

In the following pages you will read articles about innocent men who found themselves in prison sometimes for 30 years before they were exonerated. Many of these men later died within a year of being released from prison. During their incarceration surely these men needed the help from the Christian community. As you read their stories you will see surely they suffered beyond endurance. They needed comfort from someone. We believe the number of men in prison in this country who are living away from their families is a problem that must be solved by the community. Everyone needs to become involved in teaching these men to read and how to problem solve without resulting to violence. A high rate of recidivism does not benefit anyone except the owners of private prisons. Recidivism is link to the inability of men to read, to problem solve and to find employment once released from prison. Most of the men in prison are poor readers.

The men in prison are the link to our financial security. Our community has been devastated by the absence of these men from the home. These men are needed to build families and make our communities prosperous and safe. These men are parents who are needed by their children. They do not need to spend their entire life returning over and over again to prison. We realize some of you do not want to be bothered with these men. You want them to be punished and forgotten about. Well we cannot forget these men because if we do we will continue to attend more and more funerals. This is not the time to be ashamed nor is it the time to be hate filled. This is the time to act. We must act now to see that men released from prison can succeed. Our communities will never heal unless we confront the violence. Many people bristle at the mere mention of helping a prisoner. Yet these times require a higher behavior than anger or mere disdain. We must all help whomever we can because there but by the grace of God go I. June 17, 2015 nine people were shot to death at the Emanuel AME Church in Charleston, South Carolina during a bible study meeting. This was a terrific act of violence in the holiest of place where people were assembled to learn about God yet the relatives of the victims forgave the shooter. November 27, 2015 Ke'Arre Stewart, 29, an Iraq veteran and a father of two, was shot and killed in a Planned Parenthood clinic in Colorado Springs, Colorado. His brother, Leyonte Chandler, told reporter he forgave the shooter. This was a tremendous act because Mr. Chandler spoke of his brother with such love and admiration. We need to act for one another even during the hardest of times. We have too many men wasting away in our nation's prison. **Together we can make a difference. Visit [www.touchedbythelight.us](http://www.touchedbythelight.us) and purchase a set of books for a prisoner –. You can place your order by mail rather than online,**

Mail to PO Box 7267 Ann Arbor, Michigan 48107.

If you choose to purchase a set of books **for a particular prisoner**, we will need the prisoner's name, number and full address. Please include this information with your order. The men in prison are the fathers, sons, and brothers needed in our homes. We hope to restore men, restore families, and heal the wounds caused by violence.

After reading these articles we hope that you feel the same way we do that something must be done to relieve the suffering of women and children caused by the so many men living in prison. That relief will come by returning healthy men to the home. One way to accomplish this goal is to provide inspirational material to those who are lost. Light is brought into the world through reading. Caring for the old, the infirmed, the mentally and physically handicapped and the incarcerated is not only the work of the church it is the work of everyone. Even if you do not believe in a higher power you can still help because when a man's mind is left in darkness man becomes a monster.

The Wall Project was not designed to indoctrinate man to a specific ideology. The Wall Project was designed to provide guidance to lead man to a path of enlightenment and self-respect because when men learn to read they can do anything. They can learn how to fish and feed themselves all from reading. No one will have to teach a man to fish if he can read. On behalf of the staff at Touched By The Light Publishing we thank you for taking the time out of your day to read our material and to view our presentation. **Sponsored by Dr. Camilo Machado, [31315 Harper Avenue, St. Clair Shores, MI 48082](https://www.ehealthscores.com/providers/izd-lzlffsxpqq/CAMILO-MACHADO.html)** (586) 293 – 3434, [https://www.ehealthscores.com/providers/izd-lzlffsxpqq/CAMILO-](https://www.ehealthscores.com/providers/izd-lzlffsxpqq/CAMILO-MACHADO.html)

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All books purchased for prisoners must be shipped by the publisher.

## Damon Thibodeaux



On July 19, 1996, at around 5:15 p.m., 14-year old Crystal Champagne left her apartment in Marrero, Louisiana to walk to a nearby supermarket. When she didn't return home as expected, her mother went looking for her. At around 6:45 p.m., her father and 21-year-old step-cousin, Damon Thibodeaux, also went out to look for her, as did several neighbors. The search continued until the following afternoon, when friends of the family heard that a girl who looked like Crystal had been seen walking on the levee the previous evening. Not long after, On July 19, 1996, at around 5:15 p.m., 14-year old Crystal Champagne left her apartment in Marrero, Louisiana to walk to a nearby supermarket. When she didn't return home as expected, her mother went looking for her. At around 6:45 p.m., her father and 21-year-old step-cousin, Damon Thibodeaux, also went out to look for her, as did several neighbors. The search continued until the following afternoon, when friends of the family heard that a girl who looked like Crystal had been seen walking on the levee the

previous evening. Not long after, Champagne's body was found near the levee. She was partially naked and had been strangled with a wire.

Before the girl's body was found, Jefferson Parish Sheriff's Department investigators began interviewing people who had been with Champagne before she disappeared. An officer was interviewing Thibodeaux – who had been at the Champagne's home when Crystal left for the store – when he was informed that her body had been found. A homicide detective then took over the questioning.

Thibodeaux initially said he knew nothing about the murder. He agreed to a polygraph test, which police said indicated deception regarding the girl's death. Eventually, after nine hours of questioning, Thibodeaux said that he had raped and murdered Crystal. He was arrested and charged with both crimes. After he was allowed to eat and rest, Thibodeaux quickly recanted his confession, but was ignored.

At Thibodeaux's 1997 trial, the prosecution built its case around his confession to the rape and murder. There was no physical evidence linking Thibodeaux to the crimes, and though Crystal was found undressed, they found no semen on her body and no

other physical evidence that she had been raped. A police officer testified that the semen could have been eaten by maggots.

A week after the crime, detectives questioned two women they found walking on the levee. Both said they saw a man pacing and acting nervously on the evening of the murder. Both women picked a photo of Thibodeaux from a photographic lineup and both identified him at trial.

Thibodeaux's attorney argued that detectives coerced the confession and suggested facts of the crime to him during their interrogation. On October 3, 1997, a jury convicted Thibodeaux of first-degree murder and rape. He was sentenced to death.

Thibodeaux's attorneys filed motions for a new trial and for a post-verdict judgment of acquittal, which the trial court denied. His lawyers then appealed to the Supreme Court of Louisiana, alleging numerous errors at trial. Most significantly, they argued that Thibodeaux's confession was false and unreliable and should not have admitted. They claimed that Thibodeaux, who was psychologically fragile and highly suggestible, had been fed details of the crime that came to form the confession. The Court upheld his conviction on September 8, 1999.

In 2007, the Jefferson Parish District Attorney's Office agreed to reinvestigate the case with the Innocence Project and other lawyers who volunteered to work on the case. DNA testing as well as other forensic testing was performed and investigators interviewed numerous witnesses.

The investigation revealed that the women who identified Thibodeaux as the man they had seen pacing near the crime scene had seen Thibodeaux's photo in the news media before police showed them the photo line-up. Moreover, the date of the sighting turned out to be the day after the body was found, when Thibodeaux was already in custody.

Extensive DNA testing on items recovered from the scene of the crime failed to detect any trace of biological material connecting Thibodeaux to the murder. The tests also showed that despite Thibodeaux's confession to rape, Crystal had not in fact been sexually assaulted. And DNA testing on the cord used to strangle Crystal identified a male DNA profile that did not belong to Thibodeaux.

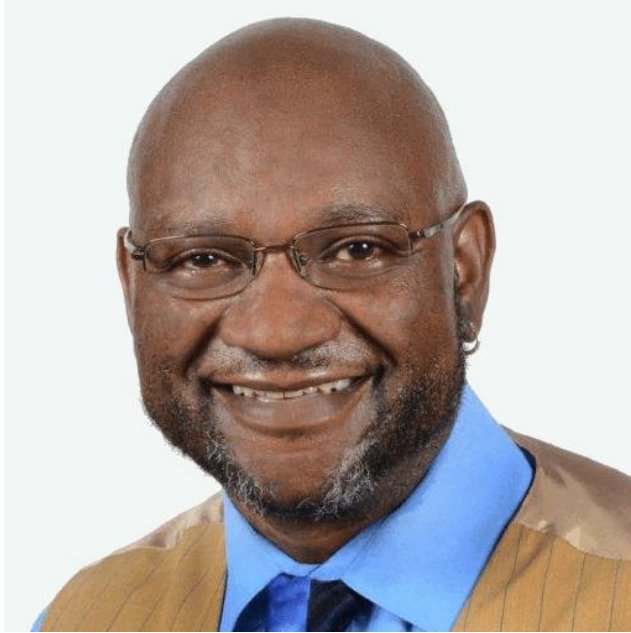
The reinvestigation established firmly that Thibodeaux's confession was false. He claimed to have raped Champagne when in fact no rape occurred. He said he strangled her with a gray speaker wire he took from his car, when in fact she was strangled with a red cord that had been tied to a tree near the crime scene. The prosecution consulted an expert in false confessions, who concluded, as did the defense, that the confession was the result of police pressure, exhaustion, psychological vulnerability and fear of the death penalty.

On September 29, 2012, Jefferson Parish District Attorney Paul Connick, Jr., joined the Innocence Project, the Capital Post-Conviction Project of Louisiana and the law firm of Fredrikson & Byron in a motion to vacate Thibodeaux's conviction and death sentence and dismiss the charges against him, and he was released directly from death row that afternoon.

# Darryl Hunt

NC Coalition for Alternatives to the Death Penalty  
Working for alternatives that are fair, victim-centered and cost effective

Eleven of 12 jurors wanted to execute Darryl Hunt, but one refused to waver. Only because of that single juror was Hunt spared being executed for a rape and murder he did not commit. He was not spared, however, from spending 19 years in prison for the crime — 10 of those after DNA evidence showed that he was not the culprit.



## *Quick Facts: Darryl Hunt*

- **Race:** African American
- **County:** Forsyth County
- **Date of Crime:** August 10, 1984
- **Victim:** Deborah Sykes, White, Age 25
- **Conviction Date:** June 14, 1985
- **Exoneration Date:** February 6, 2004
- **Years incarcerated:** 18
- **Years on death row:** 0
- **Real Perpetrator Found:** Yes
- **Errors:** Hunt's arrest, trial, and conviction were based

heavily on eyewitness misidentification, the testimony of a witness who later recanted, and the testimony of jailhouse informants. He was tried before an all-white jury and exonerated after DNA found on the victim's body matched another man

"They had virtually no evidence against me; I had a team of lawyers and supporters who worked on my case; I had DNA results in my favor — and it still took them almost 20 years to admit I was innocent," Hunt says. "A system that can perpetrate an injustice like this has no business deciding life and death. If I had gotten a death sentence, there's no doubt in my mind, I would have been executed."

Hunt was convicted of the 1984 murder of Deborah Sykes, a 25-year-old newspaper copy editor who was raped and stabbed 16 times while on her way to work at The Sentinel in Winston-Salem. The crime against an innocent young white woman sparked outrage in the community, and 19-year-old Hunt was quickly arrested.

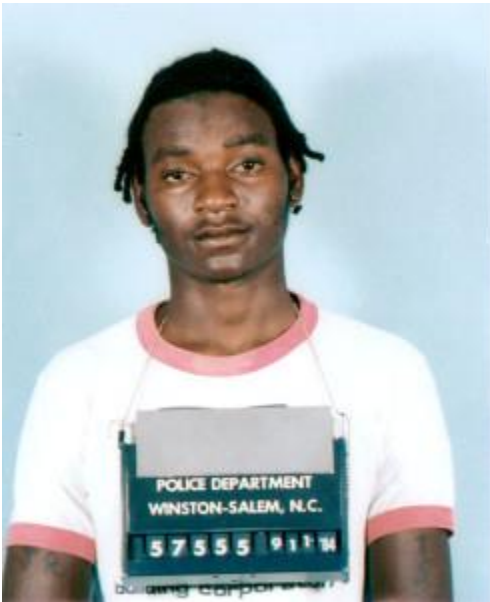
The only evidence tying Hunt to the crime was the testimony of witnesses who said they saw Hunt with Sykes before the crime, or saw him at a hotel afterward disposing of bloody towels. Their identification of Hunt was shaky at best. Hunt testified that he did not know Sykes and had no involvement with the crime.

In 1989, Hunt's conviction was overturned on appeal because prosecutors had relied on the statements of one witness who had later recanted. Prosecutors offered Hunt a deal. He could be freed by pleading guilty to the murder and accepting a sentence of the five years he had already served. He refused to admit to a crime he did not commit. Hunt was retried for murder, and again sentenced to life imprisonment.

A system that can perpetrate an injustice like this has no business deciding life and death. If I had gotten a death sentence, there's no doubt in my mind, I would have been executed."

In 1994, scientific advances allowed for DNA testing of evidence from the crime scene. The testing revealed that the DNA of the rapist did not match Hunt's. In a hearing about the newly discovered scientific evidence,





the state changed its story, now insisting that there was more than one assailant, and that Hunt still could have killed Sykes. The judge ruled in the prosecution's favor, and Hunt remained in prison.

Over nearly two decades, Hunt's lawyers worked tirelessly on his case. More than 35 state and federal judges reviewed Hunt's case. Two governors were asked to consider clemency. By 2003, all of Hunt's appeals had been rejected and both governors had refused to act. Had Hunt been sentenced to death, he likely would have been executed.

In December 2003, the Winston-Salem Journal published [an eight-part series on the case](#). Shortly after the series, the State Bureau of Investigation took the long-overdue step of running the DNA from the crime scene against state and federal databases of convicted felons. A match was found, and a man who had been identified in a similar rape, which occurred only a few months after Sykes' murder, was arrested.

That man confessed to being the sole perpetrator of the crime and apologized to Hunt and the victim's family for what he had put them through. The Forsyth County District Attorney, who for years had insisted Hunt was guilty and fought to keep him in prison, came forward and said publicly that he believed Hunt was innocent.

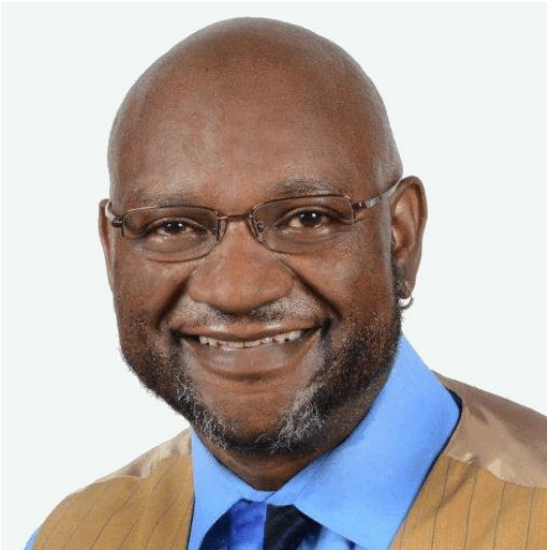
Hunt was exonerated in February 2004, and in April of that year received a pardon of innocence from the governor. Since his release, Hunt has been a tireless advocate for criminal justice reform.



**Darryl on the day of his Exoneration**

By Crimesider Staff CBS/AP March 15, 2016, 2:17 PM

## N.C. man exonerated in murder case, found dead in car



Darryl Hunt

**WINSTON-SALEM, N.C.** -- Police say Darryl Hunt, a man who was exonerated of the murder of a Winston-Salem newspaper editor, has been found dead inside a car.

A statement from police said officers received a call early Sunday of a person believed to be dead inside a car on University Parkway, near the Wake Forest University campus.

Officers found a man identified as Hunt unresponsive inside the car.

At his original trial, Hunt was convicted of first-degree murder and barely escaped getting the death penalty.

The conviction was overturned, and he was tried again in Catawba County in 1990, and again he was convicted.

After 19 years in prison, Hunt was exonerated in February 2004 after DNA evidence led police to Willard Brown, who confessed to the killing.



Tragedy of Darryl Hunt: how an exonerated man came to take his own life Before he left the courthouse in 2004, Hunt turned toward Evelyn Jefferson, the mother of the deceased, his voice warbling with emotion, and told her: "I feel the pain you felt." Starting that day, Hunt devoted his life to reforming a criminal justice system that had stripped him of nearly two decades of his life, becoming a globally known advocate for the wrongfully convicted with a similar kind of grace he showed Jef...

## Darryl Hunt

From Wikipedia, the free encyclopedia

For the member of The Pogues, see [Darryl Hunt \(musician\)](#). For the former American football linebacker, see [Daryl Hunt](#).

