

INNOCENCE PROJECT

Press Release

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Chicago Judge Overturns Murder Convictions of Four Men Based on New DNA Evidence Linking the Crime to a Convicted Murderer**Case Represents Another Tragic Injustice of Black Juveniles Coerced into Confessing to a Crime They Didn't Commit****Contact:**

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(Chicago, IL; November 16, 2011) -- A Cook County Judge today vacated the convictions of four men who were wrongly convicted of the November 1994 murder of a woman after DNA testing on semen recovered from the victim matched a man who was convicted of a nearly identical murder and whom the prosecution believe committed another murder and additional assaults with the same MO. The court set bail for the Michael Saunders, who is represented by the Innocence Project, and Harold Richardson, who is represented by the Exoneration Project of the University of Chicago Law School. Terrill Swift, who is represented by the Center on Wrongful Convictions of Youth, was already released from prison and is currently on parole. Vincent Thames, who is represented by Valorem Law Group, has completed his sentence but has been forced to live by strict conditions as a registered sex offender. The State's Attorney's Office must now decide how to proceed in light of the court's order.

"This is yet another very troubling case where multiple black juveniles were coerced into confessions and wrongly convicted. How many young men's lives are going to have to be destroyed before the State's Attorney's Office recognizes that it has a false confession epidemic on its hands?" said Josh Tepfer of the Center on Wrongful Convictions of Youth. "They need to stop interrogating young people the same way they interrogate adults."

Saunders (15), Richardson (16), Swift (17), Fincher (18) and Vincent Thames (18) were charged with the November 1994 strangulation murder and rape of Nina Glover, a sex worker, in the Englewood neighborhood of Chicago. In mid-March 1995, after all leads in the case had dried up, police claim that Fincher walked into the precinct to voluntarily provide information about Glover's murder to help gain "some consideration" for a friend of his who was in custody on a drug charge. According to the police, after two days of interrogation, Fincher confessed to the murder, also implicating Saunders, Richardson, Swift and Thames. Police arrested and interrogated the other four, securing confessions, which were wildly inconsistent with each other. Despite the fact that all five supposedly admitted to having sexual intercourse with the victim, pre-trial DNA testing on semen recovered from the victim matched an unknown male and excluded all five teenagers.

"What are the chances that five boys would have sex with a woman and not leave their trace? This should have been a red flag to prosecutors that they had the wrong men in custody," said Tepfer. Rather than continue with the investigation to identify the source of the semen, however, the state went forward with the prosecution of the five young men.

The judge in Fincher's case ruled that his statement was coerced and therefore inadmissible. Since

there was no other evidence linking Fincher to the crime, prosecutors were forced to dismiss the charges against him. Saunders, Richardson and Swift were all convicted at trial based on the strength of their so-called confessions and were sentenced to at least 30 years in prison. After seeing his three co-defendants lose at trial, Thames pled guilty and was sentenced to 30 years in prison.

At the request of the defendants, the DNA that was recovered from the victim's body was recently put through the CODIS database and hit Johnny Douglas. Douglas, then 32, was present on November 7, 1994 at 7 a.m. when Glover's naked body was recovered from the dumpster and lied to police, claiming he "knew nothing" about the murder. Douglas was later convicted of the nearly identical 1997 strangulation murder of Gytonne Marsh, also a sex worker, and received a 20-year sentence. He was also tried but found not guilty of the June 17, 1995, strangulation-murder of sex worker Elaine Martin, where once again his DNA matched the semen recovered from the victim. During this trial, the State's Attorney's Office sought to introduce evidence that Douglas was responsible for at least five other violent physical assaults of sex workers between March 1993 and September 1997. Douglas, who was known as "Maniac" in the neighborhood, was murdered after he was released from prison.

"These men had just shy of 17 years stolen from them," said Tara Thompson of the Exoneration Project of the University of Chicago Law School. "They were denied meaningful relationships with their loved ones and missed opportunities to build meaningful careers. They will never be able to make up this lost time."

Rather than take steps to review the many other cases involving false confessions in which innocent people could be serving time, the State's Attorney has stubbornly fought for months to keep these men behind bars.

"The State's Attorney's Office is no different than the police and prosecutors who were responsible for this miscarriage 17 years ago," said Peter Neufeld, Co-Director of the Innocence Project, which is affiliated with Cardozo School of Law. "There was not a shred of physical evidence connecting these teenagers to the crime despite the allegation that they all had sex with the victim. On the contrary, the DNA matched a serial murder who was at the scene when the police arrived and whose MO was strangling sex workers. It is the worst case of tunnel vision I have ever seen."

The case was adjourned until November 28, 2011, for the State's Attorney's Office to decide how it wants to proceed. It could concede that based on the evidence the men are innocent and dismiss the indictment, it could appeal the court's decision, or it could retry the men for the murder.

"Chicago has the unfortunate distinction of leading the nation in false confessions. Hiding behind the problem is a disservice to all Chicagoans. This is not a Burge case, but the same culture that allowed that to occur is responsible for all of these false confessions. This has got to stop," said Stuart Chanen a former prosecutor who now works on exoneration cases at the Valorem Law Group.

Saunders is represented by Neufeld and Staff Attorney Craig Cooley of the Innocence Project. Richardson is represented by Thompson of the Exoneration Project of the University of Chicago Law School. Swift is represented by Tepfer and Steven Drizin of the Center on Wrongful Convictions of Youth. Thames is represented by Chanen and Hand Turner of the Valorem Law Group.

Key documents from the case:

- [The defendants' motion to vacate the convictions](#)
- [The state's response opposing relief](#)
- [The defendants response to the state](#)

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