



ArchivesSpace

Herrera, Leonel; Collection

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M.E. Grenander Department of Special Collections & Archives

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Summary Information

Repository:	M.E. Grenander Department of Special Collections & Archives
Title:	Leonel Herrera Collection
ID:	apap300
Date [inclusive]:	1954-2007
Physical Description:	1.27 cubic ft.
Physical Location:	The materials are located onsite in the department.
Language of the Material:	English .
Mixed Materials [Collection]:	X
Abstract:	The Herrera Collection contain materials associated with the life and trial of Leonel Herrera, as well as materials included in the book <i>Last Words from Death Row: The Walls Unit</i> , written by Leonel Herrera's sister, Norma Herrera Ellis.

Preferred Citation

Preferred citation for this material is as follows:

Identification of specific item, series, box, folder, Leonel Herrera Collection, 1954-2007. M.E. Grenander Department of Special Collections and Archives, University Libraries, University at Albany, State University of New York (hereafter referred to as the Herrera Collection).

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Historical Note

Leonel Herrera was born September 17, 1947. He was the second of five children born to parents Jose and Maria Herrera in McAllen, Texas. He attended local schools from 1954-1963, and then in 1967 enlisted in the Armed Forces of the United States until given an Undesirable Discharge in 1969.

Leonel Herrera was arrested in 1981 and sentenced to die for the shooting to death of Enrique Carrisalez, a police officer who stopped him for speeding in the Rio Grande Valley. Leonel Herrera petitioned against the death penalty, eventually claiming to have additional evidence that proved his innocence

and proved that his late brother, Raul Herrera, committed the murder. The additional evidence was not accepted by Texas judges, who argued that regardless of what new evidence might be presented, Herrera was given a fair trial and therefore the jury's decision could not be overturned. Herrera's advocates claimed that keeping Herrera on death row, despite evidence that might prove his innocence, was a form of cruel and unusual punishment and therefore a violation of the Eighth Amendment. The case ultimately went to the Supreme Court of the United States which denied Herrera's appeal in the 1993 decision *Herrera v. Collins*. The Supreme Court ruled that a claim of innocence does not entitle a petitioner to habeas corpus relief by way of the Eighth or Fourteenth Amendments. The State of Texas executed Leonel Herrera on May 12, 1993 at 4:49 a.m.

A retired nurse, Norma Herrera Ellis (1954-2008), Leonel Herrera's sister, published *Last Words from Death Row: The Walls Unit* in 2007. *Last Words from Death Row: The Walls Unit* is a biography following Leonel Herrera's trial and press coverage. Norma Herrera Ellis wrote *Last Words* as part of a promise to tell her brother's story. She continued to advocate for his innocence until her death on January 14, 2008, at age 54.

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Scope and Contents

The Leonel Herrera Collection contains research materials on the death penalty in the United States with a focus on the right of the convicted to submit evidence of their innocence to delay their own execution.

The collection, donated by Leonel Herrera's sister Norma Herrera Ellis, includes photographs, court documents, news clippings, official and personal correspondence, VHS tapes, and religious memorabilia either owned by or involving Leonel Herrera. Additional materials are included because of their usage in Norma Herrera Ellis' book *Last Words from Death Row: The Walls Unit*. Many newspaper clippings refer to the drug cartel the Herrera family and local police were involved in. Other newspaper clippings discuss the Leonel Herrera Case with a focus on opinion pieces about later courts refusing Herrera's additional evidence to demonstrate his innocence. Photographs are mixed family photos, postcards, and rally photos, with the bulk being family photos.

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Arrangement of the Collection

The collection is organized chronologically. There are no series.

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Administrative Information

Publication Statement

M.E. Grenander Department of Special Collections & Archives

Revision Description

Collection-level record encoded in EAD by Brian Keough 2016 December 22

Processing Information

Processed in 2018 by Emily McCabe.

Access

Access to this collection is unrestricted.

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The Department of Special Collections and Archives is eager to hear from any copyright owners who are not properly identified so that appropriate information may be provided in the future.

Acquisition Information

All items in this collection were donated to the University Libraries, M.E. Grenander Department of Special Collections and Archives in 2007 by Norma Herrera Ellis.