**Darryl Hunt** (1965 – March 13, 2016) was an [African American](#) man from [Winston-Salem, North Carolina](#), who, in 1984, was twice [wrongfully convicted](#) of the [rape](#) and [murder](#) of a young white newspaper copy editor, Deborah Sykes, but was later exonerated by [DNA](#) and other forms of evidence.<sup>[1][2]</sup> He served 19-and-one-half years in prison before he was freed after review and exoneration.

A modern [cause célèbre](#), his case was said to have "helped define race relations in Winston-Salem for 20 years."<sup>[3]</sup>

Darryl Hunt became a [Muslim](#) and involved in the [Innocence Project](#), as well as his own group called The Darryl Hunt Project for Freedom and Justice. This project is devoted to "educating the public about flaws in the [criminal justice system](#), advocating for those wrongfully incarcerated as a result of those flaws, and providing resources and support for those trying to rebuild their lives."

Darryl Hunt died from a self-inflicted gunshot wound to his torso in Winston-Salem, NC, after a battle with Stage IV cancer.

## History of the case

Darryl Hunt was charged with murder due to inconsistencies occurring during the early phases of the case. The 19-year-old Hunt was charged with the rape of a local copy editor, Deborah Sykes. No physical evidence linked Hunt to the crime, but there were claims (later proven to be false) made by a hotel employee who saw Hunt enter the hotel bathroom later that morning and exit leaving bloody hand towels, as well as other witnesses who placed Hunt near the scene. He was convicted by an [all-white jury](#), and sentenced to [life imprisonment](#). In 1994, DNA testing cleared Hunt of any sexual assault, and because sexual assault was at the heart of the murder case, the murder charges were then in question.

In December 2003, the DNA was run against the database, which determined that the DNA was that of Willard E. Brown. When he was brought in by police, Willard E. Brown confessed to the 1984 rape and stabbing death of Deborah Sykes.<sup>[1][6]</sup> His confession ultimately led to the release of Darryl Hunt, who had served about 19 years of a life sentence for a crime he always denied committing.

On February 6, 2004, [Superior Court](#) Judge Anderson Cromer vacated Hunt's murder conviction in the case. Cromer dismissed the case against Hunt "[with prejudice](#)", meaning he can never be tried in the murder again. Although Sykes' mother took the stand at his release hearing and stated that she still thought he had killed her daughter, Hunt offered Deborah Sykes's mother his condolences for her loss, and forgave everyone for the years he spent in prison. Darryl Hunt was the founder of The Darryl Hunt Project for Freedom and Justice and The Darryl Hunt Freedom Fighters. He was an award winning speaker, mentor, community activist and author. Hunt has spoken to hundreds of conferences, schools, film festivals and religious groups, in an effort to spread his message of [reform](#) and compassion. He played a pivotal role in North Carolina's statewide effort to pass a Death Penalty Moratorium Bill and has appeared before a [US Senate Judiciary Committee](#) hearing on the death penalty [appeals process](#).

## Documentary

In December 2005, an [independent documentary film](#) titled *The Trials of Darryl Hunt*, was named a [Sundance Film Festival](#) selection, and premiered in early 2006. The film documents, in its own words, "the story [of the brutal rape and murder] in North Carolina, and offers a deeply personal story of a wrongfully convicted man." The documentary illustrates the humility of both Darryl and his wife, the drive and determination of his supporters, and depicts the ongoing battle with the racism that underlies this case.

## Publications

In April 2007, the book *Long Time Coming* was published, recounting Hunt's sixth grade teacher's (Jo Anne North Goetz) steadfast belief in Darryl's innocence. The book was written by author Leigh Somerville McMillan, who also writes for the [Winston-Salem Journal](#).

In November 2011, the book "Making Justice Our Business: The Wrongful Conviction of Darryl Hunt and the Work of Faith" by Stephen B. Boyd (978-1-60899-966-8) was released from [Wipf and Stock](#) with an endorsement from [Maya Angelou](#): "I recommend this book as an important read for every American citizen." The book chronicles the story of Hunt—his conviction, time in prison, exoneration, and the community that never lost faith in his innocence—as well as arguing for the importance of justice in a life of faith.

On youtube



## Donald Eugene Gates, 58

### This Man, Donald Gates, Served 28 Years For A Murder DNA Shows He Did Not Commit



Donald Gates, right, accompanied by law professor Andy Silverman, heads for the bus after being released from an Arizona prison. Donald Gates waves goodbye before boarding a Greyhound Bus to Ohio. University of Arizona law professor Andy Silverman sees him off. December 15, 2009

By Ryan Smith CBS News December 16, 2009, 9:31 AM

**WASHINGTON (CBS/AP)** Donald Eugene Gates spent 28 years behind bars for the rape and murder of a 21-year-old Georgetown University student. *Photo: Donald Eugene Gates stands outside a bus terminal while en route to Ohio Tuesday, Dec. 15, 2009 in Phoenix.*

But not all was what it seemed and Gates, 58, walked out of a federal prison in Arizona on Tuesday with \$75 and a bus ticket to Ohio after DNA testing showed he was innocent.

"I feel beautiful," Gates told The Associated Press by telephone after leaving the U.S. penitentiary in Tucson, Ariz. Gates' conviction was based largely on the testimony of an FBI forensic analyst whose work later came under fire and a hair analysis technique that has been discredited. Just hours before, the same judge who had presided over Gates' trial years ago in D.C. Superior Court ordered his release. Prosecutors had agreed Gates should be released. However, at their request, Senior Judge Fred B. Ugast delayed Gates' formal exoneration until next week to give the government a chance to conduct one more round of DNA testing. Ben Friedman, a spokesman for the U.S. attorney's office in Washington, said Gates would be the first D.C. defendant who spent significant time in prison to be exonerated based on DNA evidence. Gates was convicted of the 1981 rape and murder of Catherine Schilling, a 21-year-old Georgetown University student, in Washington's Rock Creek Park. He was sentenced to 20 years to life in prison.

But the conviction was based largely on the testimony of Michael P. Malone, an FBI hair analyst whose work came under fire in 1997. At that time, the FBI's inspector general found that Malone gave false testimony in proceedings that led to the impeachment and ouster of U.S. District Judge Alcee Hastings in 1989. **Judge Ugast was incredulous that prosecutors had failed to inform him after Malone's work was called into question. He ordered the U.S. attorney's office to review all its cases in which Malone testified, something he said should have been done earlier.**

Sandra K. Levick, one of Gates' attorneys from the D.C. Public Defender Service, said she came across the inspector general's report while doing her own research for the case. She then obtained more information through a Freedom of Information Act request that showed the FBI had issued warnings about the work of Malone and 12 other analysts who were criticized by the inspector general. As part of a review requested by the FBI, prosecutors confirmed they had relied on Malone's work to obtain Gates' conviction. **Assistant U.S. Attorney Joan Draper said she was unaware of the problems with Malone's testimony until the defense filed its motion this month seeking to have Gates' conviction thrown out. Based on Malone's report, prosecutors had claimed hairs taken from Gates and hairs found on the victim were "microscopically indistinguishable."** Even leaving aside the allegations against Malone, the technique he relied on, microscopic hair analysis, has been discredited, Levick said. She cited a 2009 report by the National Research Council of the National Academy of Sciences that said there **was "no scientific support" for using hair comparisons for identification.**

Barry Scheck, co-director of the Innocence Project, said judges, as well as prosecutors, need to be informed when crime lab analyses are called into question. "The important part of all these exoneration cases is to learn lessons from them," he said. Gates asked for and got DNA testing in 1988. However, the DNA sample available at the time was insufficient to draw any conclusions with the technology then available. Gates' lawyers arranged for a University of Arizona law professor to meet him Tuesday and take him to the bus station after his release. Gates, who is from Akron, Ohio, said he planned to reunite with family in his home state.

If the judge exonerates Gates as expected, he will likely be entitled to compensation for the time spent in prison. **As a former federal prisoner, he may be entitled to compensation under federal law, which provides \$50,000 per year of incarceration.** The District of Columbia has its own compensation statute, which leaves the amount up to the court. Gates said he prayed for his release and never doubted it would come. **"My faith in God is very strong," he said. The one-time construction worker said he had no immediate plans. "It's all coming at me so fast," he said. "I gotta think on it."** Later, at a stop in Phoenix, Gates said he wasn't ready to talk about his conviction, his years in prison or the justice system. He did say he wanted to see America's countryside on the bus ride home. "I'm going to go back to my family and start my life over," he said. © 2009 CBS Interactive Inc. All Rights Reserved.

**Washington, D.C. man gets \$16.65 million after spending 27 years in prison for rape and murder he didn't commit**

THE ASSOCIATED PRESS Thursday, **November 19, 2015, 5:22 PM** York/AP



## **Donald Gates received a \$16.65 million settlement from Washington, D.C because of a nearly three-decade prison term for a rape and murder he didn't commit.**

WASHINGTON — The District of Columbia agreed Thursday to pay \$16.65 million to a man who spent 27 years in prison for a rape and murder he didn't commit.

The amount is about \$617,000 for every year Donald Eugene Gates spent in prison. Gates was freed in 2009 after DNA evidence cleared him in the 1981 rape and murder of 21-year-old Georgetown University student Catherine Schilling. A federal jury on Wednesday found that two city police officers fabricated and withheld evidence in the case, and city officials agreed to a settlement Thursday as the jury was getting ready to decide damages in the case. The 64-year-old Gates, who now lives in Tennessee, previously received more than \$1 million from the federal government for its role in his conviction. The settlement with the city brings his total compensation to \$18 million. Gates said in a telephone interview Thursday that he was "elated" with the settlement. "Today, justice was served. Long-awaited justice was served," Gates said. Gates said he's been dealing with medical issues and hasn't had a social life since he left prison, but he said he does go to church and that it was God who "walked with me through all those years" in prison and since then. Of the settlement, he said: "I'm going to put it to good use, that's for sure." A spokesman for the District of Columbia Attorney General's office, which has been defending the actions of police in the case, said the office was working on a statement. Gates' conviction has been criticized over the years by his lawyers for a series of flaws. His conviction was based in part on the testimony of FBI hair analyst Michael P. Malone whose work came under fire in the late 1990s. Malone testified that hair from Gates matched hair found on the victim's body, which was found in Washington's Rock Creek Park. But an FBI inspector general report later found that Malone gave false testimony in another case. And the hair analysis technique he used has also been discredited. Gates' lawyers filed a civil lawsuit against the city and police in late 2010 alleging police misconduct in the case. The lawyers argued police violated Gates' constitutional rights by feeding a paid police informant information and allowing him to testify falsely. Lawyers for the city argued police did not do anything unconstitutional, but jurors disagreed and found Wednesday that two police officers had withheld evidence and one of the men had fabricated evidence. On Thursday, one of Gates' attorneys, New York-based lawyer Peter Neufeld, called for an audit of other murder cases that the two men worked on. After Gates' exoneration in 2009, the United States Attorney's Office for the District of Columbia spent over four years reviewing cases involving FBI analysis of hair and fiber evidence. The office identified more than 100 cases for review, and ultimately set aside four other convictions as a result. In Gates' case, DNA testing was also able to determine the real killer in 2013, but that man had died the previous year.



# Louis Taylor

## 'Innocent' Man Freed After 42 Years In Jail

A 58-year-old man who has spent his entire adult life in jail for a crime many believe he did not commit is finally freed. **11:16, UK, Wednesday 03 April 2013**



A man who was locked up for more than 40 years for starting a deadly fire at an Arizona hotel has walked free from prison after years of doubt about his conviction.

Louis Taylor was just 16 when he was arrested following the inferno which killed 29 people at the Pioneer Hotel in Tucson in December 1970.

"It's a tale of two tragedies: the Pioneer Hotel fire and my conviction," he told reporters gathered outside the prison.

Taylor, who turns 59 on Saturday, had faced a difficult choice in court in Tucson earlier in the day. He could have continued his fight to fully clear his name or have entered a plea and got out of prison straightaway.

Louis Taylor chose not to press for a new trial. Pic: CBS News

He chose to plead "no contest", rather than wait another two to three years.

However, the deal negates his ability to sue the state for compensation.

That could have happened only if he had been exonerated at a new trial.

Taylor was sentenced to 28 consecutive life sentences but continually professed his innocence.

He contends he was wrongly convicted by an all-white jury, alleging police failed to investigate other suspects.

Fire engulfed the Pioneer Hotel in Tucson in December 1970. Pic: CBS News

Reports at the time indicated Taylor was actually helping people escape the blaze before being arrested later that night.



Even the presiding judge expressed skepticism about the conviction.

Taylor's lawyers believe they would have prevailed eventually at a new trial, but the process could have taken a long time.

Prosecutors still believe he is guilty, but said they would not be able to pursue a new conviction due to a lack of evidence and living witnesses.

The hotel fire was one of the worst in Arizona history. Many guests were trapped in their rooms as the blaze engulfed the building.

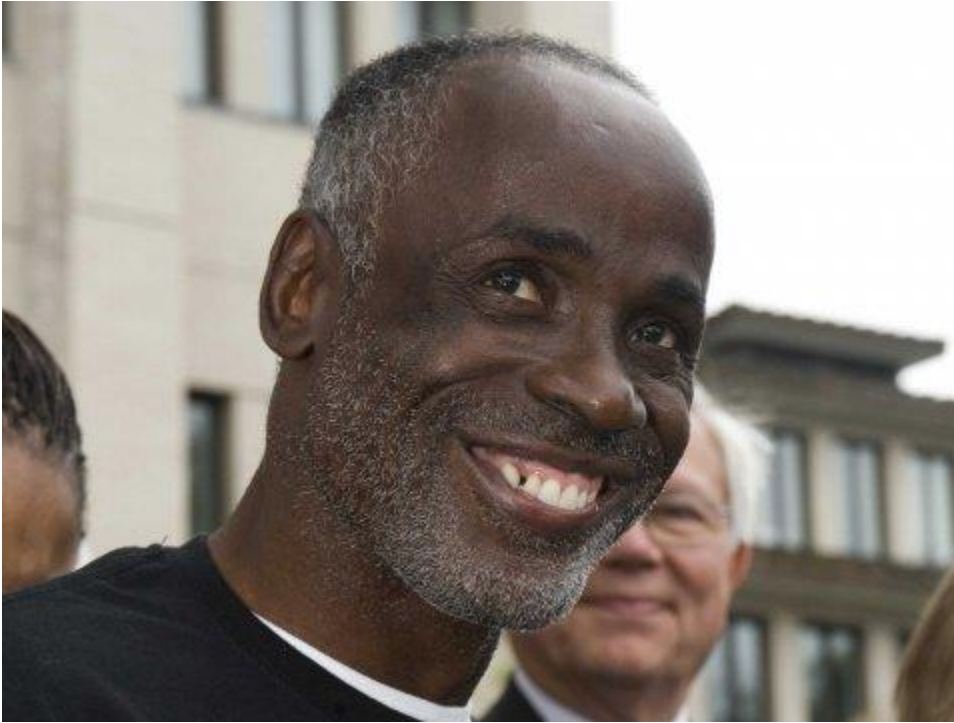
The fire truck ladders were too short to reach the upper floors.

Some people jumped to their deaths while others burned in their rooms. Most victims died from carbon monoxide poisoning.

**James Bain,**

## **Innocent Man Freed After 35 Years Has An Incredible Outlook On Life**

**Oct. 18, 2013, 9:04 AM**



AP Photo/Steve Nesius James Bain

Exonerated by DNA evidence, James Bain isn't angry about spending 35 years of his life in prison for a horrific crime that he didn't commit.

"How can I be?" he told Business Insider. "You can't go back."

Bain actually feels blessed for his experience, comparing himself to Joseph, a biblical character wrongfully imprisoned before emerging with greater power to create change.

Bain was convicted of breaking and entering, kidnapping, and rape in 1974 and sentenced to life in prison. He spent the next 35 years transferring between six different prisons across the state of Florida. Until his conviction, he'd never had more than a few parking tickets.

From his first day in the system, Bain maintained his innocence, even pleading with the court for DNA testing on five different occasions.

In 2009, the [Innocence Project of Florida \(IPF\)](#), a state branch of a national nonprofit dedicated to exonerating innocent prisoners, offered to help him with the case.

Less than eight months later, the court finally agreed to DNA testing, which proved Bain couldn't have committed the rape. The state vacated his sentence after Bain had spent 35 years behind bars — the longest time served by an innocent man eventually freed using DNA evidence.



