

WE BELIEVE IN A CRIMINAL JUSTICE
SYSTEM THAT WORKS FOR ALL OF US

As Oregonians, we can do much more to ensure justice is done for victims and their families, defendants, and our communities.

PRESS KIT

Oregon Justice Resource Center

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ABOUT US



The mission of Oregon Justice Resource Center is to dismantle systemic discrimination in the administration of justice by promoting civil rights and enhancing the quality of legal representation for traditionally underserved communities.



OREGON JUSTICE RESOURCE CENTER was founded to bring about a criminal justice system in Oregon that is protective of individual rights and liberties and where everyone enjoys equal treatment under the law.

We are a 501(c)(3) nonprofit organization based in Portland, Oregon, and founded in 2011.

We work in collaboration with other like-minded organizations to maximize our reach to serve underrepresented populations, to train future public interest lawyers, and to educate our community on civil rights and current civil liberties concerns. We provide legal services to currently and formerly incarcerated clients with a particular focus on populations typically underserved by the legal system, such as people of color and people living in poverty.

We complement our direct service to clients with integrative advocacy: combining litigation, legislative reform, and other policy and communications activities to bring about systemic change.

We train the public interest lawyers of tomorrow by providing opportunities to law students to work at our office in downtown Portland. Through us, they learn about important issues affecting the criminal justice system and gain valuable skills in investigation, research, and writing while working on cases.

We provide amicus curiae (friend of the court) assistance to cases presenting significant social justice issues or of particular concern to communities typically underserved by the legal system.

PROJECTS

OREGON INNOCENCE PROJECT

We launched Oregon Innocence Project in 2014 with a mission to exonerate the wrongfully convicted, train law students, and promote legal reforms aimed at preventing wrongful convictions. The extraordinary number – not to overlook the shocking stories – of exonerations throughout the United States have proven that our criminal justice system is systemically flawed and that reform is needed to help prevent future wrongful convictions.

Oregon is not exempt from error. Oregon, like every other state, is susceptible to the same causes of wrongful convictions, such as mistaken eyewitness identification, false confessions, and invalidated or improper forensic science. According to the National Registry of Exonerations, there have been 10 exonerations in Oregon. Without a program in Oregon that focuses solely on wrongful convictions, there would be no certain way to know whether any of the people currently incarcerated here should in fact be freed.

Oregon Innocence Project is the only project of its kind in Oregon whose sole mission is to actively track inmates' claims of innocence, investigate those claims, test DNA and other scientific evidence, and litigate where appropriate. We provide free legal assistance to inmates who assert factual innocence and where there is the possibility of proving innocence. As well as securing the release of the wrongfully convicted, we provide an outstanding educational experience for students.

We collaborate with all stakeholders (district attorneys, the defense bar, policymakers, police, victims' rights groups, forensic scientists, laboratory managers, and others). Our goal is to build support for comprehensive criminal justice reform to improve eyewitness identification, interrogation practices, discovery practices, and other policies that do not serve to protect the innocent or punish the guilty.

Please note that Oregon Justice Resource Center is a 501(c)(3) nonprofit organization. Oregon Innocence Project is administered by the Oregon Justice Resource Center and is not a separate 501(c)(3).

REENTRY LAW PROJECT

Our Reentry Law Project provides individual legal assistance to clients of MercyCorps Northwest who have recently been released from prison. Our clients need a wide range of forms of legal assistance, in particular with family law matters, debt, and understanding court judgments and other documents. We may help someone secure a driver's license so they can get to work, address a past eviction so they can find housing, or modify a child support order so their contribution to the costs of raising their child fairly reflects their income.

Our aim is to reduce recidivism, improve public safety by addressing the unmet legal needs of people returning to the community after a period of incarceration, deal with the root causes of reoffending, and systematically reform and reduce the collateral consequences of convictions.

