



UNIVERSITY OF CINCINNATI COLLEGE OF LAW

Ohio Innocence Project

Lois and Richard Rosenthal Institute for Justice

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GOVERNOR STRICKLAND COMMUTES SENTENCE OF OIP CLIENT WILLIE KNIGHTEN, JR.: WILLIE HOME FOR THANKSGIVING!

On November 24, 2009, Willie Knighten, Jr. walked out of an Ohio prison after serving 12 years for a murder he did not commit. Ohio Governor Ted Strickland, presented with mounting evidence of Mr. Knighten's innocence, granted Knighten's plea for Executive Clemency in time for Willie to spend Thanksgiving with his parents and family in their Toledo, Ohio home.

Twelve years and eight months earlier, on June 24, 1996, a drive-by shooting occurred in Toledo, Ohio. At approximately 8:30 p.m., a stolen dark blue Cadillac drove slowly past a convenience store where several people were gathered, talking. Suddenly, three shots rang out from the rear seat of the vehicle. The bullets struck two men near the entrance to the store. The man believed to be the shooter's target sustained minor injuries to his arm, but an innocent bystander was fatally wounded. Although several people were present at the scene of the shooting, no one was able to identify any of the three men in the dark blue Cadillac.

More than five months after the shooting, no one had been arrested in connection with the incident. In early December, 1996, the police received an anonymous tip identifying Willie Knighten, Jr. as the shooter. No photographs were shown to the witnesses until Knighten had been arrested and his photo and a videotape of him had been prominently featured in both the print and television media. At trial, the victim's sister and her friend testified that Willie was the shooter, even though they had known Willie for years and told police the night of the incident that the shooter was unknown to them. The defense waived a jury and tried the case to the judge, the Honorable William J. Skow. There was

substantial evidence indicating that Willie was, as he maintained the entire time, completely innocent of the crime. Three foreign sets of finger and palm prints were found in the stolen dark blue Cadillac, and none of them matched Knighten. Two eyewitnesses testified that they saw the shooter or his arm, and Willie Knighten was not the shooter. An additional



eyewitness, a friend of the deceased victim, testified that he saw the front and rear passengers in the car, and neither of those men was Willie Knighten, Jr. Finally, several people testified that Knighten was with them at a birthday party when the shooting occurred. Relying heavily on the eyewitness identification of Willie Knighten, Jr. as the shooter, Judge Skow found Knighten guilty. He was sentenced to 15 years to life in prison.

As the years passed, information circulated around the neighborhood implicating three other men—unrelated to Willie Knighten, Jr.—in the crime. The eyewitnesses who implicated Knighten confessed to their friends that they implicated him either because they had seen his photograph in the newspaper and on the news when he was arrested or because the detective who showed them the photo array

indicated that he was sure Knighten was the killer. Each time new information circulated, Knighten and his parents made sure Judge Skow was made aware of it.

Twelve years later, Judge Skow was diagnosed with a terminal illness. By that time, he had been elevated to the state court of appeals. Before he died, he wrote a heartfelt letter to the Ohio Parole Board in which he indicated that he believed that he was mistaken in finding Willie Knighten, Jr. guilty of murder in 1997. He further indicated that Knighten's case had weighed on his conscience for a number of years, and he did not want to leave this earth without informing the Board of his belief that Knighten was, in fact, innocent of the crime for which he had already served 12 years in prison.

With the help of the OIP and numerous other supporters, Knighten successfully petitioned Ohio Governor Ted Strickland for an Order of Executive Clemency. Willie was released from prison two days before Thanksgiving. He gratefully returned to the home his parents have shared for many years to spend the holiday with his family and friends. Knighten, who finished high school and has completed several college courses, secured employment the very first week he was released. He continues to work with the OIP to secure a complete exoneration. According to his OIP attorney, Karla Markley Hall, "Willie has missed so many opportunities during the time he was incarcerated, I look forward to the day when he is completely exonerated, and he will no longer have to identify himself as a convicted felon. He is so bright, and his family is very loving and stable. I am sure nothing will hold him back once his record is officially cleared." ■

"Historic" Senate Bill 77 Approved by Ohio House Subcommittee

In early January, 2010, the Criminal Justice Committee of the Ohio House of Representatives voted 9-2 in support of Senate Bill 77, legislation aimed at drastically reducing the risk of convicting the innocent. The OIP initially proposed the legislation to Governor Ted Strickland and the legislature in February 2009. Soon after its submission, the legislation was quickly supported by sponsor Senator David Goodman and Senator Bill Seitz, both Republicans. The bill proposes to identify specific procedures for the preservation of biological evidence for DNA testing, the recording of custodial interrogations for certain felonies, and the "double blind" preparation of photo line-ups for eyewitness identification.

