

May 4, 2003

Re. Tommy Zeigler

To Whom It May Concern:

To Tommy Zeigler and to the state of Florida, I can only apologize unofficially for the dastardly role The Orlando Sentinel played in the pathetically wrongful conviction of Mr. Zeigler for murder.

I was not the editor-in-chief of The Orlando Sentinel when the four brutal murders took place and when the trial took place and the appeal process began. I came along in 1981 and served as the paper's editor and vice-president until June 1985.

But during my tenure, thanks to a local (Orlando) lawyer named Bill Duane, I became closely acquainted with the case, examined whatever evidence was available, read miles of transcripts, and became convinced that Mr. Zeigler was innocent.

A brilliant lawyer, Mr. Duane did pro bono work for Mr. Zeigler early in the appeals process.

I further became overwhelmingly convinced that biased journalism -- indeed, some of the most reprehensibly sloppy, inattentive, arrogant journalism I have ever seen -- on the part of The Orlando Sentinel (then called the Sentinel Star) contributed greatly from Day One to the circumstances of Mr. Zeigler's conviction.

The Sentinel spent no time trying to cover the case with a hard eye on the defendant's story. Tommy Zeigler's "guilt" was assumed and he was treated as guilty in the local press, and therefore all or most all of local media.

The Sentinel's reporter on the case and top editors played footsy with Orange County prosecution officials and police, taking their every word as official.

This letter would be long indeed if I were to cite every instance that Sentinel coverage of Mr. Zeigler's nightmarish plight left the public

thinking these horrible murders on Christmas Eve amounted to an open-and-shut case.

Tommy Zeigler never stood a chance. The newspaper virtually said so.

Now look what has been uncovered! Now look what the DNA says! Now look how Mr. Zeigler's story makes perfect sense, while the original convictions and subsequent appellate decisions are shockingly careless!

Now look what this man has undergone, what price he has paid, having served more than two decades of his life on Florida's Death Row.

The Orlando Sentinel should have raised a voice early on. It should have looked into such a dramatic and unlikely event from the get-go. Instead, the Sentinel sort of waved it all as a fait-accompli.

Unofficially, I apologize on the paper's behalf. During my time on the job, however, and for years after when I left the paper to run newspapers in Dallas, Houston, Oakland and San Francisco, I continued trying to help Mr. Zeigler in any way I could.

For example, I asked a friend and former colleague, Phillip Finch, an author, to examine the case for the purpose of writing a book. He did, and wrote "Fatal Flaw," a terrific book that outlines the incredible flaws in the slipshod, amateurish investigation.

The book did not sell well -- for a variety of reasons. One big one is The Orlando Sentinel panned it, and someone at the paper kept the book from being reviewed by their affiliated newspapers, such as the parent Chicago Tribune.

I apologize unofficially for that, as well. I was sickened by it.

Additionally, I was able to see to it that the Atlanta Constitution ran a series of articles on the case that presented the views of Mr. Zeigler's lawyers, and this at the time may have been of some value to the appeals court in Atlanta which made a ruling that kept Tommy alive.

To this day, The Sentinel continues its cover-up and ostrich-like attitude toward poor Tommy Zeigler. I am confounded by it, haunted even.

When Tommy walks out of prison, I'd wager a bundle The Sentinel won't have the guts to put the picture and story on the front page where it belongs.

I suppose that is politics in Orange County. If so, it is vile stuff.

During my time as editor in Orlando, I frankly paid no attention to "politics as usual in Orange County," as those pressures might sway coverage. I threw out the "as usual" part.

We had only two things to do as a newspaper -- get it right and be fair. We did neither, historically, in Mr. Zeigler's case. It was shameless, rotten, inhumane, cowardly and dishonest. Just downright gutless.

I will stand up in any forum and say the same. I would swear to it, if need be.

Just as four human beings died tragically, violently, stupidly and needlessly, Tommy Zeigler has been made to live a monumental injustice.

Only a small band of tireless and courageous believers with whom I have become indirectly associated fought in Mr. Zeigler's behalf. Except for this group, and his mother, who died last year, Tommy virtually has stood alone.

Was The Sentinel's poor performance in fact part of some conspiracy? I am not sure. Perhaps it was incompetence more than anything. That, plus City Hall and Courthouse power -- people in public office trying to look good, with The Sentinel too lazy to check out at all the facts.

I believe what I have said here to be the truth. I believe Tommy Zeigler to be innocent (not guilty) of the aforementioned murders. I believe The Orlando Sentinel to be guilty of the ugliest kind of journalism.

Now that the scientific blood evidence is in, and says what many of us figured out long ago -- that Tommy is innocent of all charges -- I hope that justice in his behalf finally will be done. This terrible outrage must end.

If this letter reaches Governor Bush's desk, I beseech you, sir, to set Mr. Zeigler free because he IS innocent.

Meanwhile, the real killer still lives, some of us close to the case believe.

Thank you for your time.

Respectfully,

David Burgin
Former Editor-in-Chief,
1981-1985
The Orlando Sentinel