



**'INNOCENCE PROJECT**

2019 Annual Report

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# Redefining Our Path Toward Justice

Affiliated with Benjamin N. Cardozo School of Law, Yeshiva University

**The Innocence Project** was founded in 1992 by Barry C. Scheck and Peter J. Neufeld at the Benjamin N. Cardozo School of Law at Yeshiva University to assist incarcerated people who could be proven innocent through DNA testing. To date, more than 360 people in the United States have been exonerated by DNA testing, including more than 20 who spent time on death row. These individuals spent an average of 14 years in prison before exoneration and release. In most of these cases, Innocence Project staff attorneys and Cardozo clinic students provided direct representation or critical assistance. The Innocence Project’s groundbreaking use of DNA technology to free innocent people has provided irrefutable proof that wrongful convictions are not isolated or rare events, but instead arise from systemic defects. Now an independent nonprofit organization closely affiliated with Cardozo School of Law at Yeshiva University, the Innocence Project’s mission is to free the staggering number of innocent people who remain incarcerated and to bring substantive reform to the system responsible for their unjust imprisonment.

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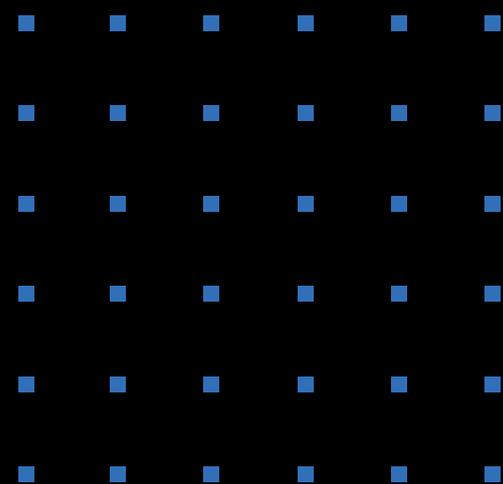
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The year 2019 was tremendous for the Innocence Project. Seven people we represented were exonerated and freed; and in the majority of these cases, methods other than DNA—such as exposing a false confession, mistaken eyewitness identification or flawed forensic testimony—were used to prove innocence. Additionally, we passed an extraordinary 21 policy reforms in 17 states. We are incredibly proud of all that we accomplished.

But today—mid-way through 2020 as our nation struggles to find its footing in the face of a global pandemic—we do not have the time or the luxury to look back, because there is still much more work to be done. COVID-19 exposed how vulnerable we are as a nation and reminded us that Black and Brown people face uniquely significant risks.

At the same time, the murders of George Floyd, Breonna Taylor, Ahmaud Arbery and countless other innocent Black people at the hands of the police highlighted the fact that racial disparities plague the administration of criminal justice. It is clear that until Black lives matter, we cannot have meaningful criminal justice reform.

Because 2020 has powerfully reminded us of how much work remains to be done, the Innocence Project is redoubling its commitment to freeing the staggering number of innocent people in prison and to reforming the system responsible for their unjust imprisonment.

The year 2020 is also a time of transition for the Innocence Project. At the end of 2019, we bid farewell to our long-time executive director, Maddy deLone. In September 2020, we welcomed Christina Swarns as the Innocence Project’s new executive director. Her years of experience fighting injustice make her the ideal person to lead our organization forward notwithstanding these uncertain times.