The measure requiring the video recording of interrogations is designed to cut down on false confessions. The requirement that police use a "double blind" process for line-ups, which means the officer administering the lineup does not know which person in the lineup is the suspect, is designed to reduce misidentifications by eyewitnesses. Mistaken identification due to outdated lineup procedures is the leading cause of wrongful conviction.

The bill, which has the support of both Governor Strickland and Attorney General Richard Cordray, passed the Senate in June 2009 by a 32-1 vote before moving to the House of Representatives. Now that it has been approved by the House Subcommittee, the next step is for the bill to be voted on by the full House of Representatives. If it passes that hurdle, the Senate must approve the changes made in the House (which the Senate is expected to do), and then the bill will go before Governor Strickland, who has already indicated he will sign it. The sponsor of the bill in the House, Chairman of the House Criminal Justice Committee Tyrone Yates, Democrat, stated upon the passage of the bill through his committee that Senate Bill 77 is the "most significant criminal justice bill in Ohio in more than a century." ■

Picking Cotton Review

The Rosenthal Institute for Justice/Ohio Innocence Project, together with the YWCA of Greater Cincinnati, the College of Law and the Cincinnati Museum Center, sponsored *Picking Cotton* on September 17, 2009 as part of the Cincinnati Museum Center's Insights Lecture Series. Featured speakers were Jennifer Thompson-Cannino and Ronald Cotton, co-authors of "Picking Cotton: Our Memoir of Injustice and Redemption," a *New York Times* Bestseller. The book tells the story of Jennifer, who was raped as a college student, and Ronald, who Jennifer selected in a line-up as her attacker. Ronald served 11 years in prison for the attack before DNA proved he was not the perpetrator. Two years after Ronald was released from prison, he and Jennifer met and have since developed a very special friendship. The event was a huge success, and was attended by more than 300, with an overflow crowd watching via live feed from the Museum Center's Omnimax theatre. (Pictured from left to right: Row 1: Ronald Cotton, State Senator Eric Kearney; Row 2: Dean Louis Bilonis; Kathy Beechem, President of the Board of the Greater Cincinnati YWCA; Jennifer Thompson-Cannino; Tonya Matthews, Vice President of Museums, Cincinnati Museum Center; OIP Director Mark Godsey; Robert McClendon, exoneree.) ■



What is the Ohio Innocence Project?

The Ohio Innocence Project (OIP) seeks to identify and assist prison inmates who claim to be actually innocent of the crimes for which they were convicted. The OIP will review an inmate’s request and conduct an investigation to determine whether the request meets OIP review and screening criteria. The OIP will work only on those cases where new evidence, whether newly discovered or developed through investigation, supports the inmate’s claim of innocence. The best type of new evidence is physical evidence (i.e., DNA) that was not tested prior to trial. The OIP also will work on cases that do not involve DNA if the appropriate criteria are met. While there is no fee for OIP services, inmates may be required to pay for DNA testing or other expert witness fees.

Meet the OIP Team

2009-2010 OIP Fellows—Marie Alao, Christie Bebo, Chris Brown, Scott Crowley, Sean Graves, Ryan Houston, Matt Katz, Megan Lorenz, Elise Lucas, Alison Minnietar, Aisha Monem, Jonathan Norman, Daryl Osuch, Lauren Presley, Stacey Skuza, Jessica Strudthoff, Chad Thompson, Emily Vance, Sam Warden, Jing Zhang

Director—Mark Godsey
Staff Attorneys—Jennifer Bergeron, Karla Hall, and Carrie Wood
Administrative Coordinator & Policy Analyst—Jodi Shorr
OIP Intern—Jessica Sarko (from University of Cincinnati Honors Program)

OIP fellows, students who work for the program, are actively investigating 370 cases. Approximately 35 of them

are currently being litigated. The OIP is currently reviewing cases of inmates housed in 27 state correctional institutions. Their cases come from 55 Ohio counties.

