

PRESS RELEASE

From: Richard M. Scrushy

info@richardscrushypress.com

Montgomery, Alabama, March 6, 2025

Concealed Exculpatory Evidence Reveals Corruption within Department of Justice and Wrongful Imprisonment of Richard M. Scrushy

Richard M. Scrushy is requesting U.S. Attorney General Pam Bondi and the U.S. Department of Justice (DOJ) in Washington D.C. to commence an immediate investigation into the corruption, widespread fraud, lawfare, and weaponization of the DOJ relating to the politically motivated prosecution wrongfully brought against him. He is also asking the Pardon Czar Alice Marie Johnson to review his case for a pardon.

Attorneys for Scrushy, the former Chairman, CEO and Founder of HealthSouth Corporation (now Encompass Health) announced today that they have uncovered clear and convincing evidence that Scrushy was wrongly convicted and incarcerated, citing widespread misconduct by federal prosecutors in the case. Prosecutors knowingly withheld voluminous amounts of information relating to exculpatory evidence that would have proven Scrushy's innocence. Attorney Tommy Gallion described what they found as:

“One of the worst political prosecutions in recent history The public will be shocked at the diabolical ploy and actions of the high-ranking officials within the Middle District Department of Justice that destroyed the lives of Richard Scrushy and his family who were prominent Alabamians.”

Federal prosecutors knowingly and wrongly put Governor Don Siegelman and Richard Scrushy behind bars, stole their freedom, and sought to destroy them and their families' lives and ability to financially provide for their families. They intentionally withheld critical evidence that proved their innocence.

Federal Law is clear and without exception that this type of prosecutorial misconduct -- the willful suppression of evidence of innocence -- is blatantly unconstitutional and criminal. Recently, Scrushy and his attorneys have uncovered and continue to uncover documented and substantiated evidence that proves unequivocally that significant exculpatory evidence was intentionally withheld from Scrushy and Siegleman even after motions were filed seeking the same. Former U.S. District Judge Mark Fuller specifically queried prosecutors and instructed them to turn over any and all exculpatory evidence.

“And if there are other Brady material discoverable evidence that has not been produced to you involving Mr. Bailey, I'm ordering the government to review their records, to include every agent that has been involved, every attorney that has been involved, and every agency that has been involved, and to make a report back to the defense before we begin trial on Monday.”... “And lastly, to the extent that there are other Brady discoverable matters by any witness, I would also order the government to review those – age agencies,

attorneys, investigators, any-classification who had any involvement with any witness in this case, and to turn over those materials to the defense before court starts on Monday.” My order would include any correspondence -- written, verbal, electronic – by or between any agency, any agent within that agency, whether it be state or federal. Judge Fuller further instructed the prosecutors as follows: “I’m just ordering that you make a review of your documents, review of your agency’s memorandum, their knowledge of the testimony of these witnesses. If there are any discrepancies that have been discussed in any form or fashion, if those have not been disclosed to the defense, do so before Monday.” Judge Mark Fuller Trial TR. Pg 1038-1039; 1040).

Moreover, after delivering said instruction, the Court later followed up and queried prosecutors if they had found any exculpatory evidence that had not been provided to the defendants. The prosecutors assured the Judge and the defendants that ...”[t]hey [had] no additional reports that had not been turned over.” (Trial TR pgs. 1214-1215).

Scrushy and his attorneys have uncovered that this representation by the prosecutors to the Judge was completely false. Scrushy has discovered that numerous instances of exculpatory evidence were knowingly withheld from the defendants in this prosecution. The suppression of this evidence resulted in denial of due process and a fair and just proceeding that would have enabled the defendants to present evidence that would have unquestionably proven their innocence.

Based on witnesses, affidavits, and other sources, Scrushy has uncovered evidence that proves that the prosecution team was corrupt and that his conviction should be overturned immediately.

The case against Scrushy is a classic case of weaponization and lawfare within the Department of Justice. Therefore, Scrushy is requesting the United States Attorney General’s support to investigate, vacate, or reverse his conviction and dismiss the case.

Information concerning Corruption of Prosecutors

The National Registry of Exonerations list 3,593 full exonerations since 1989. The registry published a September 1, 2020 article titled, “[Government Misconduct and Convicting the Innocent.](#)” The article found that: *(1) official misconduct contributed to the false convictions of 54% of defendants who were later exonerated; (2) concealing exculpatory evidence was the most common type of misconduct and it occurred in 44% of exonerations; (3) prosecutors committed the misconduct in 30% of the cases and the prosecutors were responsible for most of the concealing of exculpatory evidence and misconduct at trial, and a substantial amount of witness tampering. (4) exonerations in federal white-collar crimes are the most common; accounting for 41% of exonerations, with single case the overwhelming majority of misconduct committed by prosecutors for withholding exculpatory evidence in every in which such evidence was concealed. (Emphasis added).*

Scrushy is one of the wrongly convicted white collar defendants that makes up these statistics. He is an innocent man, charged with a crime that the prosecutor’s knew he did not commit, and his attorneys have the proof. More information will be disclosed at a press conference on March 6, 2024, at 11:00 to be held at the, Frank M. Johnson Jr. Federal Building and U.S. Courthouse, Church Street, Montgomery, Alabama.

About Richard M. Scrushy

Richard Scrushy was born in 1952 and lived in Selma, Alabama, a town known as the birthplace of the civil rights movement. He grew up modestly in a home with working parents, and even at age twelve, he proved himself to be a hard worker and a young entrepreneur. Scrushy worked at a local hamburger-and-milkshake stand and as a bellboy at a local hotel. A graduate of the University of Alabama in Birmingham, his hands-on work in rehabilitative health care led him to found and build, as CEO and Chairman of the innovative healthcare giant HealthSouth, one of three New York Stock Exchange companies he co-founded. A longtime philanthropist and civic leader serving at times also as a volunteer on business and regulatory boards, he was targeted by prosecutors because of a false claim that HealthSouth donated to a foundation advocating for more funding for K-12 Alabama public schools so that he be appointed to the state healthcare Certificate of Need Review Board. Scrushy had previously served on the Certificate of Need Review Board under the leadership of the previous three governors but resigned due to the demands of his role as CEO of a Fortune 500 company, which left him with insufficient time to continue his board duties. The circumstances of his politicized conviction and imprisonment have become a national scandal in civil rights circles, documented in his powerful memoir “This Should Not Happen In America: From Selma To Wall Street, A Journey of Fire and Faith” (New South Books, Montgomery, 2021). Inspired by his family and faith, he remains a business visionary and advocate for strong communities. # # #