MercyCorps Northwest's Reentry Transition Center provides an array of services to around 1000 formerly incarcerated people each year. Our partnership allows their clients to access free direct legal assistance including intakes, advice, and referrals to specialist attorneys.

We track information on trends and issues affecting our clients that may point to a need for changes in practice, policy, or law. Where we see change is needed, we will promote reform through public education and by engaging lawyers, courts, academics, policymakers, and legislators as well as those most directly affected by incarceration and its consequences.

We facilitate presentations to inmates by expert guests and formerly incarcerated individuals about relevant laws, government procedures, and practical tips about reentry concerns such as employment, housing, consumer law, family law, etc.

WOMEN IN PRISON PROJECT

We created the Women in Prison Project as the first and only program in Oregon to exclusively address the needs of women who are incarcerated. Nearly 1300 women are incarcerated in Oregon as of August 2015. Between 2005 and 2015, the number of women incarcerated in our state increased by 35 percent. The number of men incarcerated grew by 13 percent over the same period.

Our goals are to ensure that the criminal justice system treats women fairly, protects their health and safety, and makes it possible for them to successfully rejoin their communities when they are released. We do this through integrative advocacy: combining litigation, legislative reform, and other policy and communications initiatives.

We provide individual legal assistance to clients of Red Lodge Transition Services housed in Coffee Creek Correctional Facility in Wilsonville, Ore. Red Lodge aims to prevent the incarceration of Native Americans and assist those who are incarcerated in working



Our Women in Prison Project Director, Julia Yoshimoto, speaking at our Women in Prison Conference

toward a better life for themselves, their children, and their communities. We work with our clients to identify legal issues that might become barriers to success when they are released. We help to resolve these issues or to assist clients on how to plan around legal roadblocks.

We also want to start a wider conversation about how many women we are locking up in Oregon and why. We host the Women In Prison Conference to provide training and discussion opportunities to lawyers, social workers, counselors, and others who work with incarcerated women. In 2016, we will launch the HerStory collection, to gather the personal stories of incarcerated women. We track information on trends and problems affecting our clients that may point to a need for changes in

practice, policy or law. Where we see change is needed, we will promote reform through public education and by engaging lawyers, courts, academics, policymakers, and legislators as well as those most directly affected by incarceration and its consequences.

DEATH PENALTY

Oregonians have changed their minds about the ultimate punishment many times over the last century. In its most recent incarnation, the death penalty was reinstated by voters in 1984. That decision allows jurors in aggravated murder cases to sentence a convicted person to death, life imprisonment without the possibility of parole, or life imprisonment.

Today there are 34 men and one woman on Oregon's death row. Lethal injection is the method of execution that would be used if death sentences were being carried out but there is no current prospect of any executions taking place. This is due to a moratorium put in place by former Governor John Kitzhaber in 2011 and continued by his successor, Governor Kate Brown. The death penalty remains a sentencing option in aggravated murder trials and death sentences are still being handed down by Oregon's courts.

Understanding of the problems with the death penalty continues to grow across the country. One of the most important issues is the number of people who have been sentenced to death and later exonerated because they were in fact innocent of the

crimes of which they were convicted. As of October 2015, 156 people have been exonerated across 26 states. At the time these people were convicted, the juries who found them guilty firmly believed they were making the right decision. The prospect of innocent people being executed is one that rightly horrifies all of us.

Oregonians have spent tens of millions funding the death penalty since 1984, a cost that significantly outweighs that of sentencing a defendant to life without parole. Huge resources must be committed to death penalty cases by both prosecutors and defense attorneys. The years of appeals that follow a death sentence also have a significant price tag attached. Streamlining the appeals process is not the answer because it would increase the risk of innocent people ending up on death row. All this money could instead be invested in initiatives that would actually reduce crime in Oregon and make our communities safer.

While it might seem as though a punishment as serious as the death penalty would be fairly applied by prosecutors this is far from the case. There are disparities in the likelihood of a defendant receiving the death penalty based on the county in which he or she is on trial, the race and socio-economic status of the defendant and the victim(s), the quality of the legal representation the defendant can afford, and the whims of prosecutors in deciding whether or not to seek death.