As a result of the wide distribution of inmates and cases around the state, fellows and staff spend many hours reading and writing letters and speaking with inmates about their cases. Prior to actively taking on a case, the OIP staff and fellows will meet the inmate in person to discuss the case, the plan for litigation, and all expectations of the case. ■

The prospect of innocents languishing in jail or, worse, being put to death for crimes that they did not commit should be intolerable to every American, regardless of race, politics, sex, origin, or creed.

Karen Savir ‘07: From OIP to Federal Public Defender



In 2005, I was one of the fortunate law students selected to receive a fellowship from the Ohio Innocence Project, and for the next year and a half, I buried myself in the Droege Center, a section of the law school library where OIP Fellows gather and work together. There, I sorted through stacked boxes of files and court transcripts, the carbon copies of the evidence presented at the trials of the clients who had appealed to OIP for help, claiming that they were innocent of the crimes for which they were convicted.

I grew up in New York and went to college in Austin. My plan was to become a writer or an architect, and live a quiet life in a liberal, progressive city like those where I had grown up and gone to school. If someone had told me in my early twenties that I would someday attend law school and I would do so in Cincinnati, I would not have believed them. I not only attended law school in Cincinnati; I have returned here, to live and to work as an Assistant Federal Public Defender, and I could not be any happier.

During my first summer in Cincinnati, the Droege Center became my home away from home, a place where time took on another quality altogether. I learned the ins and outs of DNA; the pattern blood should make when it gushes out from a chest wound; the pitfalls of eyewitness identification and fingerprint analysis, and the esteem in which both are nonetheless held by juries across the country. I learned, as did my clients, of the death grip of procedure, how a trial attorney’s failure to say or do something at one step along the way can all but ensure that a person will be denied any post-conviction relief.

When I wasn’t studying transcripts or drafting motions, I was taking investigative road trips with my OIP partner, someone who would become a close friend and go on to become a civil rights attorney in Chicago. She and I learned that due diligence required that we visit crime scenes, locate witnesses, and consult with experts. One such trip found us in a dark, seedy bar in Xenia, Ohio, interviewing locals about a murder for which our OIP client had been convicted and sentenced to death, trying to find anything that might lead us to actionable evidence in a case nearly twenty years old.

My work with the Innocence Project didn’t result in the exoneration of a client, though I shared in the elation that enveloped our group when we learned that two of our Fellows had secured the freedom of Clarence Elkins, who had been imprisoned for seven years for a crime he did not commit. Being exposed to prosecutorial misconduct, ineffective assistance of counsel, and a system stacked against the accused from the moment go, we each walked away from the fellowship having learned the most important lesson of all: how not to be an attorney.

Some of my co-Fellows were called to fill the need for prosecutors, and they do so understanding that their job, at the end of every day, is not to win but to seek justice. I began my law career as a county public defender in Louisville, Kentucky, juggling ten, twelve, and at its worst, twenty-one cases a day with