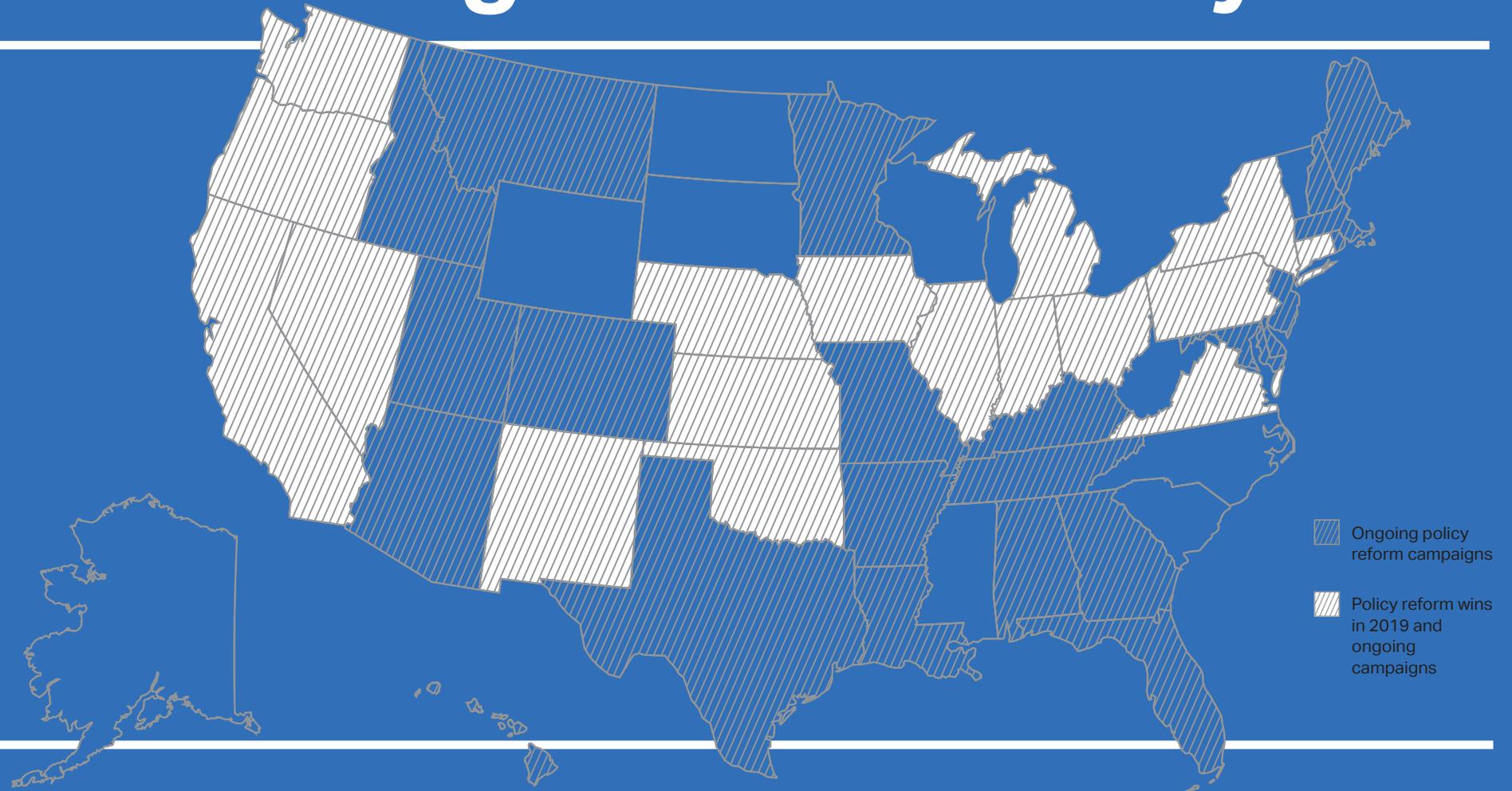
The Innocence Project relies on our partnership with our friends and supporters whose generous giving makes it possible for us to continue the fight for fairness and equality in the years ahead. We are in it for the long haul—and we know that it will get harder before it gets easier. But because of the abiding generosity of our donors, we can and will continue our pursuit of justice, and we will come out ahead on the other side.

<b>Jack Taylor</b> Board Chair	<b>Peter J. Neufeld</b> Co-Founder	<b>Barry C. Scheck</b> Co-Founder	<b>Christina Swarns</b> Executive Director
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# A Record-Breaking Year for Policy

In 2019, the Innocence Project achieved record policy reform success, bringing millions of people under protection of laws designed to identify, rectify and prevent wrongful conviction. With our partners, we won 21 major policy reforms in 17 states, and we'll be fighting for even more in the coming year.



## Changing Laws and Practices

- New York, Virginia and Michigan improved rules that **require prosecutors to share evidence** with defendants before a trial or plea offer.
- Michigan and Nevada established the statutory **right to re-open convictions based on problems with forensic science**.
- Connecticut, Nebraska and Illinois passed laws to **track incentivized jailhouse informant testimony** and evaluate informant reliability before trial.
- California, New Mexico, Oklahoma and Virginia improved **police practices for eyewitness identification procedures**.
- Nevada and Oklahoma mandated **electronic recording of police interrogations**.
- Indiana, Nevada and Ohio created or improved laws to **financially compensate exonerated people**.
- Pennsylvania, Iowa and Oregon made **more people eligible for post-conviction DNA testing**.
- Kansas created the nation's first closed-case task force to use new DNA testing results to **identify possible wrongful convictions**.