The death penalty is a broken system that is not serving Oregonians well. Rather than pretend to continue to use capital punishment by sentencing people to death despite the moratorium, we would be better served by ending the use of the death penalty in our state and opting for life without the possibility of parole instead.

We are leading a working group of seven organizations coming together to end the death penalty in Oregon. The other members of the group are:

- ACLU of Oregon
- Amnesty International USA, Oregon Chapter
- Ecumenical Ministries of Oregon
- Oregon Capital Resource Center
- Oregon Criminal Defense Lawyers Association
- Oregonians for Alternatives to the Death Penalty

We are studying public opinion on the death penalty, conducting legal research on the problems with Oregon's death penalty, reaching out to opinion leaders and decision makers, and building our capacity and infrastructure.

AMICUS BRIEFS

Through our amicus curiae (“friend of the court”) project, we provide amicus assistance to cases in Oregon that present significant social justice issues related to criminal defense, civil rights, or juvenile justice, or are of particular importance to communities typically underserved by the legal system.

As part of our mission to advance civil rights and liberties through advocacy, we draft as well as sign on to amicus briefs on cutting-edge social justice issues facing Oregon courts. Amicus curiae briefs are an important way in which we contribute our analysis of significant but undeveloped aspects of critical cases.

LAW STUDENT TRAINING

We offer an exciting opportunity for students to engage in a critical examination of and participation in important and complex issues in the criminal justice system.

Students have the opportunity to learn about and work on:

- cases/issues related to innocence through Oregon Innocence Project
- advancing criminal justice reform (including appellate advocacy) through the
- or post incarceration prisoner reentry through the Reentry Law Project.

Students involved in the Clinic have the chance to:

- conduct legal investigations
- conduct legal-fact research and analysis
- write motions, briefs, and reports for filing in state trial and appellate courts
- interview and advise clients
- attend legal and legislative meetings and hearings
- meet and participate in strategy sessions with members of the bar, the judiciary, and community leaders.

LOGOS



Oregon Justice Resource Center's logo depicts a chain with a break in the links forming the letters "J" and "R".



The columns and bars represent the DNA testing form grid and the "O" letter form is constructed with the negative space between the "I" and "P": the "I" and "P" also represent prison bars and the hidden "O" represents those Oregonians wrongfully incarcerated in our prisons and whose voices have been unheard until now.

STAFF PROFILES

Executive Director
Bobbin Singh

Bobbin Singh is the founding Executive Director of Oregon Justice Resource Center. He was born and raised in Atlanta, GA., and deeply inspired by the great figures of the civil rights movement in the South. He believes that mass incarceration, including over incarceration, mass conviction, and wrongful convictions, is in fact the greatest civil rights crisis of our time and we must all take ownership of it. Bobbin manages OJRC, oversees staff, volunteers, and all programs, and serves as our principal spokesperson. Working with our Board of Directors, he sets policy and direction for OJRC.

Director of Policy & Advocacy
Kate Gonsalves

Kate Gonsalves has led political campaigns with community groups, progressive nonprofits, and unions in multiple states. She received her master's degree in politics as a Rotary Scholar at the University of British Columbia. Her commitment to criminal justice reform stems from her work with Dr David Baldus and the American Civil Liberties Union linking race and death penalty sentencing along with coursework examining race and mass incarceration under Dr. Angela Davis.

Director of Communication
Alice Lundell

Alice Lundell is an experienced news reporter and marketing and communications professional. Alice received her BA (Hons) Classics from the University of Leeds, England. After graduation, she spent a decade working for the BBC and ITV as a journalist and broadcaster in her native United Kingdom before immigrating to the United States. Alice has been channeling her commitment to social justice and poverty alleviation into helping nonprofits better communicate their message since her arrival in Oregon.