Bain found himself in this new reality after one night in 1974. A then 18-year-old Bain strolled home from a party at a friend's house just down the block from his own in Bartow, Fla. When he walked in the door at 10:30 p.m., he sat down to watch TV with his sister and soon fell asleep.

Around midnight, the local police knocked. Two officers said they wanted to talk to him down at the station.

Bain immediately agreed. "I'm thinking I'm just going to clear this matter up. I didn't even say anything to my parents or sister," he said.

But after two nights in the Polk County Jail, Bain still didn't know the accusations against him. Finally, police **told him about the rape of a local 9-year-old boy**. Shortly after stumbling out of the woods naked, he'd given the police Bain's first name and a description that sounded vaguely like Bain. The boy also told police he remembered seeing a red motorcycle, which by coincidence Bain owned.

"I told them, 'Y'all have the wrong person.' But I knew then from that point on, my life would be totally discombobulated," Bain said.

## **An Unfair Trial**

**Even the strongest parts of the state's case had quite a few holes. The victim only gave Bain's full name when the boy's uncle, a principal at Bain's high school, mentioned it first. The little boy described a 17- or 18-year-old man named "Jimmy" with a mustache and bushy sideburns. The uncle then said he knew a man who fit that description: Bain. The police constructed a lineup of five or six people. Only Bain and one other man in the lineup had a mustache and sideburns, according to the [Innocence Project](#). The victim chose Bain. Witnesses even told the jury about these discrepancies, Bain said.**

"But [the jury] didn't pay that no attention. I think they mainly convicted me when the victim stood up in the courtroom and pointed at me as the perpetrator. He was crying and everything in the process," Bain said. Misidentification from an eyewitness accounts for 75% of all convictions later overturned by DNA evidence, according to the [Innocence Project](#).

The rape also occurred in the woods two miles from the house where Bain spent most of that night. Bain logically couldn't have left the party, committed the crime, and arrived at home within the specified time frame. And he had 12 witnesses willing to testify he attended the party. His defense only called four, mostly his family.

"Typically, family members don't make good alibi witnesses because juries believe they could be biased, just saying what's good for their family member," said Melissa Montle, an Innocence Project attorney assigned to Bain's case.

The FBI did conduct a serology analysis which determined the perpetrator's blood type using semen found in the victim's underwear — but it was wrong. William Gavin, the FBI's expert, testified the report showed the perpetrator had blood type B, and Bain had blood type AB with a weak A. Therefore, he told the jury they couldn't rule out Bain as the rapist. But Richard Jones, an expert for the defense, presented conflicting testimony. He said Bain had AB type with a strong A, telling the jury he couldn't have been the rapist.

The most surefire way to clear Bain's name didn't exist yet — true DNA testing, not just a serology report. [But DNA evidence didn't appear in court until 1985](#). Despite the conflicting testimony on the serology report, the jury convicted Bain of all three charges and sentenced him to life in prison.



AP Photo/Wilfredo

**LeeBain spent time at Hendry Correctional Institution, almost four hours from his family.**

## Prison

Over the course of his sentence, Bain spent time in six different prisons. His family visited almost every weekend, even when he transferred to Hendry Correctional Institution, almost a four-hour drive for them.

Bain earned about \$40 a week working as a prison welder and doing laundry. Aside from his jobs, Bain also went to school for 27 of his 35 years behind bars. He often played chess to take his mind off his situation.

"You just have to try to fit into this horrible society. If not, you'll go crazy in there or do something crazy," he said. Bain grew close with many other prisoners but often waited years to tell them he was innocent. "I had to know someone before I told them. Anything could go wrong. If they don't believe you, they could get mad. Y'all have a fight, and someone winds up dead," he said. Bain admitted he had multiple fights while in prison, just to survive. "You could get killed for a look or just bumping into someone. It's a miracle I survived," he said.

## Exoneration

From his first day behind bars, Bain tried to fight his conviction. He requested his prison transcripts multiple times — [a right granted by the Supreme Court](#). But he neither received them nor heard back from the court. Still, he had "chain-gang lawyers" — other prisoners with some level of legal knowledge — write requests to the court for DNA testing. The court denied him all five times.

"My first 10, 13, 20 years in there, I thought I would never get up out of there. I thought that even more when I got into the 30s," Bain said. **The court kept denying his requests for DNA testing based on timeliness, according** to Melissa Montle, an IPF attorney assigned to his case. In other words, Bain waited too long. But in 2006, Florida's statute changed. The courts could no longer impose [time limits for post-conviction DNA testing requests](#); anyone at any time may request forensic review. "It's obviously a godsend for our clients," Montle said.



[On that fifth try in 2006](#), Bain appealed the court's decision and won. But he'd only earned the right to a hearing to determine whether he needed DNA testing — not the actual testing yet. In 2009, the Innocence Project Florida stepped in to help.



AP

Photo/Steve Nesius James Bain, center, walks down the Polk County Courthouse steps with Melissa Mantle, left.

When arguing for DNA testing, one problem stood in Montle's way: Bain didn't have his court transcripts. After years of requesting them, Bain finally learned, with Montle's help, the court had lost them. The state actually tried to use that against him, according to Montle. "He had nothing to do with the destruction of his trial transcripts, but let's go ahead and punish him by not allowing him to get DNA testing because we don't have the trial transcripts," she mocked. "It would obviously be unfair."

Montle did, however, find the stenographer's notes, including some of the depositions. Even from those, "it was easy to tell the victim's identification of James had all sorts of problems," she said. These notes, most importantly, contained the expert witness' explanation of the FBI's incorrect serology analysis. Using all the

legal and scientific terms that his "chain-gang" appeal might not have had, Montle filed an amended appeal for Bain's DNA testing. She wanted him released by Christmas, to spend the first holiday in 35 years at home with his family. Even with the new evidence, the state continued to fight Bain's case, according to Montle. "We should all have the same goal of knowing the truth, especially when there's no money coming out of the state's pocket," she said. Her organization offered to pay for the testing.

In October 2009, the state finally granted Bain DNA testing. Both sides verified the results before Christmas, as hoped. [Bain left prison forever on December 17, 2009](#). At 53 years old, he found himself a free man. As soon as Bain stepped outside, he used a cellphone for the first time ever to call his mother.

## Life on the Outside

Under [Florida's wrongful incarceration statute](#), Bain received compensation from the state of Florida for his time in prison — about \$1.7 million dollars, \$50,000 for every year he spent in prison. "Which in our opinion, isn't enough," Montle said. "It's better than nothing, I guess. But you can't pay somebody back for 35 years of their life." IPF also put Bain in touch with someone who could advise him how to make the money last. "It sounds like a lot of money, but it's not when you're starting from scratch, needing every single thing that the rest of us have had years to acquire," she added.

Since Bain left prison, the organization has helped him at every turn. "Driving, being around other people, not feeling tense all the time — it's been a lesson to be able to do all of this," Bain said. Even activities most people consider mundane or natural — like using a cellphone — will challenge a newly released prisoner.



AP Photo/Steve Nesius James

hugging his mother the day of his exoneration.

The most remarkable part of Bain's story doesn't come from the jury's unfounded conviction or his strange days in prison. His positive attitude will astound even the most calloused legal mind.

Today, Bain tells his experience from middle schools to colleges across the county. "I have to thank God," James said. His humility and kindness even extend to the rape victim whose misidentification helped put Bain behind bars. When the two met after his release, Bain apologized for what happened to him.

"I was very, very sorry that had to occur to him at such a young age," Bain said. "I know what his family and



# Daniel Taylor



## Man Exonerated Of Murder Files Federal Lawsuit Against Chicago Police

By [SunShyne](#) Posted on February 4, 2014

- — Well here we go again, the never-ending saga of people being convicted of wrong doing and it turns out that the Chicago Police Department is behind the reason they were convicted as if there are not crooked cops on the force. Check out this unfortunate situation reported by Chicago Tribune Reporter Steve Mills:



A man who spent two decades in prison for a double murder even though he was in custody when the slayings occurred filed a federal lawsuit Monday alleging that Chicago police coerced a confession from him and then manufactured evidence once they learned he could not have committed the murders.

Daniel Taylor, who was exonerated and released from prison last June, sued the City of Chicago and eight police detectives and officers for their role in his arrest and conviction. **Taylor, then 17, was among eight young men arrested for the 1992 murders of Jeffrey Lassiter and Sharon Haugabook.** All eight confessed and implicated each other in their confessions.

After Taylor confessed, he told police he believed he had been in the lockup at the old Town Hall police station at Addison and Halsted streets at the time of the murders. Police records, in fact, showed he had been arrested



about two hours before the two were killed and released on bond more than an hour after the murders. Still, he was convicted of the murders and sentenced to life in prison without parole.



A Tribune investigation in 2001 uncovered evidence that supported Taylor's innocence claim and raised significant questions about how police put together their case against Taylor.

In his lawsuit, Taylor alleges that detectives obtained his confession by beating him and promising to release him. Once they learned he had been in custody, according to the lawsuit, they set about manufacturing evidence to undermine Taylor's claim that he was in custody.

As part of the alleged coverup, officers filed a report saying that they saw Taylor on the street around the time of the murders. They also failed to tell his attorney that they had corroborated his alibi when they interviewed another man in the lockup who remembered Taylor being there, the lawsuit alleges.

"I want to achieve some kind of justice for being wrongfully convicted and get my life back on track," Taylor, 38, who works at Northwestern University, said Monday. "Should someone see me or recognize me, I don't want them to think I'm some kind of criminal." Gayle Horn, one of the Taylor's attorneys in the lawsuit, said the conduct by the officers who worked on the case was "mind-boggling."

"Daniel Taylor had the most airtight alibi you can imagine ... That is why the misconduct in this is so egregious," Horn said. Roderick Drew, spokesman for the city's Law Department, said he could not comment because city lawyers had not seen the lawsuit.

Since Taylor's release, one of his co-defendants, Deon Patrick, was exonerated and set free last month. Two others, Lewis Gardner and Paul Phillips, who were convicted as lookouts and earlier completed their sentences, recently filed a petition in Cook County Circuit Court asking that their convictions be set aside as well.

The last of the defendants in prison, Dennis Mixon, has admitted to his involvement in the double murder and insisted Taylor and his co-defendants were innocent.

**This and many other cases are becoming the norm for the City of Chicago and it is unfortunate because it is not just the department that will have to pay for the wrongdoing, the citizens of Chicago will pay heavily while the city puts out millions of more dollars. It makes you wonder if the city will be the next one to file bankrupt!!!** Peace and Blessing

## Jonathan Fleming, 51

# After 25 years in prison, man exonerated of NYC murder committed while he was at Disney World

Published April 09, 2014



Jonathan Fleming, hugs his attorney Anthony Mayol while his other attorney Taylor Koss applaud in Brooklyn's Supreme court, after a judge declared him a free man on Tuesday April 8, 2014 in New York. Fleming, who spent almost a quarter-century behind bars for murder, was cleared of a killing that happened when he was 1,100 miles away on a Disney World vacation in 1989. (AP Photo/Bebeto Matthews) (The Associated Press)

NEW YORK – From the day of his 1989 arrest in a deadly New York City shooting, Jonathan Fleming said he had been more than 1,000 miles away, on a vacation at Disney World. Despite having documents to back him up, he was convicted of murder. Prosecutors now agree with him, and Fleming left a Brooklyn court as a free man Tuesday after spending nearly a quarter-century behind bars.

Fleming, now 51, tearfully hugged his lawyers as relatives cheered, "Thank you, God!" after a judge dismissed the case. A key witness had recanted, newly found witnesses implicated someone else and prosecutors' review of authorities' files turned up documents supporting Fleming's alibi.

"After 25 years, come hug your mother," Patricia Fleming said, and her only child did.

"I feel wonderful," he said afterward. "I've always had faith. I knew that this day would come someday."

The exoneration, first reported by the Daily News, comes amid scrutiny of Brooklyn prosecutors' process for reviewing questionable convictions, scrutiny that comes partly from the new district attorney, Kenneth Thompson. He said in a statement that after a monthslong review, he decided to drop the case against Fleming because of "key alibi facts that place Fleming in Florida at the time of the murder."

From the start, Fleming told authorities he had been in Orlando when a friend, Darryl "Black" Rush, was shot to death in Brooklyn early on Aug. 15, 1989. Authorities suggested the shooting was motivated by a dispute over money.

Fleming had plane tickets, videos and postcards from his trip, said his lawyers, Anthony Mayol and Taylor Koss. But prosecutors at the time suggested he could have made a quick round-trip plane jaunt to be in New York, and a woman testified that she had seen him shoot Rush. He was sentenced to 25 years to life in prison and was due to have his first parole hearing soon.

The witness recanted her testimony soon after Fleming's 1990 conviction, saying she had lied so police would cut her loose for an unrelated arrest, but Fleming lost his appeals.

The defense asked the district attorney's office to review the case last year.

Defense investigators found previously untapped witnesses who pointed to someone else as the gunman, the attorneys said, declining to give the witnesses' or potential suspect's names before prosecutors look into them. The district attorney's office declined to comment on its investigative plans.

Prosecutors' review produced a hotel receipt that Fleming paid in Florida about five hours before the shooting — a document that police evidently had found in Fleming's pocket when they arrested him. Prosecutors also found an October 1989 Orlando police letter to New York detectives, saying some employees at an Orlando hotel had told investigators they remembered Fleming. Neither the receipt nor the police letter had been provided to Fleming's initial defense lawyer, despite rules that generally require investigators to turn over possibly exculpatory material.

Patricia Fleming, 71, was with her son in Orlando at the time of the crime and testified at his trial.

"I knew he didn't do it, because I was there," she said. "When they gave my son 25 to life, I thought I would die in that courtroom."

Still, she said, "I never did give up, because I knew he was innocent."

Thompson took office in January, after unseating longtime District Attorney Charles "Joe" Hynes with a campaign that focused partly on questionable convictions on Hynes' watch. Hynes had created a special conviction integrity unit to review false-conviction claims, but some saw the effort as slow-moving and defensive. Thompson has agreed to dismiss the murder convictions of two men who spent more than 20 years in prison for a triple homicide. He also dropped his predecessor's appeal challenging the 2013 release of another man who had served 22 years in prison on a questioned murder conviction.

On Tuesday, Jonathan Fleming left court with an arm around his mother's shoulders and the process of rebuilding his life ahead of him.

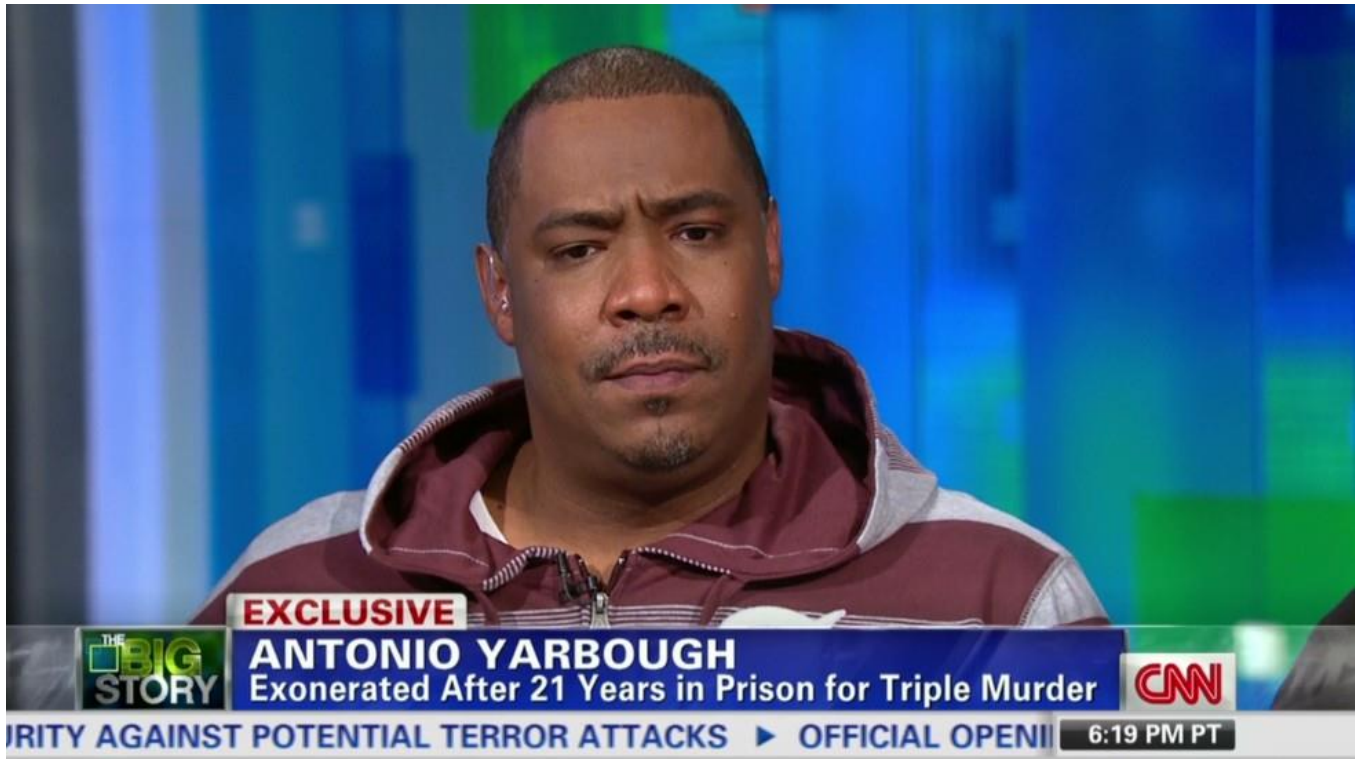
Asked about his plans, he said: "I'm going to go eat dinner with my mother and my family, and I'm going to live the rest of my life."