Date	OIP Milestone
January 2002	University of Cincinnati College of Law Dean Joseph Tomain, College of Law Professor Jack Chin, Cincinnati City Councilman John Cranley, and local attorney Bill Gallagher, along with many others, meet to discuss plans to establish an Innocence Project. Initial funding by Tom and Cathy Crain helps start the Urban Justice Institute to study inequality in the criminal justice system.
May 2003	The Ohio Innocence Project launched by John Cranley and Mark Godsey as part of the Urban Justice Institute.
September 2004	The Urban Justice Institute became the Rosenthal Institute for Justice as a result of a generous gift from Lois and Richard Rosenthal.
February 2005	Gary Reece was paroled on grounds of innocence after spending 25 years in prison for rape.
December 2005	Clarence Elkins was exonerated from a life sentence after serving seven years for murder and rape that DNA testing proved he did not commit.
May 2006	Chris Bennett’s conviction was overturned by court of appeals, following DNA testing which proved he was not the driver of a crashed vehicle five years earlier.
July 2006	Senate Bill 262 became law. This bill, drafted by the OIP, expanded the eligibility for post-conviction DNA testing.
November 2007	“Test of Convictions,” a series by <i>The Columbus Dispatch</i> highlighting the plight of inmates pursuing post-conviction DNA testing and identifying 30 cases for which the OIP and the Ohio Public Defender’s Office would pursue additional DNA testing, was published.
January 2008	Convicted in 1993, Bruce Paul was released after serving over 14 years in prison. Through it all, Paul has maintained his innocence.
August 2008	Robert McClendon was exonerated after serving 18 years for a rape that DNA testing proved he did not commit.
August 2008	Senate Bill 77, also called the “Integrity of Evidence Act” was introduced in the Ohio Senate, proposing state-wide requirements for biological evidence preservation, expansion of the eligibility for post-conviction DNA testing, recording of custodial interrogations, and eyewitness identification procedures.
March 2009	Joseph Fears was exonerated after serving 25 years for a rape that DNA testing proved he did not commit. This was a result of a renewed investigation for evidence in Franklin County following the exoneration of Robert McClendon.
June 2009	Nancy Smith and Joseph Allen were exonerated in the child molestation case for which they had always maintained innocence.
June 2009	Senate Bill 77, legislation that provides for reforms in the way that serious crimes are handled in Ohio, passed in the Senate. Advocacy for the bill was provided by the OIP, <i>Columbus Dispatch</i> , and former Ohio Attorney General Jim Petro.
November 2009	Willie Knighten, Jr., was released after wrongful murder conviction when Governor Strickland granted clemency in the face of mounting evidence of innocence.

half of them set for trial. There were times when I could see how a moment’s distraction could lead to a terrible outcome, how not listening closely enough to my client’s story could lead me to miss the critical piece that could, left unsaid to the court, have devastating effects. OIP prepared me for this, had shown me what can happen when you let your guard down.

As an Assistant Federal Public Defender, my caseload is lighter, but the stakes, in many ways, are higher. The cases are often more complicated and sentencing in federal court is a beast wholly unlike sentencing in state court; our clients face time that is sometimes impossible to comprehend, let alone serve. At OIP, I was trained to search for actual innocence, and it became our holy grail. Now, in the defense of the accused, the only question that guides me is, How can I best represent my client? My job is to help make the criminal justice system as fair to the poor as it is to the rich. And I fight for, and on behalf of, all of my clients, innocent or not. I am my client’s advocate, his voice, and it is up to me to tell his story. It is up to me to make sure he never ends up wrongfully convicted, appealing to OIP for help. ■

Eyewitness Identification Training Symposium Review

On October 2, 2009, RIJ hosted “Strengthening Prosecutions: Improving Eyewitness Identification Procedures in Ohio,” a training session for police and prosecutors held at the Ohio Supreme Court in Columbus which brought together three experts from law enforcement and academia to address recent developments in the field of eyewitness identifications, different eyewitness procedures, and practical experiences from the implementation of new procedures. Its goal was to educate Ohio law enforcement agencies and prosecutors about the advantages of adopting new eyewitness identification procedures. The direct results of these procedures, if adopted, will be seen throughout the criminal justice system. They will make law enforcement investigations more efficient by eliminating false suspects; will strengthen prosecutions by providing them with more accurate identifications; and will make communities safer by putting the true perpetrators behind bars.

The event was well attended by more than 50 police officers and prosecutors representing a variety of counties across the state. The evaluations completed by attendees demonstrated that they were open and receptive to the reforms. To view the training session online, go to: <http://www.law.uc.edu/institutes/rosenthal/eyewitness.shtml>.

Case Updates

Glenn Tinney, *Detectives assist in attempt to free innocent man*



Glenn Tinney has been incarcerated for 17 years for the murder of Ted White in Mansfield, Ohio. On August 11, 1988, someone entered the Akron Waterbed Store in broad daylight and beat White, the store’s owner, to death with a blunt object. Almost five years later, Glenn Tinney, who struggles with severe mental illness, confessed to murdering Ted White.