*"It took 30 years to get it right, but life is just starting."*

– Huwe Burton

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# Huwe Burton

In 1989, 16-year-old Huwe Burton returned to his Bronx home and discovered his mother had been murdered. Two days later, Huwe falsely confessed to the murder during a coercive police interrogation. Although he immediately recanted, the trial court excluded expert testimony on the unreliable nature of his confession. Huwe was wrongfully convicted and spent 19 years in prison before he was released on parole in 2009.

Over the course of the nearly 30 years since Huwe's arrest, a substantial body of scientific and scholarly research has been conducted on the factors that can produce false confessions.

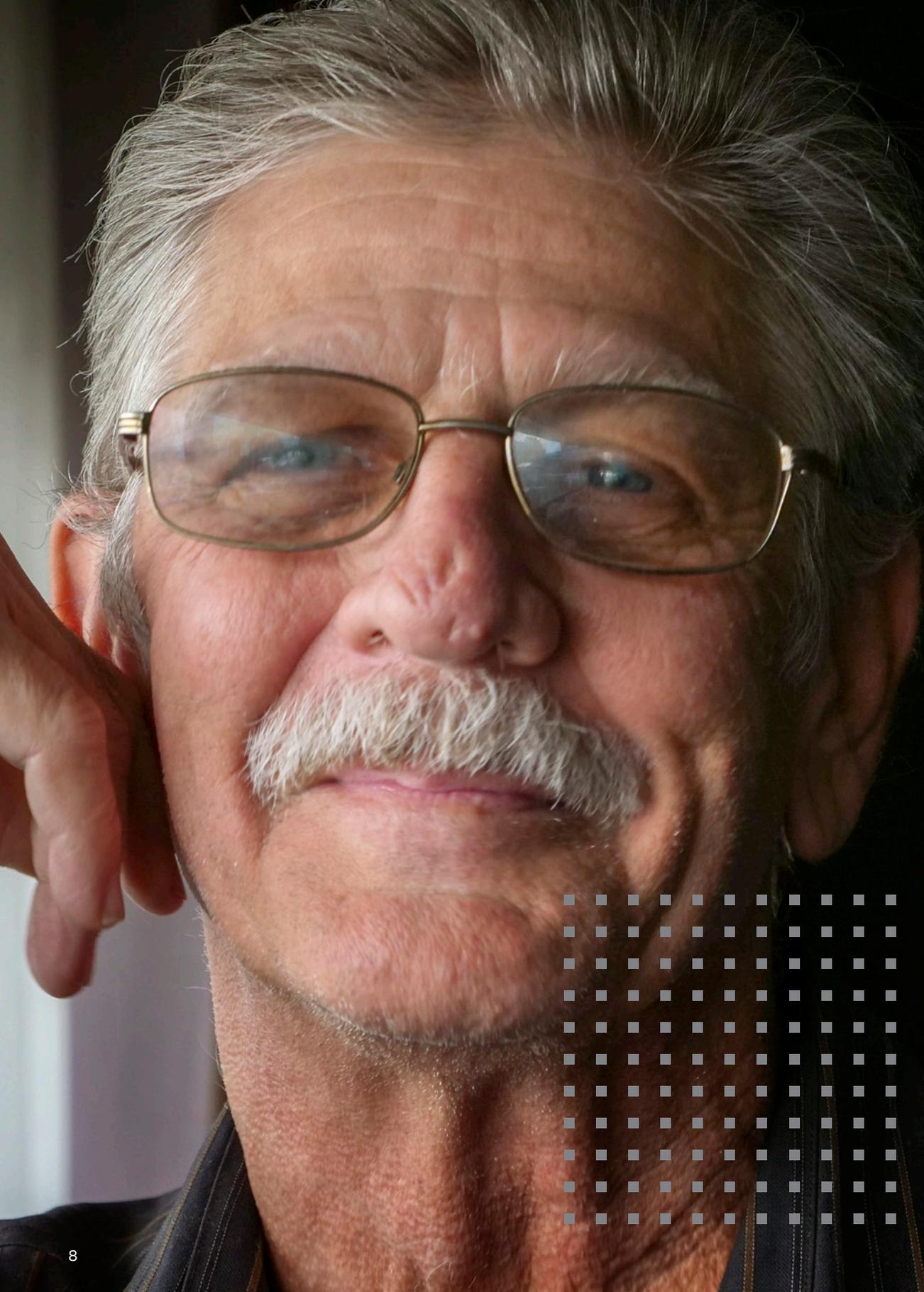
With the Office of the Bronx District Attorney's Conviction Integrity Unit (CIU), the Innocence Project pursued a reinvestigation of the case, applying this new research to examine Huwe's confession. This led the Bronx CIU to confirm that Huwe's confession was, in fact, false and unreliable—a product of the psychologically coercive techniques used by the detectives who interviewed Huwe.