# Anthony Yarbough and Sharrif Wilson

## After decades in prison over murders, DNA evidence frees 2 New York men

By Ben Brumfield, CNN Updated 12:29 PM ET, Sun February 9, 2014



Wrongly convicted man: No animosity 03:00

### Story highlights

- It starts with a coerced confession
- Anthony Yarbough and Sharrif Wilson go to prison over a 1992 triple murder
- They are convicted for the deaths of Yarbough's mom, sister and cousin
- New DNA evidence points to a different killer, also linked to a second crime

Two men behind bars for more than half their lives over a triple murder [walked free this week after DNA evidence](#) tore holes in their convictions.

Antonio Yarbough and Sharrif Wilson were teenagers when prison doors clanked shut behind them. Now, in their late 30s, they can hardly believe they're out.

What does freedom feel like? "I'm still going through it right now," Yarbough said Friday.

"I haven't slept yet. I've been up for two days now. I have no words for it right now." **Imagine more than two decades in a maximum security prison. Add to that the fact that you're accused of killing your mother, your sister and your cousin.**

**As if that's not enough, you were the one who discovered their lifeless, bloodied bodies when you opened the door to your home one night.**

If it's hard to imagine what that's like, Yarbough will tell you.



DNA frees 2 men in N.Y. triple murder 00:52

### **Nearly 22 years of hard time**

After years in Attica's maximum security prison among New York's toughest criminals, he left its high, gray walls behind him Thursday.

"It was a nightmare," Yarbough told CNN's Piers Morgan in an exclusive interview. "Twenty-one years and seven months was more like 42 years and seven months, when you know you're in prison for something you didn't do."

After reviewing DNA evidence, District Attorney Kenneth P. Thompson said the previous convictions for the 1992 murders in Brooklyn would most likely not stand up in court again and agreed the two men should be freed.

"Anybody looking at this evidence with an open mind would see that there is no chance in the world that Tony murdered his mother and these two little girls," his lawyer Zachary Margulis-Ohuma said.

And that goes beyond the DNA evidence alone. Margulis-Ohuma was convinced Yarbough was innocent years before. At least one false confession detectives coerced out of a scared teenage boy over 20 years ago led to the convictions.

### **A night out**

After a night of partying, Yarbough, 18 at the time, and Wilson, 15, went home to Coney Island. Wilson was staying with friends, they said.

When Yarbough got home, he opened the door to find his mother, sister and a close family friend lying stabbed and strangled to death. The two girls were partially undressed. Police came.

"I was asked to come down to the precinct," he said. Officers said they wanted him to tell them who might have killed his family, he said.

"Before you know it, I had this photograph shoved in my face, and I was being threatened and slapped around, and they wanted me to sign a false confession. And I wouldn't," Yarbough said.

Police also took in Wilson and questioned him separately from Yarbough. But he got similar treatment, he said.

"I was scared, afraid; I was lied to, manipulated into believing that I was going to go home, if I do tell ... what they said happened." Wilson said.

Faced with a life behind bars, the young boy cooperated for the promise of lighter treatment.

### **Life in prison**



The two were convicted in separate trials. Yarbough was sentenced to 75 years to life. Wilson got a lower sentence of nine years to life. They sat behind bars for about 12 years, then something important arrived by mail.

"Out of the blue, I got a letter from his (Yarbough's) aunt," Wilson said. "And she asked me, did we really do it. And I had to tell the truth." He wrote back to her: "I was wrong for turning on him, but I was scared and pressured into it." We're innocent, he told her.

"For many years I felt horrible that I had to do that and that I actually did it knowing that we weren't guilty for a crime we didn't commit," Wilson said. "I still feel horrible now," he said, sitting next to Yarbough.

Wilson's letter led lawyer Margulis-Ohuma and the district attorney Thompson to review their cases in 2010 -- five years after he sent it.

### **Wrongful convictions**

Thompson came into office in January with promises to restore justice to the wrongfully convicted. This case is part of a review of Brooklyn killings from the 1980s and early 1990s.

Then, last year, the right shred of evidence came along in the form of a DNA sample from a rape-murder committed in 1999.

It matched DNA found under the fingernails of Yarbough's mother, indicating that the same killer probably committed both crimes. In 1999, Yarbough and Wilson were in prison and couldn't have committed the second murder.

Margulis-Ohuma called Yarbough in prison to tell him that he was going to be free.

"When I heard about it, I was extremely overwhelmed," Yarbough said. "I was happy."

And the DNA was not the only thing that matched. The m.o. was the same, Yarbough said. The victim was stabbed and strangled.

"Hope had finally started to sink in," he said.

### **Free at last**

Wilson and Yarbough had not seen each other for more than two decades, when they met in court Thursday. Wilson approached the man he had testified against. "I just wanted to apologize to him for all I put him through, all I went through." Yarbough is still in pain over it, but he faults someone other than Wilson.

"I know what they did to him, because I know what they did to me," he said.

As to finding his relatives' killer decades later, Yarbough said, "It's in God's hand's now." He teared up.

Both men celebrated freedom by fulfilling some longings they had for two decades.

Wilson filled his mouth with a hot slice of New York pizza. Yarbough filled his lungs with New York air.

# Michael Phillips, 57

## Man exonerated by DNA – and he didn't even request it



[Yamiche Alcindor](#), USA TODAY 9:48 p.m. EDT July 24, 2014



Michael Phillips had long ago given up trying to clear his name. At 57, he was a registered sex offender, living in a nursing home, wheelchair-bound from severe sickle cell anemia. Then in May, two police officers delivered news that Phillips says only God could have ordained: Dallas County, Texas, prosecutors had proved through DNA testing that he had spent 12 years in prison for a rape he hadn't committed. Hundreds of people have been exonerated through DNA testing. But on Friday, Phillips will

become the first exonerated by DNA through systematic testing by a prosecutor's office even though he hadn't requested the testing, according to the National Registry of Exonerations, a project of the University of Michigan Law School and the Center on Wrongful Convictions at Northwestern University School of Law.

"I'm in awe," Phillips of Dallas told USA TODAY. "At first, I thought I was like, kind of in another time zone or a twilight zone."

As the news sank in, he says, the Holy Spirit confirmed to him that it was all part of his life's plan.

The exoneration comes thanks to the Dallas County District Attorney's Conviction Integrity Unit, which is testing DNA evidence on decades-old cases even when convicted defendants aren't proclaiming their innocence. The project examines rape cases when sperm or seminal fluid was found and the DNA samples are from one assailant. In 2007, Dallas County District Attorney Craig Watkins created the nation's first Conviction Integrity Unit, which investigates wrongful conviction claims. Friday, his office will exonerate Michael Phillips, the 34th wrongfully imprisoned person cleared by Watkins. (Photo: Dallas County District Attorney) In 2007, Dallas County District Attorney Craig Watkins created the nation's first conviction integrity unit, which investigates claims of wrongful conviction and has exonerated 33 people.

That caught the attention of Samuel Gross, editor of the National Registry of Exonerations. In 2007, he urged Watkins' office to look at rape cases, because the evidence usually includes DNA testing, even if the convict did not claim innocence. The office began that work in 2009.



The project has completed testing in seven cases from 1990, shortly before DNA testing became routine.

Only Phillips has been exonerated.

"This case means not just Dallas County but other DAs (need) to proactively look at issues that they may have in their files," Watkins says. "There may be an innocent person that is languishing in prison for something they didn't do. Don't wait for somebody to knock on your door to tell you ... 'I didn't do the crime.' "

**Phillips' ordeal began in 1990, when a 16-year-old girl was raped at a motel where he worked and lived. The victim, who was white, says she was attacked in her room by a black man wearing a white ski mask. A police report says the woman pulled up her attacker's mask and "immediately recognized suspect Phillips as a man she had previously seen at the same location." The woman told officers she fought and bit her attacker.**

Phillips says he was home sleeping when the crime happened.

Days later, he was awakened at 7 a.m. by eight police officers with guns drawn.

"I was sleeping, and they snatched me out of bed and told me I was being arrested for rape," he says. "I couldn't believe it was happening." **Phillips denied raping the woman, but she identified him in a photo lineup. Semen from a 1990 rape of a 16-year-old woman matches the DNA of Lee Marvin Banks, according to the Dallas County District Attorney. Banks can no longer be prosecuted because the statute of limitations on the crime has run out. (Photo: Dallas County District Attorney)**

**Once Watkins' office began its project, semen from the 1990 rape kit was put into the FBI's Combined DNA Index System and identified another man, Lee Marvin Banks, as the real rapist, Watkins said. Banks lived at the same motel where the rape took place but cannot be prosecuted because the statute of limitations has run out. His criminal record will note that he was a match in the rape, Watkins said.**

**Phillips feared a jury would take the word of a white woman over a black man. Gross says it's not unusual for a victim of one race to identify the wrong person if the perpetrator was another race.**

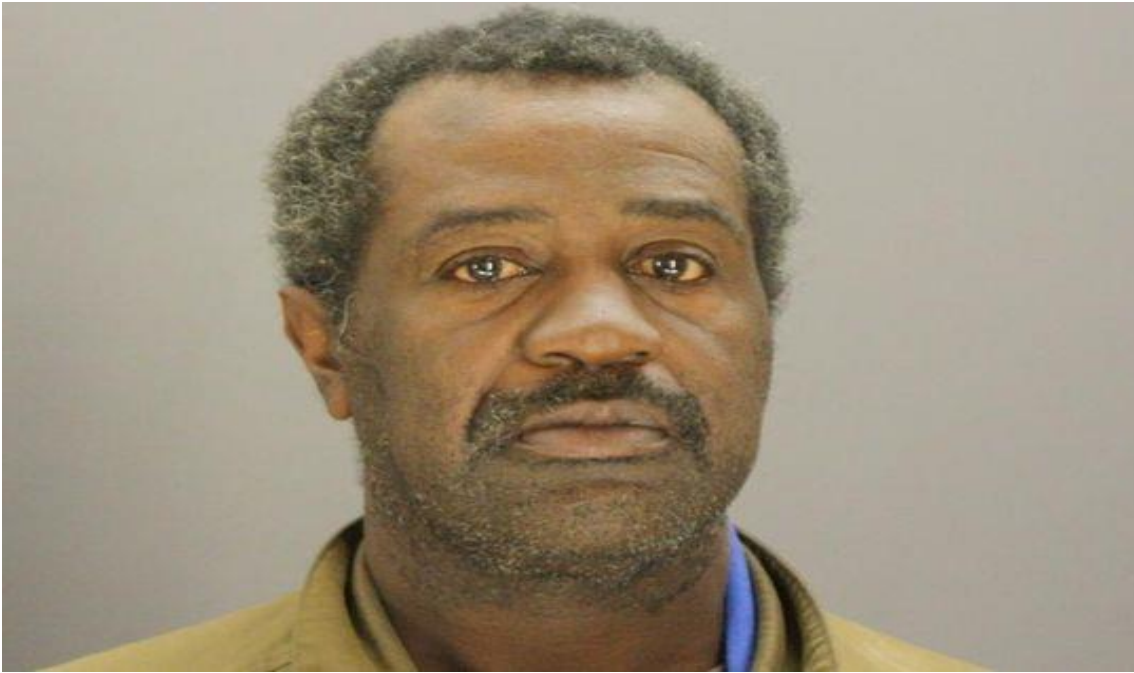
Phillips says his public defender told him he could be sentenced to as much as 99 years in prison because he had already done time for aggravated burglary.

"In 1990, it felt like slavery was still going strong for me," he says. "The deck was stacked against me from Jump Street — like 100-to-1."

Watkins echoes Phillips. "The bigger picture is black men have been marginalized for years, and I'm tired of that. I take that very personal," he says. "We can offer things to the world, and yet we have people in power that want to keep us in positions that don't allow us to present those talents."

In a plea bargain, Phillips pleaded guilty and was sentenced to 12 years in prison. His lawyer said he'd be out in about four, but he was denied parole and served the full term.

Of the 1,404 U.S. exonerations since 1989, more than 10% involved people who pleaded guilty, according to the registry.



matches the DNA of

### Lee Marvin Banks

Phillips' father died while he was in prison. He went for one month confined to his cell 24 hours a day. He was hospitalized nine times because of sickle cell anemia.

Released in 2002, Phillips was quickly rearrested and did an extra six months in prison for failing to register as a sex offender.

Back then, he filed a court challenge to his conviction but it failed.

Michael Phillips spent 12 years in prison for a rape he did not commit. Friday, the Dallas County District Attorney's office will exonerate him. (Photo: Dallas County District Attorney)

Eventually, he went to live with his brother and gave up claiming he was innocent.

"As far as my case was concerned, I just said it was over with," Phillips says. "All I had to do was finish my time and then go about my business."

It's very rare for someone to be exonerated without seeking it, Gross says.

"We should learn that there are people who have been convicted of serious crimes who are not actively seeking exoneration but who are innocent

nonetheless," he says. "We don't know how many, but there may be many more than we suspect. And if we try, we can find some of them."

Under Texas law, Phillips will be compensated \$80,000 for each of his 12 years in prison plus \$80,000 a year for the rest of his life, Watkins' office says.

"It feels good now that I know that my father God was behind everything," Phillips says. "Everything he does puts me in awe. It just makes my faith stronger and stronger every day."





# Henry McCollum and Leon Brown

## DNA frees North Carolina's longest-serving death row resident

By Teri Genova, CNN Updated 8:11 AM ET, **Wed September 3, 2014**



DNA frees brothers convicted of murder 01:13

### Story highlights

- DNA exonerates brothers convicted in the murder of a North Carolina child
- Both were originally sentenced to death in 1984; one was later reduced to life
- Original prosecutor sticking to his guns, calls it a "tragic day for justice"
- Lawyers say their confessions were coerced

A pair of siblings who served decades behind bars in the rape and murder of a North Carolina child will walk out of prison free men Wednesday after DNA evidence implicated someone else.

**Henry McCollum and Leon Brown were just teenagers when they were arrested in 1983 and charged with the rape and murder of 11-year-old Sabrina Buie in Red Springs, about 30 miles southeast of Fayetteville in rural Robeson County.**

Buie's body was found in an area of Red Springs known as something of a "lovers' lane," according to Joe Freeman Britt, the district attorney who prosecuted them in the '80s. The ground was littered with "beer cans, condoms and cigarettes," Britt said.

It was one of those cigarette butts that ultimately set them free.

DNA found on a cigarette "matched another individual named Roscoe Artis, a convicted rapist and murderer who lived less than 100 yards from where the victim's body was found," said a statement from McCollum's and Brown's attorneys.

Artis is serving a life sentence in a North Carolina prison on a separate conviction. It was not immediately clear Tuesday whether prosecutors would bring charges against him for Buie's murder.



"This is the most blessed day," Brown kept repeating Tuesday, according to his attorney, Ann Kirby,

"It was an amazing moment for everyone," added Vernetta Alston, an attorney for McCollum.

Only not everyone thought it was so amazing.

"This a tragic day for justice in Robeson County," said Britt.