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Related Materials

Separated Materials

The archivist transferred one monograph: *Last Words from Death Row: The Walls Unit* by Norma Herrera Ellis to the book division of Special Collections. It will be catalogued and included in the University Libraries Catalog.

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Controlled Access Headings

- Capital punishment--Texas
- Herrera, Leonel, 1947-1993
- Correspondence.
- Photographs.
- Clippings
- Legal documents
- Death Penalty

Collection Inventory

Title/Description	Instances	
Leonel Herrera Report Cards, Elementary to High School, 1954-1963	Box 1	Folder 1
Photos and Postcards, Leonel Herrera and Family, After 1959	Box 1	Folder 2
Military Service Records of Leonel Herrera, 1967-1969	Box 1	Folder 3
Notice of Overpayment to IRS by Leonel Herrera, 1970 May 22	Box 1	Folder 4
Raul Herrera Judgement, 1973 May 22	Box 1	Folder 5
Food Establishment Permit Issued to Leonel Herrera, 1976 February 13	Box 1	Folder 6
Original Indictment, Leonel Herrera, 1981 October 14	Box 1	Folder 7
Precept to Serve, 1981 December 29	Box 1	Folder 8
Judgement of Conviction, Incomplete, 1982 January 21	Box 1	Folder 9

Newspaper Clippings, 1982-1989-1990-1992-1993	Box 1	Folder 10
Craft Arts and Cards Created by Leonel Herrera, 1982-1983-1987-1990-Undated	Box 1	Folder 11
Legal Correspondence Regarding Leonel Herrera Case, 1982-1985-1992-1993	Box 1	Folder 12
Injury Report and Solitary Confinement Physical Examination, 1983 June	Box 1	Folder 13
Affidavits, Leonel Herrera Case, 1983-1992	Box 1	Folder 14
Inmate Files, Leonel Herrera, 1983-1985-1993-2002	Box 1	Folder 15
Polygraph Reports, Leonel Herrera Case, 1983-1993-Undated	Box 1	Folder 16
Ex Parte Motion for Compensation, 1990 December 12	Box 1	Folder 17
Petition for Writ of Habeas Corpus, Appendix (1 of 2), 1990	Box 1	Folder 18
Petition for Writ of Habeas Corpus, Appendix (2 of 2), 1990	Box 1	Folder 19
Judge Clinton Response to Habeas Corpus Application, 1991 May 29	Box 1	Folder 20
Habeas Corpus Application Response, 1991 August 07	Box 1	Folder 21
Amended Order on Application for Writ of Habeas Corpus, 1991	Box 1	Folder 22
Correspondence to Leonel Herrera, 1991-1993	Box 1	Folder 23
Open Letter by Robert McGlasson, 1992 February 19	Box 2	Folder 1
National Public Radio Transcript, 1992 October 07	Box 2	Folder 2
Newspaper Clippings, Kept by Leonel Herrera, 1992 May	Box 2	Folder 3
Petition for Writ of Habeas Corpus, Appendix	Box 2	Folder 4
<i>CBS Evening News</i> "Leo: Eye on America", ca. 1992	Video-Tape 1	
Petition for Stay of Execution, 1992-1993	Box 2	Folder 5
<i>CBS Evening News</i> "Eye on America" Transcript, 1992-1995	Box 2	Folder 6
Leonel Herrera and Gary Graham Rally Memo, 1993	Box 2	Folder 7
Petition for Writ of Habeas Corpus, 1993	Box 2	Folder 8
Request to the Governor for Ninety Day Reprieve of Death Sentence, 1993	Box 2	Folder 9
Leonel Herrera Funeral Pamphlets, ca. 1993	Box 2	Folder 10
Personal Correspondence to Norma Herrera, 1993-1995-1997-2002	Box 2	Folder 11
Herrera Family Album, Undated	Oversized 1	
Herrera Family Album (1 of 2), Undated	Box 2	Folder 12
Herrera Family Album (2 of 2), Undated	Box 2	Folder 13

Newspaper Clippings, Undated	Box 2	Folder 14
Photos of Anti-Execution Rally, Undated	Box 2	Folder 15
Photos of Leonel Herrera Grave, Undated	Box 2	Folder 16
Religious Memorabilia Owned by Leonel Herrera, Undated	Box 2	Folder 17
Video Made for Leo's Appeal, Undated	Video-Tape 2	