The joint reinvestigation also uncovered evidence that the detectives who elicited Huwe's false confession also obtained false confessions

from two other individuals just three months prior to Huwe's arrest. Finally, additional newly discovered evidence supported the defense theory that the murder was committed by the family's tenant, who had a history of violent crime and died before Huwe's trial.

Based on this irrefutable evidence of innocence, Bronx Supreme Court Justice Steven Barrett exonerated Huwe in January 2019. Huwe's case and subsequent exoneration underscore the value of new scientific research on false confessions and the steps that can be taken to avoid dangerously coercive interrogation techniques.

Since his exoneration, Huwe has been traveling around the country sharing the story of his wrongful conviction. In November 2019, Huwe ran the TCS New York City Marathon with one of his Innocence Project attorneys, Susan Friedman. PHOTO: LACY ATKINS



***“I’m one of the fortunate ones who actually got the opportunity to prove that I wasn’t responsible for the crimes I was in prison for, but there are thousands—literally tens of thousands—more people in this country who are wrongfully imprisoned and whose voices are being silenced.”***

**– Steven Mark Chaney**

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# Steven Mark Chaney

In 1987, Steven Mark Chaney was sentenced to life in prison for a murder he did not commit. Although he had nine alibi witnesses at his trial, Steven was convicted based on the unscientific testimony of forensic dentists “matching” him to a supposed bite mark on the victim. It took more than 30 years before the Texas Court of Criminal Appeals declared Steven “actually innocent.” In its decision, the court cited extensively to the 2009 National Academy of Science report, “Strengthening Forensic Science in the United States: A Path Forward,” invalidating the use of bite

mark analysis in Steven’s conviction and concluding that such testimony would not be admissible evidence in court today.

Steven’s case is one example of the ongoing work the Innocence Project’s strategic litigation team leads to eliminate the use of bite mark analysis. The technique—which is still being used in pending criminal cases nationwide, including several capital cases—has been a contributing factor in at least 30 exoneration cases and has recently been rejected by every scientific organization that has considered its use.

It was Steven’s case in particular, however, that prompted the Texas Forensic Science Commission to launch a six-month investigation of bite mark analysis and to ultimately recommend the nation’s first moratorium on the technique in criminal trials. And, since any conviction resting on the technique is inherently unreliable, the Texas Forensic Science Commission is currently conducting an audit into all Texas convictions resulting from bite mark evidence—a feat that would not have been possible without the staunch advocacy of the Innocence Project strategic litigation team.

Since his release, Steven has volunteered in the prison ministry and returned to the ironworking he did prior to his wrongful conviction. He lives in East Dallas, Texas, with his wife Lenora and their dog. PHOTO: LACY ATKINS





***“Freedom is of the mind. It’s all about how we view life.  
I never let my mind go to prison.”***  
– Archie Williams

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# Archie Williams

In 1982, 22-year-old Archie Williams was arrested for the sexual assault and stabbing of a woman in her home. Even though he had an alibi and was significantly shorter than the described assailant, Archie was ultimately convicted and sentenced to life without parole. His conviction rested on a single eyewitness identification obtained through flawed identification procedures.

Archie first requested assistance from the Innocence Project in 1995, when it was still a clinic at the Benjamin N. Cardozo School of Law. For the 23 years that followed, the

Innocence Project pursued every avenue to prove Archie’s innocence. Finally, in 2019, Judge Kinasiyumki Kimble of the 19th Judicial District Court of East Baton Rouge, Louisiana, ordered the testing of crime scene fingerprints in the FBI’s national database. Just hours later, the results showed that the prints belonged to a man who committed at least five other rapes in the years after the 1982 rape for which Archie was wrongly convicted. Based on this evidence, Commissioner Kimble vacated Archie’s conviction. After having spent 36 years in prison for a crime he did not commit, Archie was finally free.

Because of our dedicated funders, the Innocence Project was able to pursue justice for Archie—who became one of our longest-standing clients—to the very end. Now, the Innocence Project’s policy department is working tirelessly to enact laws in every state to ensure that wrongfully convicted people without DNA evidence in their cases can still get back into court based on other critical evidence of innocence—including a statutory right to access fingerprint databases, which was the key to ultimately securing Archie’s freedom.

At 59-years-old, Archie resumed his education with a computer course at community college, in addition to singing and piano lessons and boxing classes. In November 2019, Archie made it to the semi-finals of Amateur Night at the legendary Apollo Theatre in Harlem. PHOTO: SAMEER ABDEL-KHALEK

# Challenging Injustice Together

It is because of the generous giving of our donors that we can continue to tackle the systemic flaws inherent to the legal system and challenge injustice in the years ahead. We are tremendously thankful for their commitment to our mission and being a fundamental part of the Innocence Project community.