Law Fellow/Staff Attorney
Brittney Plesser

Brittney Plesser works almost exclusively on Oregon Innocence Project cases and issues. Although new to our staff, Brittney has been working at Oregon Innocence Project since September 2014 as a legal extern. Before joining OIP, she was a legal intern at the California Innocence Project in San Diego, and a legal intern at the ACLU of Oregon. Brittney is dedicated to social justice and criminal justice reform and is thrilled to have the opportunity to cultivate her passion as our first Law Fellow/Staff Attorney.

Legal Director
Steve Wax

Steve Wax served as Oregon's Federal Public Defender for more than 30 years, and was one of the longest-serving public defenders in the country. Steve and his federal defender team successfully represented six men formerly held as "enemy combatants" in Guantanamo. He has taught at Lewis & Clark Law School, serves as an ethics prosecutor for the Oregon State Bar, and lectures throughout the country. He has been honored for his work by numerous groups and is a fellow in the American College of Trial Lawyers. *Kafka Comes to America*, his book about representing Portland attorney Brandon Mayfield and the men in Guantanamo, won four national awards.

Associate Director
Amie Wexler

Amie Wexler graduated from Lewis & Clark Law School in 1999. She has been an ardent advocate for access to justice and worked across the nonprofit sector while in law school and in her years since graduating. Most recently, Amie worked at Portland State University's Student Legal Services, providing legal access for students who would not otherwise have had representation. Amie brings her fundraising, lobbying, and legal experience to OJRC to grow our capacity.

Project Director, Reentry Law Project/Women in Prison Project
Julia Yoshimoto

Julia Yoshimoto worked in the social services field for six years before attending law school. She worked primarily with low-income clients in the areas of behavioral health and drug addiction. Through this work, she became acutely aware of the need for accessible, high-quality, and compassionate legal services for marginalized individuals. She is dedicated to using her law degree to increase access to justice by strengthening the bridge between legal services and social services.

PRESS CLIPPINGS

Recent media appearances by Oregon Justice Resource Center and Oregon Innocence Project:

WHAT SHOULD OREGON DO ABOUT CROWDED WOMEN'S PRISON?

Debate over second women's prison comes to a head next week in Salem

By Taylor W. Anderson

The Bulletin

December 12th, 2016

When Oregon Gov. Kate Brown released her proposed budget last week, she included an earmark that has justice reform advocates fuming.

In the face of crowding at the state's only female prison at the Coffee Creek Correctional Facility, Brown said she wanted lawmakers to increase funding in the Department of Corrections budget by \$17.5 million to operate a lower-security facility that would house female inmates.

That set off a firestorm among criminal justice reform advocates who said the Democratic governor should work to reduce the prison population rather than pay to house more inmates.

"We think there are more financially responsible solutions than opening a second women's prison," said Julia Yoshimoto, program director and attorney for the Oregon Justice Resource Center's Women in Prison Project. "Once those bed spaces are open, the way the system works is we're going to fill it and it's going to become the new normal to have this number of women incarcerated in Oregon."

The state has already taken steps to open a facility for female inmates — the once-closed Oregon State Penitentiary Minimum in Salem — starting next spring or summer in the face of limited beds at Coffee Creek and projections of crowding over the coming decade.

Legislators gave the Department of Corrections \$1 million in May to rehab the facility. Now the agency is asking lawmakers for \$3.8 million from the current budget to get the

building up and running before the next budget begins July 1, 2017.

The agency would transfer 176 women from Coffee Creek to the new facility beginning June 1.

“We agree with many of our stakeholders that reactivating OSPM is not ideal,” the agency said in a written statement. “However, unlike the male population, we have no location in which to ‘flex’ additional women if they arrive at intake.”

While it’s rare for lawmakers to reject proposals that make it to the agenda of the Emergency Board — a committee that approves or rejects funding tweaks throughout the two-year budget cycle — this request isn’t a done deal, with several members of the committee skeptical of the proposal before hearings that start today.

