



NEWSLETTER OF THE DOWNSTATE ILLINOIS INNOCENCE PROJECT

UNIVERSITY OF ILLINOIS AT SPRINGFIELD/INSTITUTE FOR LEGAL, ADMINISTRATIVE, AND POLICY STUDIES

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Keith Harris Granted a Full Pardon Based Upon Actual Innocence

Keith Harris, the very first inmate helped by the Downstate Illinois Innocence Project, was granted a full pardon on Friday by then Governor George Ryan. It was a last minute pardon that got lost in the midst of all of the attention focused on the death penalty pardons and commutation of sentences.

Keith's pardon is a full pardon based on actual innocence. His criminal record will be expunged. Although his pardon was confirmed by the Prisoner Review Board, he won't actually receive the paperwork granting the pardon for two to three weeks.

Upon learning that his clemency petition had been granted, Keith said, "I want to first thank God that it is over. I am overtaken with emotion, be-

cause we have worked so hard to make this happen. I am grateful to the Governor, the Innocence Project, and everyone who have given me their trust and support."

According to Bill Clutter, a private investigator who worked on the case, "The Harris case illustrates the far-reaching problems in the investigation, arrest, trial and appeal of cases in Illinois involving serious crimes — even cases that do not involve the death penalty. Keith Harris' case particularly illustrates the problem of eye-witness misidentification."

Harris was convicted and spent more than 20 years in prison despite the absence of any physical evidence, the misidentification by a witness after

multiple lineups, and the confession of two other individuals, who had a history of the commission of similar crimes.



Since being released from prison in 2001, because of an improper sentence, Keith has worked, married and sought to clear his name.

UIS Faculty Members and Students Led Efforts to Pardon Keith

Students, under the supervision of Political Science Professor Larry Golden, private investigator Bill Clutter, and Legal Studies Professor Nancy Ford, began trying to free Harris almost two years ago.

Students reviewed transcripts, re-interviewed participants, and assisted in the preparation and presentation of the final petition to the Illinois Prisoner Review Board. Harris was

represented before the Review Board by Springfield Attorney John A. Baker.

It was Alva Busch, former Illinois State Police Crime Scene Investigator, who set the whole thing in motion. He questioned the evidence against Harris in light of a string of similar crimes committed by others in the area. Bush is now a member of the Downstate Illinois Innocence Project Board.



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Currently, the Downstate Illinois Innocence Project conducts research and investigative activities in cases where there is a strong likelihood that an inmate is actually innocent. The Project involves students who are taking a class on Wrongful Convictions as a part of their course of study at the University of Illinois at Springfield.

Downstate Illinois Innocence Project Represented at Governor's Address

When former Governor George Ryan commuted 164 death sentences on Saturday, January 11, at the Northwestern University's Law School, Nancy Ford, Professor of Legal Studies, and Bill Clutter, project investigator were there. They were invited to attend because of their work on the Downstate Illinois Innocence Project. But two advisory board members were in attendance as well — Michael Metnick and Steve Spearie.

They were in good company. Dispersed throughout the audience were three of the death row inmates who had been pardoned the day before. Also present were several previously exonerated death row inmates, including Rolando Cruz and Anthony Porter.

Nancy Ford indicated that it was the most memorable and moving event that she had attended in her lifetime. She found the Governor's explanation of his decision to be compelling.

Clutter said, "The Governor made the case for passage of the reforms recommended by his Commission on the Death Penalty."

New Innocence Cases To Receive Help From Students and Faculty



Ten new students volunteer to work on actual innocence cases.

In fall 2002, Larry Golden, Professor of Political Studies and Legal Studies, worked with a small number of students to screen potential new cases to receive help from the Downstate Illinois Innocence Project. Advisory Board members helped with the review, as did Bill Clutter and Professor Ford.

Based upon that review, the Project has taken on three new cases. A fourth case, which came in at the end of the semester, will be reviewed over the next couple of months for possible inclusion.

One new central Illinois murder case was accepted by the project because of an absence of physical evidence linking the defendants to the crime, the inconsistency of the nature of the crime as compared to the background of the defendants, and the identification of alternative suspects. In a second case, the victim has come forward to indicate that she had perjured herself at trial — the defendant did not rape her as she originally testified. In the third case, the

timeline for the commission of the rape and murder makes it physically impossible for the defendant to have committed the crime.

In a fifth ongoing case, a ruling by a Sangamon County judge on a Post-Conviction Relief Act petition for a new trial, is imminent. In that case, at a hearing on the petition, the only eyewitness at trial admitted that he perjured himself at trial due to witness intimidation. His testimony was supported by others.

Ten new students have volunteered to work on innocence cases this spring. They will receive academic credit for their efforts and work under the supervision of Nancy Ford and Bill Clutter. The students include undergraduate students in Legal Studies, who are nearing the completion of their undergraduate degree in legal studies, as well as a criminal justice student, and an individual option student. Three students who worked on cases in previous semesters have asked to continue on their own time.