



## Tony Hall

In September, 1992, 25-year-old Tony Hall was charged with fondling a seven-year-old boy in July 1992 while he was babysitting the child in Hudson, Texas.

Hall denied the accusation and passed a polygraph test. He rejected an offer to plead guilty and get 10 years probation and instead went on trial on May 13, 1993 in Angelina County Criminal District Court.

The trial took less than two hours and consisted almost entirely of opening statements and arguments by the lawyers and the boy's testimony that Hall fondled him.

The judge, who heard the case without a jury, convicted Hall of aggravated sexual assault on a child and in October 1993, sentenced him to 15 years in prison.

In prison, Hall was sexually assaulted and beaten because of his conviction for molesting a child. He attempted suicide on several occasions. He was denied parole annually because he refused to admit to the crime.

On October 10, 2008, Hall was released after serving his entire sentence and returned to Hudson, where he had to register as a sex offender. Two years later, Hall crossed paths with the boy who had accused him of molestation.

The accuser, by then 23 years old, asked Hall where he had been for the past 15 years; he later testified that he had virtually no memory of the trial and was unaware that Hall had been sent to prison.

The former accuser immediately recanted to Hall, saying his mother—who was Hall's distant relative—had coached him and told him what to say. He accompanied Hall to a lawyer's office where he wrote out an affidavit and signed it under oath.

"My memories of that time are vague, however, I do not have any memory of Tony Hall molesting me or touching me inappropriately," the statement read. "I do remember my mother telling me to say Mr. Hall touched me. I was very scared and told my mother what she wanted to hear so that I would not get a beating. I remember arguing with my mother about this and I remember my mother threatening me."

Hall ultimately retained Lufkin, Texas attorney Jeffrey Bates, who filed a state petition for a writ of habeas corpus. Bates obtained a statement from the complaining witness's aunt—the sister of his mother—saying that she saw the boy's mother beat him.

"(She) picked up (the boy) and placed him on the table with his legs hanging over the edge. He was wearing shorts," the aunt stated. "(She) repeatedly said to (the boy) 'Tony messed with you, didn't he?' (The boy) kept answering no. Every time he would say no, she would slap him on his bare legs, making him cry harder. Eventually (he) answered yes and she stopped slapping him. She would not stop slapping him until he answered

**State:** Texas

**County:** Angelina

**Most Serious Crime:** Child Sex Abuse

**Additional Convictions:**

**Reported Crime Date:** 1992

**Convicted:** 1993

**Exonerated:** 2011

**Sentence:** 15 years

**Race:** Caucasian

**Sex:** Male

**Age:** 25

**Contributing Factors:** Perjury or False Accusation

**Did DNA evidence contribute to the exoneration?**  
No

yes.”

At a hearing in May 2010, Hall's former accuser repeated his recantation and the aunt testified about the mother's threats and beating. The mother denied that she had harmed her son or forced him to make the allegations of sexual molestation.

In January 2011, State District Judge Barry Bryan granted the writ and ordered the conviction set aside. On February 26, 2011, the Texas Criminal Court of Appeals upheld the decision and the charge was dismissed.

Hall filed a compensation claim for wrongful imprisonment and on May 6, 2011, he was awarded \$1,260,416 by the state of Texas.

– Maurice Possley

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