“It’s my hope that the item gets pulled,” said Sen. Jackie Winters, a Salem Republican and member of the committee who said she wants to give counties time to work on efforts that would reduce pressure on Coffee Creek. “I believe that if you open it, they’ll come.”

The proposal will first head to a subcommittee today before going before the full Emergency Board, which has 20 members, on Wednesday. Rep. John Huffman, R-The Dalles, is a member of the subcommittee that will take up the request first.

Huffman said he’s leaning against the new facility and instead prefers other sentencing and treatment options.

“I will have to hear a very strong argument for bed expansion to make me feel differently,” Huffman said.

After two decades of rapidly climbing incarceration rates among women in Oregon, Coffee Creek, outside Wilsonville, has held over the 1,280 capacity every day since May 18, according to the Department of Corrections.

The department’s request for money to open a second facility partially relies on actual prison populations and on long-term prison population estimates by the state’s economists. While the population has been above 1,280 in recent months, forecasts from economists have varied.

The Office of Economic Analysis said in its forecast last year that the female inmate population would drop below 1,280 by March and stay below that level for the coming four years. But its latest forecast in October reversed that estimate, and economists now believe the female inmate population will exceed Coffee Creek’s capacity for the next decade.

Clatsop County District Attorney Josh Marquis said he's in favor of opening the new facility.

"The projected population growth will exceed (Coffee Creek's) ability to house inmates," he said, "and without opening new beds it puts the safety of both inmates and staff at risk and cuts down on the kinds of rehabilitative programs there is room to do in an adequately sized facility."

Brown's office said the governor preferred spending state resources in other areas intended to prevent incarceration, but that "it would be irresponsible for the state not to set into motion plans to address future capacity concerns."

Her proposal would fund the next two years of running the low-risk facility in Salem as the state faces a budget deficit that Legislative Fiscal Officer Ken Rocco said is \$1.8 billion.

"Not only is the opening of OSPM costly to taxpayers at a time when state resources are already so limited, it is contrary to Oregon's approach of justice reinvestment to reduce recidivism and supporting the self-sufficiency of prior offenders," Brown spokesman Bryan Hockaday said in an email.

Yoshimoto said there are steps the state can take to reduce the prison population and avoid opening the new facility. She called for looking at changing or repealing Measure 57, a 2008 ballot measure that made sentencing requirements for some repeat offenders more strict.

"I think there are nonlegislative solutions that can have a more immediate impact on the women's inmate population," Yoshimoto said. "But if we're talking about what are the drivers for women's incarceration, it looks like Measure 57 and repeat property offenders is one of the drivers."

Oregon prosecutors spend millions on death penalty convictions despite moratorium

By Josie Duffy Rice

Daily Kos

November 23rd, 2016

A new study in Oregon highlights the problems with the state's death penalty statute, which has been in a state of limbo for five years now. Former Governor John Kitzhaber implemented a moratorium on the death penalty in 2011, stating that he would not permit the state to execute anyone during his tenure. At the time, many hoped it was the beginning of the end for Oregon's death penalty. "The decision immediately halted

the impending execution of death-row inmate Gary Haugen, who had waived his legal appeals to protest the justice system," stated an editorial this week in *The Oregonian*. "But it was also meant to kick-start a statewide conversation about the legitimacy of the death penalty in Oregon."

Such a conversation never happened, though, and the death penalty has remained technically legal, though on pause. In October, after much consideration, Governor Kate Brown promised to continue the moratorium if she were re-elected to office. From last month's piece in *The Oregonian*:

Reasons for her decision include the "uncertainty of Oregon's ability to acquire the necessary execution drugs required by statute," [her spokesman] Bryan Hockaday said by email. "Looking nationally, America is on the verge of a sea change both by legislation and, more profoundly, through court decisions. The past few years have already seen a major shift in the landscape on capital punishment law, and Gov. Brown expects more changes are on the horizon."