Specifically, Glenn Tinney “confessed” to using a stolen key to enter the waterbed store before it opened, sneaking up behind White, striking him three times in the back of the head with a heavy pipe wrench, stealing his jewelry and a large briefcase full of money and drugs, and leaving White lying on the floor to die. Tinney claimed that he committed this crime because White had fired him from his job at the waterbed store. A local attorney was quickly appointed to represent Tinney. He pled guilty and was sentenced to 15 years to life in prison for murder.

So, why would the Ohio Innocence Project want to get involved in this case? The answer is that White was murdered in the middle of the afternoon (not in the morning before the store opened); White was approached from the front and engaged in a fist fight with the murderer (not snuck up on from behind); White was struck at least nine times (not three); the murder weapon was approximately 35mm in width (not a heavy tire iron); the injuries were inflicted to White’s face and jaw (not to the back of his head); his jewelry was still on his body when he arrived at the hospital and is still worn by his two sons (it was not stolen); White never owned a briefcase (so none was stolen); White was not involved in drugs, and Tinney has never worked for or even met Ted White. Tinney has never been able to identify photographs of the man he claimed to have killed or to provide even a vague description of him (e.g., white or black, tall or short, thin or heavy).

This case first came to the attention of the Ohio Innocence Project when the Chief of the Major Crimes Unit of the Mansfield Police Department contacted us. The investigating detectives believe that they know who actually killed Mr. White, but they cannot move forward with the prosecution as long as Mr. Tinney remains convicted of this crime. Karla Markley Hall, an OIP staff attorney, has now filed a motion to withdraw Tinney’s guilty plea. The Richland County prosecutor has objected to the motion to withdraw, and this matter is before the court for adjudication. White’s widow, Janet Hale, provided an affidavit in support of Tinney’s motion to withdraw.

Alfred Cleveland, *Petition for habeas corpus filed in federal court*



Marsha Blakely was murdered in Lorain County, Ohio, sometime between the late evening of August 7, 1991 and the early morning of August 8, 1991. The State concedes that Alfred Cleveland was in New York City on the morning of August 7, 1991 as well as the morning of August 9, 1991. Alibi witnesses, including the founder of a multimillion dollar clothing line, provided alibi testimony proving that Cleveland was in New York City at the time of the murder (as opposed to traveling from New York to Ohio to murder a woman and then immediately returning home).

Cleveland was convicted primarily due to the testimony of one individual who claimed to witness the murder. However, in 2006, that witness recanted his trial testimony by affidavit and sworn statement, asserting that he was not present when Blakely was murdered and that his trial testimony against Cleveland was an outright lie that he made up to secure reward money. Cleveland’s attorneys at that time requested that the trial court grant a new trial due to the witness’s recantation. The trial court held a hearing so that it could hear the witness’s new testimony, but the witness clammed up on the witness stand after being advised that if he changed his trial testimony he would be charged with perjury. Outside the courtroom following the hearing, the witness told a reporter, “Dude’s innocent, but I don’t feel I have to go to jail for 30 years.”

Cleveland’s attorneys appealed the trial court’s denial of the motion for a new trial, but the appeals were denied. In January 2010, the OIP filed a habeas petition in federal court in the Northern District of Ohio alleging actual innocence and Constitutional violations because the State presented false testimony and failed to disclose favorable evidence as well as prosecutorial misconduct and ineffective assistance of counsel. The prosecutor’s behavior in Cleveland’s case was almost identical to his behavior in another case for which the federal court previously granted habeas relief.

Dwight Reynolds, *Two years after filing, DNA testing finally moving forward*



Dwight Reynolds was convicted of attacking a woman outside a dentist’s office in Dayton, even though he did not match initial descriptions of the assailant. The OIP filed an Application for DNA Testing in Reynolds’ case as a part of Operation 262. The trial court denied the application, which the Second District Court of Appeals overturned. The appellate court explained that the trial court abused its discretion when it drew conclusions about the sufficiency of evidence for DNA testing. The appellate court wrote, “simply put, the testing authority or laboratory [not the court] is tasked with determining whether a sufficient amount of useable DNA exists to complete the testing.” In addition, the appellate court

held that the absence of Reynolds’ DNA on the evidence coupled with the simultaneous presence of a known felon’s DNA would create a strong probability of a different result at a trial in Reynolds’ case. The prosecutor filed a memorandum with the Ohio Supreme Court asking that court to take the case and, ultimately, to overturn the appellate decision. The Ohio Supreme Court recently declined to hear the case, so testing can finally proceed as ordered by the appellate court.

