



NEWSLETTER OF THE DOWNSTATE ILLINOIS INNOCENCE PROJECT

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

Judge Eggers Ruled Against Darwin Sullivan's Request for a New Trial

Working under the supervision of Dale Schempp, Sullivan's attorney on his post-conviction relief petition, and Bill Clutter, criminal investigator and co-founder of the Downstate Illinois Innocence Project, Innocence Project students found and interviewed numerous witnesses. The witnesses supported Sullivan's claim that he did not shoot Michael Dent at a party in Springfield on January 1, 1990.

Vanessa Nelson, a legal studies student who will graduate this spring, took the lead. She and Clutter interviewed one witness who said that Anthony Hunter, the only trial witness who claimed to have seen Sullivan kill Dent, was with her and others hiding in a bathroom and could not have seen the shooting. They interviewed the girlfriend of the deceased, who admitted that she saw shooting but did not come



Darwin Sullivan — convicted of a murder he did not commit.

forward with the truth at the time because she was threatened and her family was threatened. She said another person killed Dent.

These witnesses and several others, who corroborated their version of events, testified at the post-conviction hearing, which took place over four days last year. Most compelling, however, was the testimony of Anthony Hunter, who came forward on the third day of the hearing to testify that he had lied at trial. He also said his life had been threatened and he had been told to say what he did at trial.

In his order denying relief, Judge Robert Eggers said he did not believe the testimony of Sullivan's witness. He totally ignored mounds of testimony of witness intimidation both before and at the time of the trial. Sullivan has the appealed Eggers' order.

Keith Harris and Innocence Project Students to be Guests at Springfield ACLU Annual Dinner

The Springfield Chapter of the American Civil Liberties is holding its Annual Dinner on Saturday, April 12, 2003, in the Public Affairs Center at the University of Illinois at Springfield. Thomas Sullivan, co-chairman of former Governor George Ryan's Commission on Capital Punishment, will speak on the topic of "Fixing the Criminal Justice System: A Status Report."

In the audience will be Keith Harris, the very

first inmate helped by the Downstate Illinois Innocence Project. Harris, who knows all too well that the criminal justice system is broken, was granted a full pardon on the basis of actual innocence by then Governor George Ryan on January 10, 2003.

Harris and several students and faculty who worked on his case are invited guests of the ACLU.

Volume 2, Issue 2

April 9, 2003

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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.

Team from the Downstate Illinois Innocence Project Attended the National Innocence Network Conference in New Orleans

Nancy Ford, Professor of Legal Studies and Public Affairs, Bill Clutter, project investigator, and Larry Golden, Professor of Political and Legal Studies, attended the third annual Innocence Project Network conference March 28- 29, 2003. Over 200 people from around the country attended.

The keynote speaker at the opening session was former Illinois Governor George Ryan. He talked about his decision to grant clemency to all 171 people on death row in Illinois and the reasons for it. Also featured were the co-founders of the original, New York-based Innocence Project, attorneys Barry Scheck and Peter Newfeld.

Ronnie Burrell told his story. Burrell is a mentally handicapped man who served 13 years on Louisiana's death row for a double murder until attorneys helped prove he was innocent. Kathleen Hawk Norman, a former jury fore-person who helped put Dan Bright on death row, told of her efforts to free him after she learned that an FBI affidavit named another man as the killer.

Students Develop Letters and Forms to Use to Respond to Inmate Requests for Help



*Innocence Project is flooded
with inmate letters*

Ryan's pardon of Keith Harris drew state-wide, regional, and national attention to the Innocence Project. Letters from prison inmates asking for help poured in.

While other students helped investigate current actual innocence cases, two students, Karren Osborne and Tylease Rutherford, began developing response letters and screening instruments. Under the direction of Nancy Ford, instructor of the Actual Innocence course, they looked at letters and screening instruments used by several other innocence projects, reviewed the Downstate Innocence Project guidelines, and came up with a proposed screening process and forms the Innocence Project could use.

They presented their recommendations to Advisory Board members at a March meeting. Advisory board members made suggestions that Osborne and Rutherford used to

modify both the process and the instruments.

Because the Innocence Project provides assistance to attorneys, who believe their client's are innocent, rather than directly to inmates, when the Innocence Project receives a request for help from an inmate, students review the request and send the inmate one of two letters: 1) a letter explaining the nature of the project and asking the inmate to have his or her attorney contact us, or 2) a letter that indicates, based upon information from the inmate, it does not appear as if the project can be of assistance. If the inmate disagrees with this initial assessment, the inmate is invited to have his or her attorney contact the Innocence Project.

The students developed an attorney request form, a form to be signed by the inmate giving the Innocence Project permission to work on the case, and several case forms.