Oregon voters approved the death penalty in 1984, and the state and U.S. Supreme Courts have repeatedly upheld its legality.

Oregon's death row has 34 prisoners, all of whom stay in their cells 23 hours a day.

Brown won her re-election earlier this month, and the execution moratorium continues.

But meanwhile, prosecutors continue to seek death penalty convictions. "[T]he death-penalty machinery continues to run, with prosecutors seeking death sentences, juries granting them and the state spending millions in legal challenges," *The Oregonian* reports, "fighting for the right to execute someone who most likely will never be executed."

A recent study establishes just how expensive and unworkable the state's death penalty statute is. The new report, written by Lewis & Clark Law School Professor Aliza Kaplan and Seattle University Criminal Justice Professor Peter Collins and released last week, examines the cost of the death penalty in the state. From Kaplan and Collin's cost analysis:

Results indicate that the costs for aggravated murder cases that resulted in death sentences range, on average, from about \$800,000 to over \$1,000,000 more per case when compared to similar non-death aggravated murder cases.

To determine these final numbers, the authors and their research assistants looked at all the information they could access.

The information contained within this research report reflects a thorough analysis of data collected from hundreds of aggravated murder and murder cases over 13 years in Oregon, from 2000 through 2013. We also examined the appeals process of aggravated murder cases that resulted in death sentences between 1984 until 2000 [...]

We were able to get cost-related information from local jails (costs associated with incarceration during trial), Department of Corrections (DOC) (incarceration costs), Office of Public Defense Services (OPDS) (trial, appeals, and all stages of post-conviction costs), and the Department of Justice (DOJ) (Oregon's Attorney General's Office) (costs related to appeals and all stages of postconviction).

But “[a]lthough these categories make up a great deal of the overall costs related to aggravated murder cases,” the report says, “they only represent a portion of the total costs for pursuing the death penalty in Oregon.” That’s because prosecutors and courts would not provide the authors with cost information, meaning that the data provided is just a fraction of the true total. “Over a period of three months we sent letters to 29 of the 36 DAs before receiving a letter from the Oregon District Attorneys Association (ODAA) severing our opportunity to conduct further individual interviews,” states the report.

Local media has been critical of prosecutors’ refusal to share or track data. “Getting better data is something both supporters and opponents of capital punishment should get behind,” stated this week’s editorial. “It simply makes no sense to spend millions of dollars on a system that doesn’t do what it says it will do. It’s equally nonsensical to refuse to even talk about it.”

In their cost analysis, Kaplan and Collins stated clearly that they “approached all data and cost estimations from a conservative standpoint, meaning the costs are intentionally underestimated.” And yet, even with that conservative estimation and without that additional data, death penalty costs are still exorbitant—especially to secure a sentence that will in all likelihood never be carried out. From the *Statesman Journal*:

Special defense lawyers are required, defense filings double, prosecutorial filings triple and defendants spend more time in expensive, secured housing at local jails. Cases with the death penalty option are required to be two-phase jury trials. Jury selection is lengthier and costlier in death penalty cases, and trials can span months.

Each death penalty case receives an automatic, direct review by the Oregon Supreme Court. This process lasts years, even decades. The four longest serving inmates on death row have spent a total of 110 years on death row. None of their appeals have gone very far past the direct review.

The cost analysis, funded by the non-profit Oregon Justice Research Center (OJRC), is the

first of its kind in Oregon. But as it notes, studies done in other states come to the same conclusion: death penalty cases cost significantly more than cases where the death penalty is not on the table.

“This report confirms what many had long suspected about the cost of Oregon’s death penalty, but the actual figures are staggering,” said OJRC spokeswoman Alice Lundell. “We’re spending four times more on death penalty cases than on comparable cases without death sentences despite having only executed two people since Kennedy was president.”