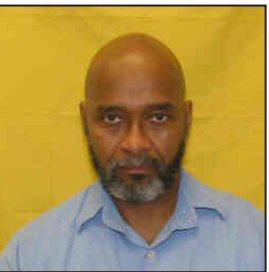
David Ayers, *Court of Appeals victory*



In November 2009, former staff attorney David Laing and the OIP won a major victory in the Ohio Court of Appeals for the 8th District, when the court reversed the lower court and granted DNA testing to OIP client David Ayers. Ayers was convicted in 2000 of aggravated murder of an elderly woman who lived in his apartment complex. His conviction was based primarily on eyewitness identification, the single leading cause of wrongful conviction. The police collected a pubic hair, blood, and fingernail scrapings from the victim, but none of these materials was tested at the time of trial. The OIP filed for DNA testing on

behalf of Ayers in 2008. The prosecution opposed the motion, and the trial court agreed, denying the motion. The recent victory in the Court of Appeals not only ensures that Ayers will finally receive his long-awaited testing, but stands as tremendous precedent in future cases. The Court of Appeals stated: “The ultimate objective of our system of criminal law is that the guilty be convicted and the innocent go free. If DNA testing has the proven ability to exonerate wrongly convicted people, we can perceive no viable argument that matters of judicial economy should supersede the law’s never-ending quest to ensure that no innocent person be convicted. The refinement of DNA testing has shown that law and science are intersecting with increasing regularity. When scientific advances give the courts the tools to ensure that the innocence can go free, those advances in science will necessarily dictate changes in the law.” Stay tuned for future DNA testing results regarding Ayers.

Douglas Prade, *Argued in Ohio Supreme Court*



In 1998, Prade was convicted of the murder of his ex-wife, Margo. In 2008, the OIP submitted an Application for DNA Testing for Prade as part of the *Columbus Dispatch/Test of Convictions* series. Prade’s requests to test materials from the crime scene were denied at the trial and appellate level over the past year, but in June 2009 the Ohio Supreme Court accepted his appeal. The issue for review in this case centers around whether primitive DNA testing that yielded inconclusive results can bar an application for testing using newer, more advanced DNA testing methods. The OIP has been aided at the appellate levels by

attorneys Dave B. Alden, Jim Young, and Ann Netzel from the Jones Day/Cleveland office. Dave Alden argued the case before the Ohio Supreme Court in December 2009, and we are currently awaiting the court’s decision. Regardless of the outcome, the Prade decision will have a major impact in terms of precedent on the ability of the OIP to obtain testing for inmates in the future.

Larry Jerido, *Prosecutor cooperation essential to getting quick approval for DNA testing*



Sherman Carpenter was active in his local church, playing the organ during services. One day, he went missing. His friend, Larry Jerido, became concerned that he hadn’t seen Sherman in some time and went to Sherman’s apartment to check on him. Larry left a note saying he was worried. Still, Larry had not heard from Sherman. Larry went back to the apartment and left another note. He then contacted the police to notify them that Sherman was missing. Later, the police found Sherman stuffed inside his own freezer with a large television on top, presumably to prevent the victim from escaping. There were signs of a

struggle—there was blood on the kitchen floor and on the victim’s clothes. Despite cooperating with officials, and being the one to notify the police in the first place, officers focused on Larry as the number one suspect. He was convicted and sentenced to life in prison in 1996. In May 2009, the Cuyahoga County prosecutor agreed to conduct DNA testing on several items collected from the crime scene. The results came back in September. Everything was either linked to the victim or was inconclusive; everything except for the stain found on the back right knee of the victim’s pants which contained DNA from a major contributor, who was identified as the victim, Sherman Carpenter, and a minor contributor who was not Sherman Carpenter nor Larry Jerido. As exciting as this result is—it excluded Larry as the person convicted of the murder—more testing needed to be done. A key piece of evidence is now being tested—a pair of green plastic cleaning gloves that was recovered from the crime scene possibly worn by the true perpetrator while cleaning up the blood. If so, he could have left his DNA inside. The testing is complete and OIP is waiting on the results. Meanwhile, despite being in prison for over 14 years, and undergoing open heart surgery and receiving a pacemaker at the end of 2009, Larry maintains a positive attitude. He continues to help his fellow inmates by teaching an aerobics class three days a week. Larry is also learning to speak Spanish. He, along with the OIP, is anxiously awaiting the results from the most recent round of DNA testing. ■