Co-Founders Barry Scheck and Peter Neufeld.  
PHOTO: MATTEDESIGN



Board Member Tony Goldwyn, Ava DuVernay and the Exonerated Five at the 2019 Innocence Gala.  
PHOTO: MATTEDESIGN



Innocence Project Exonerated Advisory Council.  
PHOTO: MATTEDESIGN



(L-R): Innocence Project staff Shoshanah Kennedy-Hobson, Susan Friedman and Carlita Salazar with exoneree John Nolley.  
PHOTO: MATTEDESIGN



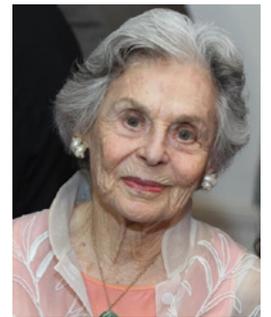
Innocence Ambassadors Phony Ppl performing at the Innocence Project x BRIC event in April 2019. PHOTO: FRANEY MILLER



Former Innocence Project Executive Director Maddy deLone with Board Chair Jack Taylor.  
PHOTO: MATTEDESIGN



(L-R): Innocence Ambassador Michael K. Williams, client Leroy Harris and friend. PHOTO: MATTEDESIGN



## Donor Spotlight

**Joan R. Saltzman** was known by the many she helped as a fierce advocate for the overlooked and the underserved. Perhaps it was her upbringing in an immigrant family of little means in the Bronx that compelled her to fight—for over 40 years—to secure more equitable housing, health services and education for those who are too often forgotten. Undoubtedly, it was her activist spirit that compelled her to donate \$200,000 to the Innocence Project—proceeds from the auction of a valuable bracelet—in the last years of her life. The gift came after Joan spoke with several exonerated people at the organization's 25th anniversary gala, and was struck by the many hardships they face after being freed from prison.

Consistent with the work she fervently pursued over the course of her life, Joan requested that the funds be used to support the organization's social work program. Today, Joan is gone; having passed away in 2019. But her gift—and her legacy—live on at the Innocence Project with each new exonerated person we are able to support as they look toward starting their new beginnings.

# Fiscal Year 2019 Financial Information

JULY 1, 2018 – JUNE 30, 2019

## Operating Revenue

Individuals	\$ 10,835,641	53%
Foundations	\$ 4,040,254	20%
Corporations	\$ 427,244	2%
Fundraising Events	\$ 2,708,486	13%
Yeshiva University	\$ 310,000	1%
Investments	\$ 1,346,874	7%
Other Income	\$ 779,010	4%
<b>Total Revenue</b>	<b>\$ 20,447,509</b>	

## Expenditures

Program	\$ 11,551,342	77%
Management & General	\$ 1,909,582	13%
Fundraising	\$ 1,592,239	10%
<b>Total Expenditures</b>	<b>\$ 15,053,163</b>	

# Fiscal Year 2019 Donors

JULY 1, 2018 – JUNE 30, 2019

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### \$1,000,000+

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The Innocence Project thanks our generous supporters and regrets that we do not have space to list them all.

\* Denotes that donor is deceased

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the Causes and  
Effects of Wrongful  
Convictions**

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visits to  
innocenceproject.org

**376,500**  
Facebook likes

**1,603**  
stories in  
popular media outlets

**70**  
The Innocence  
Project Speakers  
Bureau reached  
thousands of people  
across the country  
through more than  
**70 engagements.**

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May his memory be honored  
by protecting the innocent.  
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**1,944**

new requests for  
representation

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We achieved major court rulings:

**20**

in Eyewitness I.D. / False Confessions

**9**

in Forensics

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**John Nolley**, pictured here with his son on the day of his exoneration in October 2018.  
 Photo: Ron Jenkins.



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*"[Today], the chains will fall ...  
I will be absolutely, completely free."*

– Felipe Rodriguez on the day of his exoneration

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## INNOCENCE PROJECT

### Innocence Project, Inc.

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New York, NY 10013

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More than 360 people in the United States have been exonerated through DNA testing. The Innocence Project was involved in more than 200 of those DNA exonerations. Others were helped by Innocence Network organizations, private attorneys and pro se defendants in a few instances.

Cover: **Felipe Rodriguez** was exonerated in December 2019 after spending 27 years in prison for a murder he did not commit.

PHOTO: LACY ATKINS

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