Prosecutors’ dogged pursuance of the punishment is especially infuriating in light of these costs. The appeals process for death penalty convictions lasts years, eats up resources, requires expensive lawyers, and costs literally millions of dollars. Yet prosecutors continue to push for capital convictions, despite the fact that they know very well that the likelihood of an execution is almost nonexistent.

The moratorium’s extension angered some Oregon prosecutors, including Clatsop County District Attorney Josh Marquis, who said he was “seething” when he learned the news last month.

Many others, however, are hoping that Brown will lead the fight to end the death penalty once and for all. Last fall, *The Oregonian* editorial board called on Brown to “work with legislators to refer a measure to the November 2016 ballot asking voters to amend the Constitution and abolish the death penalty.” That didn’t happen. Of course, now that she’s been re-elected Brown has another opportunity to lead the charge.

But this week, Brown’s staff implied that further efforts to end the death penalty were unlikely in the near future. From *The Oregonian*:

Hockaday, said her priority now is on the state’s budget and that she has not identified any legislative priorities relating to the death penalty.

Certainly, the \$1.7 billion budget shortfall that the state faces is and should be her primary focus. But the projected deficit also highlights why she and other leaders must move the death-penalty debate forward. The state’s spending on such prosecutions that seek a theoretical punishment is the definition of wasting taxpayer money.

The newly released cost analysis only supports this conclusion.

“Every Oregon taxpayer—including those in the 20 counties that haven’t sent anyone to death row since it was reinstated in 1984—is bearing the burden of funding this broken system,” said Lundell. “That’s money that’s not being invested in our schools, in services

for victims and their families, and in programs that would actually increase public safety. While the decision by Governor Brown to reaffirm the moratorium is a very welcome step, costs associated with Oregon's death penalty continue to mount."

Oregon Innocence Project requests new DNA tests for Salem man on death row

By Lauren E. Hernandez and Whitney M. Woodworth

Statesman Journal

November 18th, 2016

The Oregon Innocence Project is taking on the case of a man sentenced to death after being convicted of murdering a Salem woman in 1998. The group has filed a motion in Marion County requesting the DNA testing and retesting of at least 38 pieces of physical evidence in the case against Jesse Lee Johnson.

Johnson, 55, was sentenced to death in 2004 for the murder of Harriet Lavern "Sunny" Thompson, 28.

Thompson's body was found on March 20, 1998 in her apartment on the lower level of a rental house on 12th Street SE, just south of Morningside Elementary School.

Authorities determined she died from multiple stab wounds.

The deputy district attorney at the time, Darin Tweedt, said Johnson and Thompson, a nurse's aide, were acquainted.

Mike Quakenbush and Craig Stoelk, two Salem police detectives who were investigating the homicide, arrested Johnson a week after Thompson's killing. He was charged with a probation violation and his clothing was seized by arresting officers.

Johnson maintained his innocence throughout the investigation. In 2004, he declined the state's plea offer for first-degree manslaughter and first-degree robbery.

"Our investigation showed there is a wealth of physical evidence that either has not been tested or was tested using outdated technology," said Steven Wax, legal director of the Oregon Innocence Project.

Further testing of the evidence, including blood found at the scene and DNA recovered from the victim, could lead to Johnson's exoneration, Wax added.

The Oregon Innocence Project has received more than 350 requests for reviews. It has reviewed more than 200 and decided to pursue only five. Johnson's murder conviction is

the project's first DNA-based case.

A memorandum filed on Johnson's behalf stated the following:

Several pieces of DNA evidence were recovered at Thompson's home. Some, including a cigarette butt, a bottle of liquor and a dollar bill, matched Johnson's DNA.

Johnson admitted to knowing Thompson, and the pieces of evidence were consistent with a social visit.

However, several key items recovered from the scene did not match Johnson's DNA. A semen sample taken from a vaginal swab of the victim, a spot of blood by the bathroom sink, blood on the bathroom floor and hairs found on the victim were not a match to Johnson.