When asked whether Britt still believes he got the conviction right, without hesitation, he said, "absolutely."

"These guys got three trials. Thirty-six people reviewed it and thought the confessions were correct," Britt told CNN. "You know how hard it is to get a conviction in a capital case?"

McCollum, 50, was 19 at the time of his arrest. He was sentenced to death in 1984 and is North Carolina's longest-serving death row inmate. Brown, who is four years younger than his half-brother, was initially sentenced to death as well but later had it reduced to life in prison.

Kirby and Alston said that their clients' confessions were coerced and that both were "severely intellectually disabled."

"It's terrifying that our justice system allowed two intellectually disabled children to go to prison for a crime they had nothing to do with, and then to suffer there for 30 years," said Ken Rose, a lawyer with the Center for Death Penalty Litigation.

"It's impossible to put into words what these men have been through and how much they have lost.



# Ricky Jackson - Wiley Bridgeman

## 2 Men Walk Free After 40 Years in Prison for Crime They Didn't Commit

• By MUSTAFA HAMEED

Nov 21, 2014, 9:21 PM ET



Phil Long/AP Photo

Wiley Bridgeman and Ricky Jackson are seen after being released from prison on Nov. 21, 2014.

On May 25, 1975, Ricky Jackson and Wiley Bridgeman went to jail for a [murder](#) they didn't commit. Sentenced to death on the testimony of a single juvenile witness, the men continued to protest their innocence through years of incarceration.

On Friday, nearly 40 years later, they walked out of prison as free men after the state's witness in the case admitted that he concocted his testimony under police intimidation.

A case suffused with emotion culminated in exoneration Friday morning, when Cuyahoga County Common Pleas Judge Richard McMonagle formally dismissed all charges against Jackson after a brief hearing. Bridgeman, whose case was heard separately, was exonerated two hours later by Judge David Matia.

The two joined **Bridgeman's younger brother Ronnie, now known as Kwame Ajamu**, who was found guilty of the same crime and **eventually paroled in 2003**.

**The three were originally jailed for the 1975 murder of Harry Franks, a Cleveland businessman, after a 12-year-old witness named Edward Vernon told police that he had seen them attack the victim. No physical evidence linked them to the crime scene. Jackson was just 19 years old when he was sentenced to die, Wiley Bridgeman was 20, and Ronnie Bridgeman was 17.**

"The English language doesn't have words to express how I'm feeling right now," Jackson, now 58, told reporters.

Wiley Bridgeman, now 60, quietly thanked the judge and attorneys in the courthouse as his case was dismissed. He had once been less than three weeks away from execution, rescued when the U.S. Supreme Court struck down Ohio's previous capital punishment law in 1978.

The case was a major victory for the Ohio Innocence Project, based out of the University of Cincinnati's College of Law, which coordinated much of the investigation into the exonerating evidence and whose staff attorney, Brian Howe, represented Jackson. Terry Gilbert and David Mills, who together represent the brothers Bridgeman and Ajamu, worked with the Innocence Project during the case.

"It's been years in the making," Howe told ABC News. "Literally years of work, witness interviews, tracking people down -- all that culminated on Tuesday when the state withdrew its case."

The first domino on the path to exoneration fell in 2011, when an investigation by reporter Kyle Swenson in *The Cleveland Scene*, an alternative weekly magazine, cast doubt on the 1975 convictions. Later, the Ohio Innocence Project took Jackson's case and began investigating.

"Kyle Swenson did some great investigative journalism into the case before anyone had really heard about it, way before Ed Vernon had recanted his testimony," Howe said. "Kyle's article was the first thing I read when I took on this case, and that really compelled me to spend those extra nights and weekends digging into it."

Vernon was sick and in the hospital, wracked with [anxiety](#), when his minister convinced him to come clean. Later, the Innocence Project obtained a signed affidavit in which Vernon forswore the statements he made as a boy.

Last week, Vernon, now a 52-year-old man, took to the stand to give stunning, emotional testimony recanting his childhood statements.

"He was a wreck," McMonagle, the judge who presided over Jackson's trial, told ABC News.

"Eddie Vernon broke down on the stand frequently during testimony," said Gilbert. "He talked about how his life was affected by the stress, the anguish, because for all these years he was afraid that if he came forward with the truth, then he would go to prison."

Vernon testified that he had been on a school bus when he heard the gunshot that killed Franks. As a 12-year-old, he passed on rumors he had heard to the police incriminating Jackson and the Bridgeman brothers. When he tried to back out of his account at a police lineup, he testified that officers intimidated him into giving false testimony, yelling at him and banging on a table.

"He was a kid," Gilbert told ABC News. "He hadn't seen them do it. The police told him that he'd go to jail, that they'd send his mother to jail if he backed out, and he was a scared kid."

Vernon's testimony made a powerful impression on the hearing.

Judge McMonagle said, "One of the prosecutors said later that hearing all the evidence and the recanted testimony made her physically sick, that she felt terrible."

After the hearing, the prosecutors totally conceded, Gilbert told ABC News.

"Everybody's human," Gilbert said, "and when you hear this story and hear this man testify, it's like something you can't believe."

On Tuesday, the prosecution withdrew its case after Jackson testified before the hearing.

"We've had a lot of emotion in this case this week," Howe told ABC News. "Ricky spoke on Tuesday, talking about being sentenced to death as a teenager, and we could barely get through the testimony."



By Friday, the case's dismissal was a formality. By noon, both Jackson and Bridgeman walked away as free men.

In 1975, Judge McMonagle's father, George, was the judge who presided over the case when it was first tried. At 9 a.m., he dismissed the case first heard by his father almost 40 years ago.

"It means something when I think about it, since he's been gone for a while," the younger McMonagle told ABC News of his father, who passed away in 2002. "I'm retiring at the end of the year myself, and this is certainly something I'll remember."

Ajamu, previously Ronnie Bridgeman, was released on parole in 2003, but his case will soon be heard for dismissal, as well. Gilbert told ABC News that, although Ajamu's team could apply for the case to be dismissed remotely, Ajamu wanted his day in court.

"Kwame wants to hear it from a judge," he said. "He wants to hear it from a judge that he's a free man."

Ajamu, who has a wife now, will temporarily host his brother Bridgeman and Jackson while they sort out their new lives as free men.

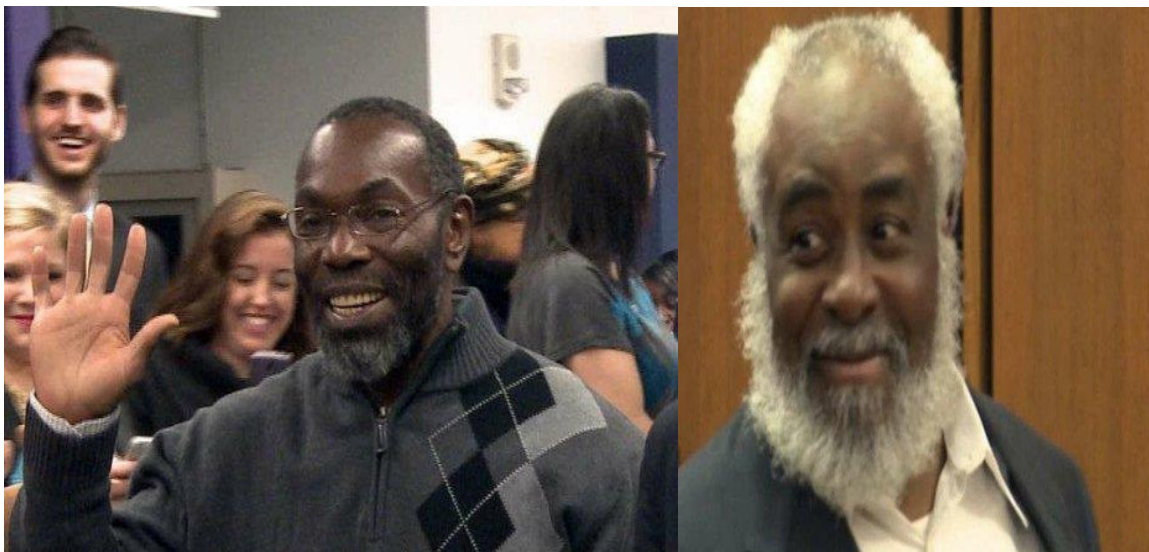
"After all this time, they don't have a penny to their name except for the money they had in their pockets when they were jailed," Howe said. "We're going to help Ricky get a wardrobe, and we're going to tackle some paperwork to get him a birth certificate, some documentation to get him ready to get a driver's license."

Howe added that the Ohio Innocence Project had put together a [fundraising campaign on GoFundMe](#) to help Jackson get started on his new life out of prison.

"He's not bitter or angry," Howe said. "He's just really looking forward to getting on with his life. He's excited about getting a job, driving a car. He's just processing the facts of being a free man."

After the hearing, Jackson told reporters that he did not bear any resentment toward Vernon after those years of imprisonment.

"He's a grown man today," Jackson said. "He was just a boy back then."





# Kwame Ajamu, 57

Formerly known as Ronnie Bridgeman



3<sup>rd</sup> man exonerated in 1975 Cleveland slaying

## 3rd man exonerated in 1975 Cleveland slaying

By MARK GILLISPIE, Associated Press 10:01 AM, Dec 9, 2014

[national](#)

**CLEVELAND - Having just exonerated Kwame Ajamu, Judge Pamela Barker stepped down from the bench on Tuesday, leaned across the defense table and gave him a hug. It had taken nearly 40 years, but Ajamu was no longer a convicted murderer.**

Moments earlier, Barker had dismissed his charges and county Prosecutor Tim McGinty had conveyed a message through an assistant that Ajamu; his brother, Wiley Bridgeman; and their friend Ricky Jackson "have been the victims of a terrible injustice."

The three had been convicted and sentenced to death in the slaying of a businessman outside on a corner store on a warm spring day in 1975. The case against them unraveled last year when the prosecution's star witness recanted his testimony.

The witness, Eddie Vernon, was 12 when Harry Franks was killed and 13 when he testified against the three men at their trials in 1975. Vernon said in court last month and in an affidavit that he had been coerced by Cleveland police. Ajamu, then known as Ronnie Bridgeman, was 17 when he was sent to death row. Jackson was 19, and Wiley Bridgeman was 20. Their death sentences were later commuted to life terms.

Ajamu was released from prison in 2003. Jackson and Wiley Bridgeman had been imprisoned until recently and were freed Nov. 21.



WEWSMcGinty's office had said little about the dismissals. But on Tuesday, he absolved all three of their crimes and said he would not oppose any claims of innocence, which will speed the civil process by which the men are compensated for having been wrongfully incarcerated.

The prosecutor's concession seemed to astonish longtime Cleveland civil rights and defense attorney Terry Gilbert, who represents Ajamu and Wiley Bridgeman.

"To recognize an injustice ... it gives me faith and hope in this criminal justice system that good things can come out of it from time to time," Gilbert told Barker.

Ajamu, 57, has rebuilt his life. He is married to a woman he met in downtown Cleveland in 2003 when she couldn't find the right bus and he rode with her to her destination. They married the next year after she proposed to him. Ajamu called Lashawn Ajamu his best friend and greatest supporter.

After Barker dismissed the charges, Kwame Ajamu told the handful of people in the courtroom that he was overjoyed and that "this room is lit with the truth."

"It's my hope going forward that we don't have to wait another 40 years for the next Kwame Ajamu, Wiley Bridgeman, Ricky Jackson," he said. "It's my hope from this day on we can stop ignoring what is obvious in the criminal justice system and move forward with peace and love."

After the hearing, Ajamu credited Kyle Swenson, a writer for Scene Magazine, who in 2011 dug into the men's stories and exposed how justice had been subverted.

Ajamu said he hoped one day to meet with Eddie Vernon, who is now 52, so he can tell him he understands what happened and has no ill will toward him. Ajamu said his full exoneration finally makes him feel free to go anywhere he wants, anytime he'd like.

"I can even go back to being Ronnie Bridgeman, but I'm not," he said. "They killed Ronnie Bridgeman. They killed his spirit. They killed everything he believed in, everything he ever wanted. I wanted to be something, too. I could have been a lawyer possibly. I could have been Barack Obama. Who knows?"

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# George Stinney Jr., 14 executed

## Judge throws out teen's murder conviction 70 years after his execution

[Post Nation](#)

By [Sarah Larimer](#) December 17, 2014



George Stinney Jr. appears in an undated police booking photo. (Courtesy of the South Carolina Department of Archives and History via Reuters)

When George Stinney Jr. was executed for the killings of two white girls in 1944, he was so small that the straps of South Carolina's electric chair [didn't fit him properly](#), and [he had to sit on a book](#) for his electrocution.

Stinney was just 14 years old at the time and became the youngest person put to death in the United States

in the 20th century. But Wednesday, 70 years after the fact, Circuit Judge Carmen Mullen [tossed out his conviction](#), which was reached after a trial that didn't even last a full day and was never appealed. As the Associated Press noted, it took Mullen "nearly four times as long to issue her ruling as it took in 1944 to go from arrest to execution."

"I can think of no greater injustice," Mullen wrote in her 29-page order, the AP reported.

Stinney, who was black, was arrested for the beating deaths of two young girls in the segregated town of Alcolu. There wasn't any physical evidence linking him the crimes, and he wasn't allowed to see his parents after he was apprehended.

"Given the particularized circumstances of Stinney's case, I find by a preponderance of the evidence standard, that a violation of the Defendant's procedural due process rights tainted his prosecution," Mullen wrote in her decision, [according to CNN](#).

Stinney's case has long been whispered in civil rights circles in South Carolina as an example of how a black person could be railroaded by a justice system during the Jim Crow era where the investigators, prosecutors and juries were all white. The case received renewed attention because of a crusade by textile inspector and school board member George Frierson. Armed with a binder full



of newspaper articles and other evidence, he and a law firm believed the teen represented everything that was wrong with South Carolina during the era of segregation.

“It was obviously a long shot but one we thought was worth taking,” said attorney Matt Burgess, whose firm argued that Stinney should get a new trial.

Today's Headlines newsletter

The day's most important stories.



Aime Ruffner receives support from family and friends after testifying at the hearing to reopen the case for her brother George Stinney Jr. (Randall Hill/Reuters)

Earlier this year, Stinney’s sister told the Guardian: “I never went back [to Alcolu]. I curse that place. It was the destruction of my family and the killing of my brother.”

She will never forget the last time she saw George alive. She was eight at the time, hunkering in the chicken coop, scared half to death, when two black cars drove up to their house. Neither her mother, also Aime, a cook, nor her father, George senior, were home when white law enforcement officers came and took away George and her stepbrother, Johnny, in handcuffs. Johnny was later let go. She idolised George and followed him everywhere. He called her his shadow.

Though she left the south long ago, Aime’s rich, deep voice resonates with the vowels of her birthplace. But recalling her last words to George, it alters as if she’s gone back in time, to the high-pitched voice of a girl. “I said: ‘Oh George, are you leaving me? Where you going?’ He told me to find Charles and Katherine and tell them he was taken away.

