with a woman named Jalah in her community Bible study. Jalah drew Budd’s attention to the aforementioned Watkins, who, Jalah said, had brought about several exonerations of innocent men by DNA testing. Compelled by the scope and enormity of the wrongful conviction issue, the Reverend set out to do something about it—hence this book. Peyton Budd, the Reverend’s daughter, joined her mother on the project, and the two women interviewed the twelve men who became the subjects of this work.

Not even an ambitious or meticulous reviewer could begin to retell the twelve stories of the men who, altogether, lost 189 years, 68,985 days, and 1,655,640 hours of their life to prison. *Tested* itself cannot tell the complete history of these men or explain the emotions and turmoil that these men must have gone through. Suffice it to say here that each man’s story is unique and powerful, and each man testifies to the frightening reality that our criminal justice system is deeply and dangerously flawed.

Prudent reviewers have only so many ways of recommending books, especially books that speak for themselves, and this reviewer, aware of his limited understanding of a complex issue and struck by the wording of someone more informed than he, will defer to a remark from Watkins’s introductory appeal: “You’ve seen the headlines and watched the television news reports. Now meet the men behind them.” Once you’ve “met” these men, criminal justice might, I suspect, take on a whole new meaning for you.



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