Welcome New OIP Staff Members

Carrie Wood, *Staff Attorney*



OIP welcomes Carrie Wood as a full-time staff attorney. Carrie completed her undergraduate studies at Cornell University, majoring in Engineering. After graduating from the UC College of Law, Carrie worked as a public defender for the Legal Aid Society in New York City representing indigent defendants in the criminal justice system. Ms. Woods worked in the Bronx—one of the poorest communities in the United States. She worked her way up handling a wide variety of cases while serving as a

public defender, from hopping a turnstile to weapons charges, robbery, rape and attempted murder. Carrie brings a wealth of experience with the criminal justice system to OIP, and we are excited to welcome her to the team! ■

Jodi Shorr, *Administrative Coordinator & Policy Analyst*



In September 2009, the Ohio Innocence Project (OIP) welcomed Jodi Shorr as our Administrative Coordinator & Policy Analyst. She comes to us from Northern Arizona University where she is currently finishing her Masters degree in Criminology & Criminal Justice with a specialization in Wrongful Conviction. Jodi also worked for the Northern Arizona Justice Project for two years as an investigator and coordinator. In the summer of 2008, Jodi was a Visiting Fellow at OIP. We are happy to announce that Jodi

is now a full-fledged member of the OIP family.

Special Thanks to DNA Lab DDC

The Ohio Innocence Project (OIP) would like to extend a special thanks to local Fairfield, Ohio, DNA laboratory DNA Diagnostics Center (DDC) for its extraordinary public service in providing free DNA testing to a number of OIP clients.



In January 2008, the Ohio Innocence Project and the *Columbus Dispatch* announced their *Test of Convictions* project, which included 30 cases in Ohio where inmates had previously sought DNA testing and had been denied by the courts. With the announcement of this project, the OIP and the Ohio Public Defenders Office filed renewed DNA applications for each of the 30 inmates. The project thus far has resulted in two exonerations (Robert McClendon and Joseph Fears) with several more possibly on the horizon.



A major reason why the *Test of Convictions* project has been successful is the participation of DDC. DDC agreed to perform the required DNA testing in all 30 cases for free. This generosity by DDC undermined any conceivable argument by prosecutors or courts that the testing might result in the spending of taxpayer dollars, and thus made the granting of DNA testing more likely for each inmate.

DDC performed the testing that resulted in the exonerations of McClendon and Fears, and is currently processing several additional cases. Without a doubt, no DNA laboratory in the United States has ever provided such a generous service to an innocence project. We commend DDC for its unprecedented public service that has helped permanently improve the criminal justice system in Ohio. ■

- **45** (The number of cases OIP has represented or is actively litigating)
- **9** (The number of DNA exonerations in Ohio)
- **251** (The number of US DNA exonerations)



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Thank You!

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- Bill Gallagher for his pro bono assistance in the Bryant Gaines case
- Jim Petro, former Attorney General of Ohio, for his efforts in the Roger Dean Gillispie case and in pushing SB77 through the Senate
- Senators Bill Seitz and David Goodman for their tireless efforts in getting SB77 successfully through the Senate with a 32-1 vote
- Exonerees Clarence Elkins, Robert McClendon, Walter Smith, Joseph Fears and Danny Brown, for their efforts in testifying and supporting SB77 on numerous occasions in committee hearings before the Senate
- Representatives Tyrone Yates and Connie Pillich for their work in support of SB77 in the House
- The Innocence Project staff, particularly Rebecca Brown, Zeke Edwards, and Steve Saloom, for their continued advice and assistance throughout the legislative process

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