“I never saw him again until he was in



## Derrick Hamilton, 49



Man exonerated after being framed by cop and spending 21 years in jail By [Kieran Corcoran For Dailymail.com](#) Published: 01:47 EST, 10 January 2015 | Updated: 01:53 EST, **10 January 2015**

### **Man exonerated after spending 21 years in prison for murder he did not commit after 'policeman FRAMED him by convincing woman to testify she saw him shoot victim'**

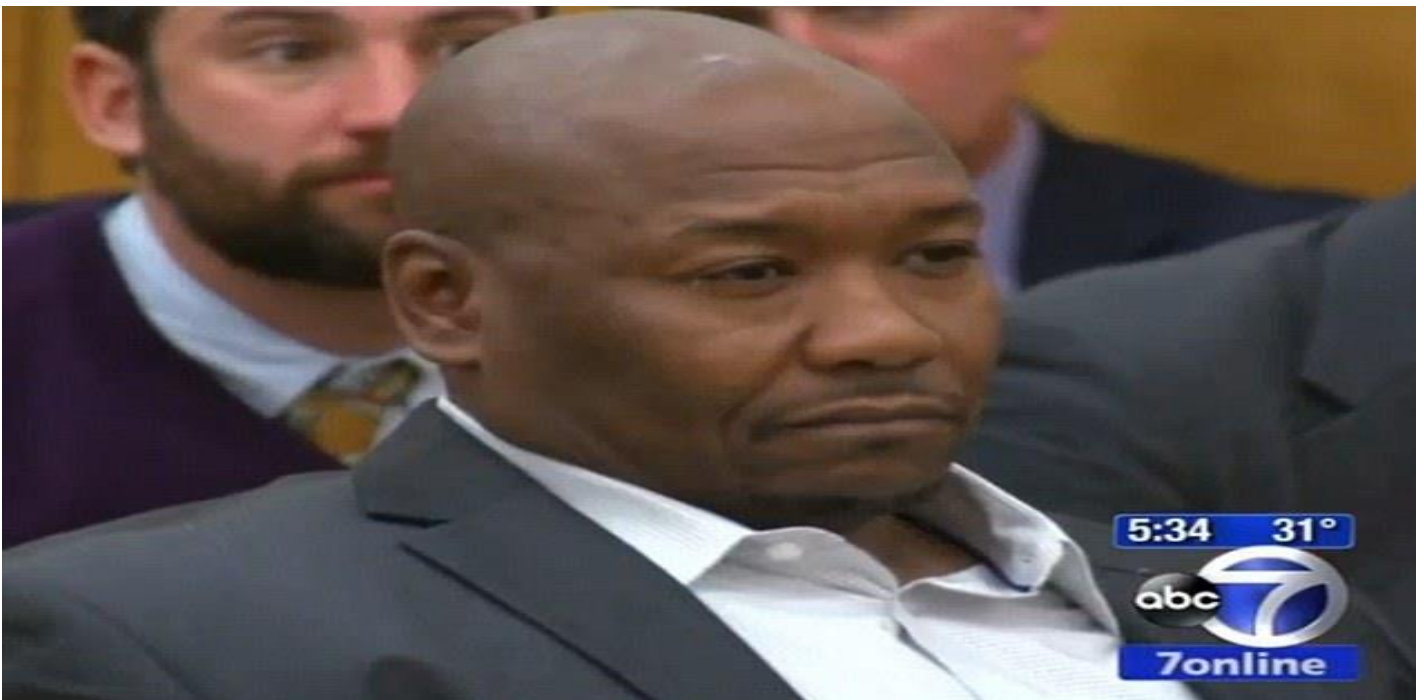
- Derrick Hamilton, 49, was convicted of 1991 murder
- Witness said she saw him shoot dead Nathaniel Cash in Brooklyn
- She later recanted testimony, and conviction now overturned
- Hamilton says former cop Louis Scarcella fabricated testimony
- Said he intimidated Jewel Smith into saying she saw murder
- Hamilton was paroled in 2011 – but is now officially an innocent man

A man who spent 21 years in prison for murder had his conviction overturned today - and says he lost decades behind bars because of a crooked cop.

Derrick Hamilton, 49, was imprisoned for supposedly murdering Nathaniel Cash in 1991, but has always been adamant he had nothing to do with it. Instead, he says, he was locked up because former NYPD detective Louis Scarcella intimidated a woman into claiming she witnessed him shoot Cash dead.



Exonerated: Derrick Hamilton, 49, was wrongfully convicted of a 1991 murder - and has only now had formal recognition that he was innocent all along



In 'Crooked cop': Hamilton, pictured above in court, says that former NYPD officer Louis Scarcella intimidated murder victim Nathaniel Cash's girlfriend into saying she saw him kill the victim



Joy: Hamilton, who said he is 'grateful' for the overturned conviction, hugged attorneys in court after the judge made his decision

Hamilton wore a baseball cap which said 'wrongfully convicted' on the front, and on the side said 'victims of Detective Scarcella'. He is the fourth man to be exonerated in an investigation Scarcella contributed to, the New York Daily News reported.

According to the News, Hamilton admitted he was 'bitter' about his years in jail, but said he is coming to terms with it. He added his first priority is to 'party, party, party'.

However, lawyers for Detective Scarcella issued a blanket denial that he had done anything to wrongfully convict anybody during his policing career.

They said: 'To date there has been no finding by any judge, nor has there been a statement by any prosecutor, to sustain the sensational claims that have appeared in the press that Detective Scarcella contributed to any person's wrongful conviction'.



Intimidation? Hamilton says detective Scarcella framed him - and the Brooklyn DA is looking into other Scarcella convictions to see whether they made need to be overturned as well



# Sharrif Wilson, 38 and Anthony Yarbough

## Sharrif Wilson, Wrongfully Imprisoned For 21 Years, Dies Less Than A Year After Going Free

January 12, 2015 02:23 pm ET | Updated Jan 12, 2015 [Christopher Mathias](#) National Reporter, The Huffington Post



Courtesy Adam Perlmutter

Sharrif Wilson, who spent over half his life behind bars for three murders he didn't commit, died on Saturday, only 11 months after being exonerated.

The 38-year-old Harlem resident was pronounced dead at Manhattan's Mount Sinai hospital at 10:59 p.m. Saturday, [the New York Daily News reported](#). Wilson, who had been hospitalized since the end of December, suffered from acute respiratory distress syndrome.

His lawyer, Adam Perlmutter, told The Huffington Post that Wilson's death is a "terrible tragedy," and that Wilson's health problems were due in part to the nearly 22 years he spent wrongfully imprisoned.

"He was a healthy 15-year-old boy when he went into prison, and he emerged obese and unhealthy," Perlmutter said.

Wilson and a friend, Antonio Yarbough, were convicted in the 1992 murders of Yarbough's mother, sister and cousin in a Coney Island housing project. Both Yarbough's sister and his cousin were 12 years old.

Wilson, then 15 years old, confessed to the murders and implicated Yarbough in exchange for a lighter sentence. But in 2005, Wilson [wrote a letter](#) recanting his confession, saying that police had coerced him into it. He also apologized to Yarbough for implicating him in the killings.

Additionally, DNA evidence found on the body of Yarbough's mother matched the DNA found on another murder victim, Magdalia Ruiz, who was killed in 1999 while Wilson and Yarbough were still in prison.



This past February, in his second month in office, Brooklyn District Attorney Kenneth Thompson agreed that the two men should be exonerated, and they were [released](#).

“I find it heartbreaking that a boy could serve 22 years for a crime he didn't commit, and finally come home and only have 11 months to spend with his family,” Yarbough said after Wilson’s death this weekend, in a statement released by his attorney, Zachary Margulis-Ohnuma.

“My heart goes out to his mother Gloria and his sisters,” Yarbough continued. “I would ask for everyone to pray for them. It's sad to have to go through what he went through. My heart breaks for his mother who lost her son not once, but twice.”

Margulis-Ohnuma added that Yarbough has “every reason to be bitter” toward Wilson, but that his “reaction is one of forgiveness.”

Margulis-Ohnuma also said that Wilson’s death “proves that the mechanism to compensate people harmed by the government is totally inadequate.”

"His estate will collect, but it's too late for Sharrif," he said. "He's dead."

Like Yarbough, Wilson had filed a notice of claim to sue the city and state over their wrongful convictions. Perlmutter told HuffPost that Wilson’s family -- whom he described as "in shock" -- intend to pursue the litigation.

“But for right now,” he added, “we're going to focus on Sharrif's funeral and memorial service. We will take this process one day at a time.”

The exonerations of Wilson and Yarbough marked the beginning of a concerted effort by Thompson's office to [re-examine dozens of murder cases](#) prosecuted by his predecessor, Charles Hynes, during the 1980s and 1990s, when there were record levels of violent crime in the city.

“The sudden passing of Sharrif Wilson, after being out of prison for less than a year, underscores our obligation as a nation to correct miscarriages of justice and to do so as quickly as possible,” Thompson told HuffPost in a statement Monday. “May he rest in peace and my deepest condolences go to his family.”

## **EXCLUSIVE: Harlem man exonerated for triple murder dies less than a year after his release from prison**

**Sharrif Wilson, 38, passed away Saturday night at Mount Sinai Hospital, where he had been hospitalized since the end of December after complaining of breathing problems. Wilson spent 21 years locked up, along with Antonio Yarbough, for the gruesome murders of Yarbough’s mother, 12-year-old sister and another 12-year-old relative in 1992. BY [Eli Rosenberg](#) NEW YORK DAILY NEWS Monday, January 12, 2015, 2:30 AM**

**A Harlem resident who spent more than 21 years in prison for a crime he didn’t commit died Saturday night, less than a year after restarting his life as a free man.**



**Sharrif Wilson, 38, passed away less than a year after he was exonerated in a 1992 triple murder.**

Sharrif Wilson, 38, passed away at 10:59 p.m. at Mount Sinai Hospital, where he had been hospitalized since the end of December after complaining of breathing problems, his lawyer Adam Perlmutter said.

Wilson suffered from acute respiratory distress syndrome, a health condition his lawyer said was greatly exacerbated by his years in prison.

“He was a young healthy man when he went in and he was a sick unhealthy man when he came out,” Perlmutter said.

Wilson spent more than two decades locked up, along with Antonio Yarbough, 40, for the gruesome murders of Yarbough’s mother, 12-year-old sister and another 12-year-old relative in 1992. All three had been choked with electrical cords and stabbed to death.



**Left to right: Tiffany Wilson (sister), Steven Quhshi (brother-in-law), Fatima Wilson (sister), Asiyah (neice), and Gloria Wilson (mother) in their Bronx apartment.**

Wilson confessed to police and testified against Yarbough in exchange for a lighter sentence, but later recanted, saying that police had coerced his confession.

The pair were released in February after Brooklyn prosecutors agreed to drop the case in the face of new evidence.

Most notably, DNA found on Yarbough's mother matched that found on the body of another murder victim from 1999, Magdalia Ruiz, even though the two men had been locked up for years, as the Daily News first reported. Members of Wilson's family said they were heartbroken to have lost him.

**Sharrif Wilson had been hospitalized since the end of December after complaining of breathing problems.**

"It felt like my heart was without my chest," said sister Tiffany Wilson, 28, who added that Sharrif Wilson was beloved by her 3-year old. "He was going to take her to ballet class," she said. His sisters said Wilson worked hard to reintegrate himself into a world that had changed so much since he had been locked away.

Tiffany said her brother was enamored with modern technology like cellphones and social media, which he used to do research and connect with family and friends.



CNN

**Anthony Yarbough and Sharrif Wilson talk to Piers Morgan about living behind bars for 21 years.**

"You couldn't get him off," she said. **Wilson is survived by his mother and two brothers in addition to his sisters.** Perlmutter, who employed Wilson part-time to help investigate Ruiz's homicide, said that the family has begun the process filing civil lawsuits against both the city and the state for his incarceration.

**Yarbough and Wilson, who were kept separate during their long imprisonment, were publically reconnected in a powerful side-by-side interview by CNN's Piers Morgan in February.**

"I find it heartbreaking that a boy could serve (21) years for a crime he didn't commit and finally come home and have only 11 months to spend with his family," Yarbough said in a statement given to The News by his lawyer. "My heart breaks for the family and the mother that lost her son not once but twice."

## Joseph Sledge Jr., 70

### After 37 years in prison, innocent North Carolina man Freed



**AP**

JONATHAN DREW **January 23, 2015**

**Joseph Sledge Jr.** (born 1942) is an American man who was convicted of the [murders](#) of two women, Josephine and Aileen Davis, for which he was imprisoned for over 36 years before being exonerated by new DNA evidence. His case represents the longest duration of incarceration for a case that has been overturned by [DNA evidence](#), and he is the longest-serving inmate to be [exonerated](#) in North Carolina

WHITEVILLE, N.C. (AP) — For the first time in nearly 40 years, Joseph Sledge woke up behind bars with a chance of becoming a free man.

The 70-year-old man needed one more win at an innocence hearing. As three judges listened to closing statements Friday about how Sledge was wrongfully convicted in the 1976 stabbing deaths of a mother and her adult daughter, he wrote down a few words on a yellow Post-it note — "closure," "please" and "exonerated."

A few hours later, carrying his belongings in plastic bags, Sledge emerged from a North Carolina jail, saying he was looking forward to what most people consider the most mundane of activities: "Going home. Relaxing. Sleeping in a real bed. Probably get in a pool of water and swim for a little while."



A special three-judge panel unanimously voted Sledge had proven he was innocent of the killings and ordered his release. **But his freedom almost didn't happen because evidence had been lost for years.**

His attorney, Christine Mumma, took the case in 2004 and felt like she had been running out of options and considered closing the case in 2012. Then court clerks discovered a misplaced envelope of evidence while cleaning out a high shelf of a vault.

The envelope contained hair, found on the victim and believed to be the attacker's, that turned out to be a key piece of evidence needed to do DNA testing, which wasn't available when Sledge went on trial 1978.

"I understand those shelves were very high, but there was a ladder in that room," said Mumma, a lawyer for the North Carolina Center on Actual Innocence.

In 2013, the case was referred to the North Carolina Innocence Inquiry Commission, the only state-run investigative agency of its kind. So far, Sledge is the eighth person exonerated after an investigation by the commission, which started operating in 2007. It has reviewed and closed about 1,500 cases.

Nationwide, The Innocence Project said there have been 325 post-conviction DNA exonerations.

The North Carolina commission found there was enough evidence of Sledge's innocence to refer it to a panel of three judges, who were appointed by the state Supreme Court.

The judges considered the commission's investigative file, and a DNA expert highlighted lab tests in her testimony Friday. Meghan Clement of Cellmark Forensics said none of the evidence collected from the scene — hair, DNA and fingerprints — belonged to Sledge.

The key jailhouse informant, Herman Baker, signed an affidavit in 2013 recanting trial testimony. Baker said he lied at the 1978 trial after being promised leniency in his own drug case and he said he'd been coached by authorities on what to say. **Testimony from another jailhouse informant was inconsistent, according to the commission documents. That informant died in 1991.**

**The victims, 74-year-old Josephine Davis and her 57-year-old daughter, Aileen, were stabbed to death in September 1976. Aileen was also sexually assaulted.**

They were found in their home in Elizabethtown, a day after Sledge had escaped from a prison work farm where he was serving a four-year sentence for larceny.

**Sledge was convicted of two counts of second-degree murder and sentenced to life in prison.**

**Katherine Brown, the granddaughter and niece of the victims, said Friday during the hearing that the women were humble and considerate people who looked after other family members.**

During her statement, Brown said the family was "shocked that it will become an unsolved mystery" after years of believing they had some closure. She didn't directly address Sledge's innocence in her statement.

After his release, Sledge was headed to Savannah, Georgia, to live with family. He told reporters he never doubted he'd be freed someday despite spending more than half his life in prison.

"I had confidence in my own self. The self will and the patience," he said before trailing off and searching for the right word. "Patience is the word."

# Glenn Ford

## Exonerated Man Denied Restitution After 30 Years On Death Row

**Glenn Ford** was freed last year after serving 30 years on Louisiana's [death row](#) for a crime he didn't commit. If that wasn't bad enough, he was denied cancer treatment for a condition that later became terminal while he was locked up, reports the [Huffington Post](#). **March 27, 2015**

Now, in a final bit of indignation, the 65-year-old man will not receive state-mandated compensation for the time he spent on death row, a judge ruled Friday, because he allegedly knew about plans for the robbery that led to the killing and didn't stop it, the report says.

The [Huffington Post](#) reports:

*Caddo Parish District Judge **Katherine Dorroh** on Friday denied Ford compensation, saying that while Ford did not commit the murder that led to his wrongful imprisonment, he was "proven to be guilty of lesser crimes and was not an innocent man." The judge said Ford knew about plans for the robbery that led to the killing and didn't stop it. Further, he attempted to destroy evidence by pawning items taken in the robbery and tried to find buyers for the murder weapon used by men Ford implicated in the murder.*

Ford's attorney Gary Clements plans to appeal the decision, he said in a statement:

*We are disappointed with the court's decision today denying Glenn Ford compensation for the 30 years he spent on death row for a crime the State of Louisiana agrees he did not commit. In its denial, the court adopted the State's argument opposing compensation. The ruling inflated the fact that Mr. Ford knew the people who committed the crime and insinuated that Mr. Ford was more involved in the crime than the facts in the record indicate. This is the latest in a series of great injustices that Mr. Ford has suffered over the last 30 years.*

Ford was convicted in the 1984 death of **Isadore Rozeman**, a 56-year-old Shreveport jeweler and watchmaker, the report says.

*After "credible evidence" surfaced corroborating Ford's story that he was not part of Rozeman's murder, Caddo County prosecutors asked that Ford's conviction be vacated and [he walked free in March 2014](#).*

It's unclear if Clements' efforts to appeal will work, but former prosecutor A.M. Stroud III published an open letter apologizing to Ford for the role he played in his conviction, adding that the 65-year-old man "deserves every penny owed to him under the compensation statute."