In 2016, at the request of Johnson's lawyers, one of the vaginal swabs taken from Thompson was submitted to the FBI's Combined DNA Index System, also known as CODIS. The search returned with one match — for a man not previously investigated as part of Thompson's murder.

A public records search revealed the man had a history of violence against women.

A neighbor also added her testimony that she saw a white man fleeing Thompson's home the night of the murder.

The motion requested the retesting — or first-time analysis on pieces weren't initially tested — of the physical evidence with newer DNA technology by an independent crime lab. It also requests the DNA be submitted to CODIS for possible matches.

The Marion County District Attorney's Office declined to comment.

The case was a drawn out affair, taking six years from Thompson's death to Johnson's conviction. News coverage at the time highlighted some of the key issues:

THE ARREST

Marion County Circuit Judge James Rhoades ruled that the detectives who seized Johnson's clothing, Quakenbush and Stoelk, should not have seized the clothing without a warrant.

Tweedt, however, said detectives did have lawful authority to seize the clothes and said the state Department of Justice had the right to appeal Judge Rhoades' ruling.

It wasn't until three months after the murder, in June 1998, that Johnson was charged. Johnson was held in Marion County Jail for nearly six years as he awaited trial, due to delays brought on by appeals for suppression of evidence collected by Quakenbush and Stoelk.

During the course of his wait, prosecutors appealed rulings that Johnson's clothing and shoes were illegally seized, asking for the evidence to be suppressed in court. The appeals delayed the trial until March 2004, since it took an additional full week in February to select a jury - nine women and five men.

THE TRIAL

Tweedt delivered opening statements for the state by recounting Thompson's stab wounds in her back, arm and hand. Her jugular vein was slashed.

"It really was a scene from a slaughterhouse, ladies and gentlemen of the jury," Tweedt said.

Stoelk, one of the officers in charge of the crime scene, told jurors that officers collected a bloody sweater, two bloody towels and a broken knife from Thompson's bathroom. A serrated steak knife was found in the toilet.

Tweedt said the residence was ransacked and stated the motive was robbery. He said Thompson's stolen jewelry was traded for drugs and some pieces were found at Johnson's girlfriend's home.

When Johnson's lawyer, Lindsay Partridge, delivered opening defense statements, he focused on casting doubt on state witnesses and instead asked jurors to focus on DNA evidence.

The thoroughness of Oregon State Police crime labs was put into question by the defense by telling jurors not all the evidence available at the crime scene was examined.

Criminalist Donna Scarpone said she did not receive all of the DNA testing swabs used on cigarette butts, the floors and knives found in Thompson's toilet.

In the defense's closing statements, Johnson's attorneys told jurors that crime scene investigators failed to investigate evidence that pointed to another suspect.

"There are more questions as we sit here six years later than there are answers in this case," said Noel Grefenson, Johnson's defense attorney.

Grefenson referred to cigarettes, a belt found outside the house, and a possible

handprint on Thompson's bedroom door that was never tested or recorded into the investigation record. Tennis shoe prints were found in blood at the crime scene, but never investigated as well.

Grefenson said investigators should have examined this overlooked evidence in order to vet suspects with a history of violent crimes that fit the same method of operation.

THE SENTENCE

Jurors took six hours over the course of two days to come to a unanimous verdict on March 18, 2004: Johnson was guilty of aggravated murder in Thompson's stabbing death.

Johnson maintained his innocence throughout the trial and through the sentencing hearing, where he was sentenced to death for Thompson's death.

"I'm innocent of this crime. I didn't kill Harriet," Johnson said during his sentencing hearing.

The sentencing was automatically appealed to the Oregon Supreme Court on grounds of lack of a speedy trial, but was upheld by the court.

Thompson's 17-year old daughter Aneshea spoke to the courtroom during the sentencing hearing.

"You took my mom. She won't see me grow into a woman. She won't be there when I get married. But I forgive you and I will pray for you," she said.

Johnson has been in Oregon State Penitentiary on Death Row following his conviction.