## 'It was fundamentally unfair.' A prosecutor apologizes for his role in putting an innocent man on death row



Marty Stroud was 33 years old when he fought to have Glenn Ford sentenced to death. Stroud was relatively new in his role as assistant district attorney in Caddo Parish, La., when **Ford was indicted on a charge of first-degree murder for the 1983 killing of a watchmaker who ran a jewelry store in Shreveport.** “The case took about a week and a half,” Stroud recalls now. Ford, a black man before an all-white jury, was convicted and sentenced in 1984. He remained on death row for three decades. It was the first and only death sentence Stroud won as a prosecutor.

Last year, Ford was declared a free man and [released from prison](#). His attorneys said upon his

release he was sentenced due to [questionable testimony](#) as well as inexperienced defense. The lawyers he had during his initial trial had not tried a case before a jury before, Stroud said.

Other men had also initially been charged in the shooting of Isadore Rozeman, the watchmaker, but those charges [were later dismissed](#). In 2013, Ford’s attorneys say they were told that a confidential informant for the Caddo Parish Sheriff’s Office pointed to one of those other men as the person who killed Rozeman, though precise details remain unclear.

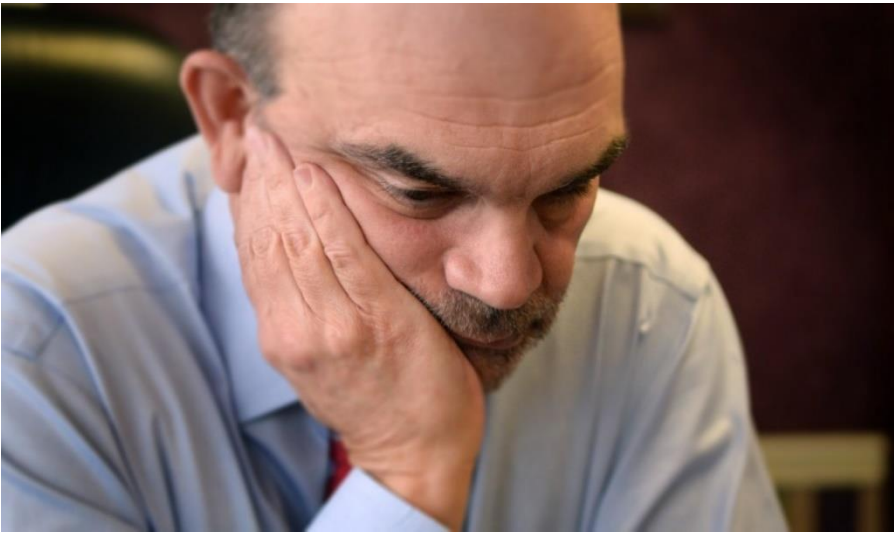
In March 2014, after [prosecutors](#) and Ford’s attorneys [filed motions to vacate his conviction](#), the state district court ordered his release. However, more than a year later, Ford is still fighting the state for compensation. He’s also facing an advanced cancer diagnosis.

Stroud knows all of this. He says he knows now that Ford was innocent and he knows Ford’s trial “was fundamentally unfair.” He knows Ford is dying, and he knows the state is not paying Ford for the decades he lost.

“When he was exonerated last year, I was thrilled,” Stroud, 63, said in a telephone interview Friday. “I thought that justice had been done.”

A.M. “Marty” Stroud III, who grew up in Shreveport and is an attorney there, read about Ford’s problems getting the state to pay him in [the Shreveport Times](#). Stroud could not believe it, so he began working on a letter to the editor of the newspaper to try and put his thoughts together. All of the things that had bothered him about the case and all of the things about the case that had built over the sleepless nights, poured out into the letter.

“I’m not one to write letters or get on soapboxes or anything like that,” Stroud said. “But I felt that in this particular case, I had a unique view of what had happened since I actually was there and had watched the progress through the system all these years.”



“Marty” Stroud III, a former prosecutor and lead attorney in the Glenn Ford case, in his Shreveport, La. office on March 19, 2015. Stroud now says he feels remorse for his role in putting an innocent man behind bars for so long. (Douglas Collier/The Times)

The result, which totals more than 1,500 words, was published online Friday by [the Shreveport Times](#) and widely circulated on social media. In the bracing letter, Stroud apologized for

his role in taking away 30 years of Ford’s life. He says he was “arrogant, judgmental, narcissistic and very full of myself.” Stroud explained why he had turned against the death penalty he so eagerly sought in 1984, and he expressed both his remorse for what he did and his apology to Ford for what cannot be undone.

“I was not as interested in justice as I was in winning,” he wrote. Stroud recalled that late in the trial, while arguing for the death sentence, he mocked Ford for wanting to stay alive to try and prove his innocence, adding: “I continued by saying this should be an affront to each of you jurors, for he showed no remorse, only contempt for your verdict.”

Stroud continued:

How totally wrong was I.

I speak only for me and no one else.

I apologize to Glenn Ford for all the misery I have caused him and his family.

I apologize to the family of Mr. Rozeman for giving them the false hope of some closure.

I apologize to the members of the jury for not having all of the story that should have been disclosed to them.

I apologize to the court in not having been more diligent in my duty to ensure that proper disclosures of any exculpatory evidence had been provided to the defense.

Stroud went on to work for a private firm after leaving the district attorney’s office in 1989. He has worked on a mix of civil and criminal cases, including mounting defenses in death-penalty cases. Stroud said that he was told not long before Ford was freed that investigators working on a cold case talked to someone about the Rozeman killing, and that person said that Ford did not shoot the man. Stroud said he was told: “If the prosecution had known this at the time, there wasn’t enough to have Mr. Ford arrested, much less give him the death penalty.” Ford was subsequently released.

“I have a stain because I participated in the proceeding that, looking back on, it was fundamentally unfair,” Stroud said in the interview. He said he knew that Ford’s attorneys had not practiced criminal law and that he knew “it was a mismatch from the beginning.”



Stroud also began seeing problems with a larger issue in the proceedings: The fact that Ford was not just found guilty, but found guilty and sentenced to death, which means he could have been executed before his innocence came to light.

The letter from Stroud seems rather remarkable, coming from a prosecutor who won a death sentence and wished later he could take it back. It also comes as prosecutors around the country are putting increasing resources into trying to overturn false convictions. The country had [a record number of exonerations last year](#), a tally boosted by the efforts of prosecutors, according to the National Registry of Exonerations.

Mistaken convictions are a particular concern when they involve death sentences. Six of the people exonerated last year had been sentenced to death, the registry said. Wrongly executing someone is [“the ultimate nightmare.”](#) Attorney General Eric H. Holder Jr. said recently. But Holder, who opposes the death penalty, called this an “inevitable” feature of the current capital punishment system, which relies on the judgment of people who can make mistakes.

Ford was the 144th death row inmate cleared since 1973, and he had spent more time on death row than any of these other inmates, the Death Penalty Information Center reported. (An Ohio man who spent four decades in prison, the longest-serving inmate later exonerated in the country’s history, [was awarded \\$1 million in compensation](#) this week by a state court; he had been sentenced to death, but it was commuted to a life sentence.)

Stroud’s unease with the death penalty has grown and deepened over the years, and he says Ford’s case illustrates why he now opposes capital punishment.\

**“This case shows why the death penalty is just an abomination,” he said. “The system failed Mr. Ford, and I** was part of the system. That is why I feel it was my duty to come forward and say: At the time, I was gung ho, got the right guy, no doubt whatsoever, on a crusade, I’m a good guy, I’m on a crusade for law enforcement. I never considered that the evidence, that there was something else out there we should’ve looked at.”



Glenn Ford talks to the media while leaving prison last year. (WAFB-TV 9/AP)

Stroud was confident in his case then, but he wishes now he had done more to look into the rumors that other people were involved in the crime. In hindsight, he realizes he was an eager prosecutor less than a decade out of law school, one who wanted to make a name for himself. Stroud saw other people who were touting their careers, boasting how they were going to become judges, bragging about the number of capital cases prosecuted and death sentences

won. He recalls how after Ford was sentenced, he went out for drinks to celebrate, something he now looks back on with disgust.

“Looking back 30 years ago, I was just blinded by the prospect of prosecuting a first-degree murder case and obtaining a sentence of death,” he said. “I thought that would show that I was a tough prosecutor. What it showed is how easy it is to be caught up in the system and not to step back and see that a fair process is being used.”

Stroud said after being on both sides of the issue, he has determined that it does not work. “All it is is state-assisted revenge,” he said, adding: “We can’t do it. It’s arbitrary, it’s capricious. And I believe that it’s barbaric.”



Ford the day he left prison. (WAFB-TV 9/AP)

In Louisiana, the wrongfully imprisoned can receive [up to \\$250,000](#) in compensation. Ford is trying to get the state to pay him for the years spent in prison, but [court documents](#) show that the state says he should not be given money because he went to a pawn shop [to sell items](#) that had been stolen from Rozeman’s store. Attorneys for Ford said last year that one of the other men initially charged in the killing had given him jewelry to pawn. Ford [has also filed lawsuits](#) claiming he was wrongfully imprisoned and that he was denied necessary medical care after signs emerged he may have cancer.

Within months of his release from [the notorious Angola Prison](#) last year, Ford was diagnosed with stage-three lung cancer; he currently has stage-four lung cancer, according to [legal filings](#) submitted in federal court this month.

While Stroud has not talked to Ford, whom he calls “Mr. Ford,” he said he has talked with an attorney for Ford, who suggested the former prosecutor write a letter to the exonerated man.



“When I started writing the letter, it was part of a cleansing process for me, stuff that had bothered me for years that I couldn’t put my finger on,” Stroud said. “It came out in this letter. The only regret that I have is that I didn’t come to this position much earlier in life.”

Today's Headlines newsletter The day's most important stories.

Even though he hoped the letter would prompt some discussion about the death penalty, he said he is still surprised by the reaction it has received beyond Shreveport.

“I knew it would probably stir some people up around here, but I never realized it would gain so

much attention with other folks in other parts of the country,” Stroud said. He has been called by CNN and other outlets who want to hear more about the story. “I’m a little bit stunned by that.”

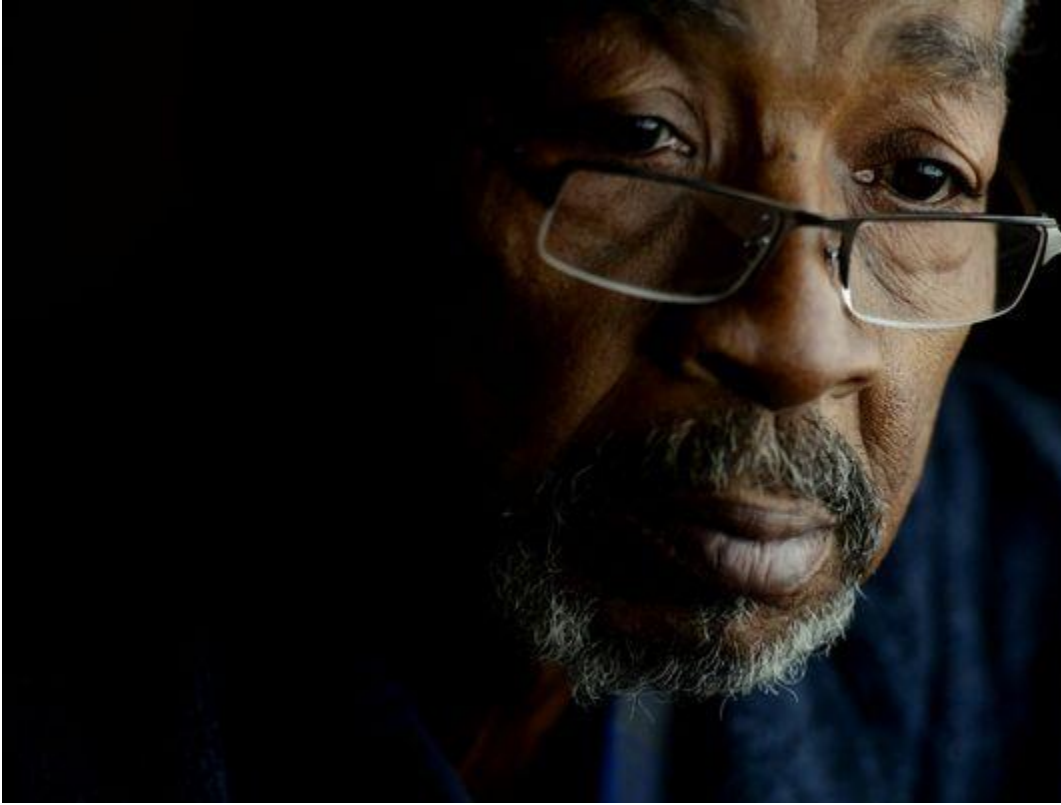
Stroud said he is not sure if he will write again to Ford. In his letter, Stroud calls for Ford to be given “every penny” called for by Louisiana’s law governing compensation for the wrongfully convicted. He also says he hopes for compassion he does not believe he has earned.

“I end with the hope that providence will have more mercy for me than I showed Glenn Ford,” he wrote. “But, I am also sobered by the realization that I certainly am not deserving of it.”

# Glenn Ford, exonerated death row inmate, dies

Alexandria Burris, The (Shreveport, La.) Times 7:36 p.m. EDT **June 29, 2015**

"I'm going to do what it takes to live," said Glenn Ford. Henrietta Wildsmith/The Times



SHREVEPORT, La. — Glenn Ford, who was exonerated last year after [spending nearly 30 years of his life on death row for a crime he did not commit](#), died of lung cancer Monday, the Innocence Project New Orleans announced. He was 65.

According to a news release, Ford died surrounded by friends and family at 2:11 a.m. CT in New Orleans. Ford's wrongful conviction would reignite national discussion about the death

penalty after Shreveport Attorney A.M. "Marty" Stroud III, the lead prosecutor in Ford's trial, penned a letter apologizing for his role in Ford's conviction. Stroud also would call for the abolition of the death penalty. "In 1984, I was 33 years old. I was arrogant, judgmental, narcissistic and very full of myself. I was not as interested in justice as I was in winning," Stroud wrote in a letter that would go viral.

The two would later meet face-to-face. In 1984, Ford was convicted of and sentenced to die for the Nov. 5, 1983, death of Shreveport jeweler Isadore Rozeman. Rozeman had been robbed and killed in his Stoner Hill shop. **Ford was 33 at the time of his conviction.**

Glenn Ford, 65, talks about his release from death row during an interview with The Times on Feb. 27 in his New Orleans home. (Photo: Henrietta Wildsmith/The Times)

According to the Innocence Project New Orleans, Ford spent 29 years, three months and five days of his life in solitary confinement on death row at Louisiana State Penitentiary at Angola.

On March 10, 2014, Ford was exonerated. He had been the longest-serving death row inmate in the United States at the time of his release.

The state of Louisiana gave him \$20 for a bus ride home from prison but has denied him further compensation under the state's wrongful conviction compensation statute, the Innocence Project New Orleans said. **And not long after his release, Ford was diagnosed with lung cancer.**

Ford was born Oct. 22, 1949, in Shreveport. He was raised by a grandmother in California and would later return to Shreveport. According to a news release, several of Ford's grandchildren, who live in California, were able to visit him.

A memorial will be held later at Charbonnet Funeral Home in New Orleans, the Innocence Project New Orleans said.

## Anthony Ray Hinton, 58

# Alabama inmate free after three decades on death row. How the case against him unraveled.

Washington Post By [Abby Phillip](#) April 3, 2015



Anthony Ray Hinton wipes tears following his release. (Bob Farley/EPA)

Anthony Ray Hinton was one of Alabama's longest-serving death row inmates, having spent more than half his life incarcerated. Now, after three decades of insisting that he was innocent in the 1985 murders of two men, the 58-year-old Hinton is finally a free man.

"The sun does shine," Hinton said just after his release from jail on Friday, [according to AL.com](#).

His freedom came down to the same four bullets that put him in jail to begin with.

"I shouldn't have (sat) on death row for 30 years," he told reporters [according to CNN](#). "All they had to do was to test the gun."

He added: "Everybody that played a part in sending me to death row, you will answer to God."

### Alabama man free after 30 years on death row

Anthony Ray Hinton, age 58, walked out of an Alabama jail a free man on Friday after almost 30 years on death row for a crime he did not commit. (Reuters)

Hinton was convicted of two separate killings of Birmingham restaurant workers — the Feb. 25, 1985, slaying of John Davidson, and the July 2, 1985, killing of Thomas Vason — even though there were no eyewitnesses linking Hinton to the crimes, no fingerprints linking him to the scene, and no other physical evidence except for the questionable link between a set of bullets and a gun found in Hinton's home.



For years, Hinton's lawyers have questioned whether the bullets could be conclusively linked to the weapon. The gun belonged to Hinton's mother, with whom he shared a home.

Subsequent tests of the only physical evidence in the case raised serious doubts about whether the weapon in Hinton's home had fired those bullets — and it even called into question whether the bullets were all fired from the same gun.

The ballistic evidence combined with eyewitness testimony from someone who was present at a similar crime that Hinton was never charged with comprised the entirety of the state's case against him.

Hinton's breakthrough came last year when the [U.S. Supreme Court ruled unanimously](#) that his constitutional right to a fair trial had been violated. The high court overturned his conviction after finding that Hinton's defense attorney at the time had hired an "expert" witness — a trained civil engineer Andrew Payne Jr. — whom the attorney viewed as "inadequate" because he didn't think he was allowed to spend more than \$1,000 to hire a more qualified one.

It was easy for prosecutors to discredit Hinton's defense expert: Payne [had one eye and could hardly see through the forensic microscope](#), and he had limited experience evaluating ballistic evidence for trials.

After the Supreme Court decision and a ruling by the Alabama Court of Criminal Appeals, Hinton was granted a new trial. [Prosecutors scrambled to find long-lost evidence](#) and rouse witnesses — some of whom might have died. Hinton's lawyers with the Equal Justice Initiative asked Jefferson County Circuit Court Judge Laura Petro to dismiss the case.

On Wednesday, two Alabama prosecutors — Chief Deputy Jefferson County District Attorney John Bowers and Assistant District Attorney Mike Anderton — filed a motion to drop the charges against Hinton after three experts weren't able to link the bullets to the weapon. Petro dismissed the case and ordered Hinton freed.

"There's no closure one way or the other," Bowers said, [according to AL.com](#). "The experts did not say it did come from the pistol or that it didn't come from the pistol."

"It's never happened in all my years of prosecution," he added.

Hinton's lawyers with EJI have long contended that their client was yet another example of a wrongfully convicted black man sentenced to death for a crime he didn't commit. Hinton passed a polygraph test, but it was never admitted into evidence. [And time and time again](#), despite witnesses testifying that they couldn't link the bullets to Hinton, Alabama refused to re-consider his case.

"Race, poverty, inadequate legal assistance, and prosecutorial indifference to innocence conspired to create a textbook example of injustice," Bryan Stevenson, executive director of the Equal Justice Initiative, said in a written statement on Thursday. "I can't think of a case that more urgently dramatizes the need for reform than what has happened to Anthony Ray Hinton." According to the AP:

Hinton was one of the longest-serving inmates on Alabama's death row, and is one of the longest-serving inmates to be released in the United States. But Stevenson said there are many others behind bars who were convicted "based on bad science."

Following Hinton's release on Friday, Stevenson declared: "It's been a long time coming."

Standing with Hinton outside the Jefferson County Jail, AL.com reported, Stevenson said: “Mr. Hinton has spent 30 years locked in an 5-by-8 cell and with the state of Alabama trying to kill him every day.”

Said Hinton, according to the AP: “They just didn’t take me from my family and friends. They had every intention of executing me for something I didn’t do.”

He added: “I want you to know there is a God. He sits high but he looks low. He will destroy but yet he will defend — and he defended me.” Hinton, the AP noted:left the jail for a cemetery, planning to put flowers on the grave of his mother, who died in 2002.

After that comes the adjustment to the modern world after spending nearly half of his life in solitary confinement.

“The world is a very different place than what it was 30 years ago,” Stevenson said. “There was no Internet. There was no email. I gave him an iPhone this morning. He’s completely mystified by that.”

Where would Hinton have his first meal as a free man, AL.com asked.

“We’re going to look,” he said, “for a buffet.”



Anthony Ray Hinton is greeted by friends and family. (Bob Farley/EPA)



“Everybody that played a part in sending me to death row, you will answer to God,” Hinton said Friday. (Bob Farley/EPA)

## Luis Vargas, 46

# Man Exonerated After Spending 16 Years in Prison For Rape He Didn't Commit



By [VICE News](#)

November 24, 2015 | 4:42 pm

A man who was imprisoned for 16 years for two attempted sexual assaults and a rape he did not commit was exonerated Monday, based on new DNA evidence linking the crimes to Los Angeles' notorious "Teardrop Rapist" -- who sports a similar-shaped tattoo as the innocent man.

Luis Vargas, now 46, was sentenced to 55 years in prison in 1999 for kidnapping three women and raping one of them. The father of three reportedly broke down in the LA courtroom yesterday when Superior Court Judge William Ryan issued the exoneration.

One of Vargas's lawyers, Alex Simpson, who is the Associate Director of the California Innocence Project — the group that requested the DNA tests — told VICE News that despite the exoneration, Vargas is still not a free man.

Even though Vargas is a lawful permanent resident, the conviction meant his green card status has been placed on hold, and he was transferred immediately from state prison and placed into the custody of immigration officials, Simpson said.

"We're hoping that a reversal of the conviction will help fix this," Simpson said.

Vargas was convicted based on eyewitness testimony from three Hispanic women who said they were approached by an attacker at a bus stop in the early morning hours. The rapist asked the women for directions before forcing them into an alley. Two of the women escaped unharmed, but one of them — who was 15-years-old at the time — was raped.

The witnesses recalled the rapist sporting a teardrop tattoo under his left eye, similar to a faded tattoo Vargas has in the same area on his face. At the time of his arrest, Vargas also had a prior forcible rape conviction and the two factors led police to believe Vargas was the perpetrator, Simpson said.

Vargas maintained his innocence throughout the trial. At his sentence hearing, he told the court he was "concerned [the] individual [who] really did these crimes might really be raping someone out there, might really be killing someone out there."



The Teardrop Rapist, who has been suspected of carrying out more than 30 rapes in the area since 1996, is still at large.

During the trial, the prosecution relied only on the testimony of the women and did not test the rape kits that had been taken from the women, in spite of testimony from witnesses who said Vargas was working at a bagel shop where he was employed when the attempted rapes and rape occurred.

Simpson also said that advancements in DNA testing technology allowed authorities to conduct so-called "touch DNA" testing — a method that requires only very small samples from an object that had been handled by the suspect, for instance.

The Innocence Project took on the case after Vargas wrote to them from behind bars in 2011. In late 2012, lawyers with Project requested the Los Angeles District Attorney's office to perform DNA tests on clothing. When the tests came back linking the rapes with the Teardrop Rapist, the project immediately asked for Vargas to be exonerated.

"Bad eyewitness identifications are one of the leading causes of wrongful convictions," California Innocence Project Director, Professor Justin Brooks, said in a statement. "It's amazing that Vargas will finally be released after more than 16 years of wrongful incarceration. It's time for him to get back to his family and his life. Hopefully, this new evidence will help police catch the true perpetrator."

The man's daughter, Cristal Nora Vargas, told KABC-TV, she had always trusted in her father's innocence.

"It's a relief because I believed in my father's innocence the day he told me he was innocent. Growing up, I would cry myself to sleep," she said. "My father meant the world to me, and he still does."

Simpson said he now hopes that Vargas will soon be released back to his family, including a 10-year-old granddaughter who was born while he was in prison.

# Andre Hatchett

## Innocent Man Exonerated After 25 Years in Prison

[Hamilton Nolan](#)  
[3/11/16 10:11am](#)



Andre Hatchett was 24 years old when he was convicted of murdering a woman in a Brooklyn park. This week, he was exonerated and set free at the age of 49.

Hatchett, who reportedly had [an IQ of 63](#), was convicted of the 1991 beating death of a woman in a park in Bed-Stuy, Brooklyn—despite the fact that he was still on crutches after being shot the previous year. [From the New York Times](#):

Though he cooperated with the police and provided an alibi, Mr. Hatchett was arrested and convicted almost entirely on the testimony of a career criminal named Gerard Williams, who said that he had seen, from 30 to 40 feet away, Mr. Hatchett striking a body on the ground in the park that night.

Mr. Williams offered the account after he was arrested in connection with a burglary a little over a week after the killing, and after having initially identified someone else as the killer — information the prosecutors never gave the defense, as was required.

The more we look, [the more innocent people we find in prison](#).

Keith Harward

# US man exonerated of rape and murder after 33 years in prison

By: Agence France-Presse **April 8, 2016 7:43 AM**



[InterAksyon.com](http://InterAksyon.com) The online news portal of TV5

WASHINGTON -- A former US sailor was acquitted Thursday with the help of DNA evidence after spending 33 years in prison, erroneously convicted of raping a woman and killing her husband in 1982.

**Keith Harward** was convicted on expert testimony that a bite mark on the wife matched his teeth imprint. He was sentenced to life in prison.

Three decades later, DNA tests have revealed that the rape and murder were carried out by a different sailor, who has since died in prison serving a sentence for another crime.



Harward, now 59, was convicted of entering a home in the city of Newport News, killing the husband with a crowbar and raping his wife while their three children slept nearby.

The Virginia Supreme Court wrote in its decision that it "vacates Harward's convictions for murder, rape, forcible sodomy and robbery."

In 2015, the United States exonerated 149 people, a record number that represents only a "drop in the bucket" of tens of thousands of wrongly convicted people, according to a February report by the University of Michigan Law School.

The 149 prisoners had served 14.5 years each on average.

## Paul Gatling, 81

# Man who served 10 years for '64 NYC killing cleared of crime

DEEPTI HAJELA, Associated Press Mon, May 2, 2016 3:02 PM PDT



NEW YORK (AP) — A Virginia man who spent almost 10 years in prison for a New York City slaying he was pressured to plead guilty to over 50 years ago was back in court on Monday — to hear a judge finally vacate the conviction.

At the request of a prosecutor, a judge exonerated 81-year-old Paul Gatling for the 1963 shooting death of Lawrence Rothbort in his Brooklyn home. In doing so, the judge apologized and Gatling hugged his crying ex-wife and a friend.

**"There's a lot of water gone under the bridge, but the bridge is still standing,"** Gatling said after the court proceeding. Gatling, a retired landscaper, had asked the prosecutor's Conviction Review Unit to look into his case, which led to the decision to ask for the exoneration over how the investigation had been handled and the fairness of the trial. Brooklyn District Attorney Ken Thompson said Gatling was a remarkable man. "We're here because Mr. Gatling would not let go of his demand to be deemed innocent." Gatling, who walked with a cane as he entered the court, said he came from a civic-minded family and "this has stopped me from voting on every level." Rothbort was shot in his Brooklyn home. His wife told police that a man with a shotgun had entered the apartment and demanded money, shooting her husband when he refused. She provided a description, but no suspect was found. Thompson said Gatling, 29 at the time, was questioned after another man said he saw him in the area. That man was a witness in other cases and was known to have committed perjury, Thompson said, adding that other circumstances also led to Gatling not receiving a fair trial. Rothbort's wife, nine-months pregnant at the time of the trial, said Gatling was the man who had killed her husband, despite not being able to identify him in a line up previously. No physical evidence tied him to the crime. Defense attorneys were never given some police reports, including a description of the suspect as several years younger than Gatling. **As the trial was underway, Gatling's attorney and family pressed him to plead guilty to second-degree murder, afraid that he would otherwise face the death penalty if convicted. He agreed, and was sentenced to 30 years to life in prison in October 1964. His sentence was commuted by then-Gov. Nelson Rockefeller at the behest of the Legal Aid Society and he was released in January 1974. His exoneration marks the 20th time in two years that the prosecutor's Conviction Review Unit has helped clear defendants found guilty in Brooklyn of crimes they did not commit, Thompson said. The New York Times first reported the story.**

# Jonathan Fleming, 51,

## Jonathan Fleming, convicted in killing despite vacation alibi, freed after 24 years

By Chris Boyette, CNN

Updated 7:57 AM ET, **Wed April 9, 2014**

Disney alibi frees man after 24 years 01:43

### Story highlights

- Jonathan Fleming, 51, was released from prison after nearly 25 years
- Fleming was wrongly convicted in 1989 for the slaying of Darryl Rush
- Fleming has always maintained he was on a family trip in Florida at the time
- A review of his case by the DA's Conviction Review Unit exonerated him

A New York judge Tuesday vacated the conviction of a man who spent nearly a quarter of a century behind bars for a Brooklyn slaying that occurred while he was vacationing in Florida.

Jonathan Fleming, 51, was found guilty in 1989 in the death of Darryl Rush in the Williamsburg neighborhood of Brooklyn and served the next 24 years and 8 months in prison, according to the Kings County district attorney's office. He was released Tuesday afternoon.

Fleming has always maintained he was on a family trip to Disney World in Florida when Rush was shot to death early on the morning of August 15, 1989, in a dispute over stolen money. After years of reviewing documents and re-interviewing witnesses as part of a joint investigation between his attorneys and the Brooklyn district attorney's Conviction Review Unit, it was determined that the only evidence tying him to the crime was an alleged witness who later recanted her statement.

"As you can imagine, after sitting in jail for 25 years for a crime he didn't commit, he can't help but feel vindicated," said one of Fleming's lawyers, Anthony Mayol. "On the flip side, that's 25 years that have been stolen, that he'll never get back."

At his trial, defense lawyers provided family photos and home videos of Fleming in Florida around the time of Rush's killing. But according to Taylor Koss, another of Fleming's lawyers, they did not have evidence he was in Florida on the day of the slaying. The prosecution persuaded jurors to ignore the alibi.

Fleming told his attorneys he had paid a bill for phone calls made from his Florida hotel room the night before Rush was killed, and he believed the receipt was in his pocket when police arrested him. But authorities told the defense he had no such receipt, according to Koss.

In the course of the investigation, the Conviction Review Unit found the receipt in police records, time stamped and dated -- solidifying Fleming's claim that he was in Florida at the time of the killing, according to the district attorney's office.

"This is proof of alibi that was basically purposely withheld," Koss said.

The review unit also interviewed Fleming's former girlfriend, who said she called Fleming the night of the killing while he was still at his hotel in Florida. The investigation found her story to be credible, with phone records to support it.

The prosecution also produced a witness who said she saw Fleming commit the crime.

According to Koss, the woman recanted her testimony weeks after Fleming's conviction. She later testified in front of a judge that she was on parole and had been arrested with another woman for being in a stolen van the night of the killing. She said police persuaded her to give a statement against Fleming to avoid going back to jail.

Koss said the judge threw out her later testimony because she could not provide enough facts to back up her story.

A review unit search of police records years later came up with a timeline. The woman on probation was arrested with another woman on grand larceny charges and brought to the Brooklyn district attorney's office, where she gave a statement. Within the hour, the investigation found, charges against her were dropped.

Koss said defense investigators even found a witness in South Carolina who claims to have been the getaway driver during Rush's killing and who even identified someone they say is the real killer.

Judge Matthew D'Emic Tuesday vacated the conviction after a "careful and thorough review of this case, and based on key alibi facts that place Fleming in Florida at the time of the murder," said District Attorney Ken Thompson.

Koss and Mayol say the next step is ensuring that Fleming has a way to support himself after he is released.

"He has no job, no career, no prospects," Koss said.

"We're suing everybody, let's be honest," Koss added, saying Fleming's legal team intends to bring a civil rights lawsuit against the city and seek reparations from the state under a provision set up to redress wrongful convictions.

Thompson, who became district attorney at the beginning of the year, has already released two men who had been in prison for more than half their lives in connection with three killings after DNA evidence tore holes in their convictions in February.

Antonio Yarbough and Sharrif Wilson were teenagers when they were imprisoned. But after reviewing DNA evidence, Thompson said the previous convictions for the 1992 murders in Brooklyn would most likely not stand up in court and agreed the two men should be freed.

Those cases, as well as Fleming's, are not connected to investigations into Detective Louis Scarcella, whose questionable tactics have led to a review of some 50 other cases, the district attorney's office said.

On Monday, Thompson named Harvard law professor Ronald S. Sullivan, Jr. as special counsel to the district attorney for the Conviction Review Unit. Sullivan, who heads Harvard's Criminal Justice Institute, will guide the group in future cases brought for review, according to the District Attorney's office.