

The Northern California Innocence Project (NCIP) team worked hard in 2017 to advance our mission to promote a fair, effective and compassionate criminal justice system and protect the rights of the innocent. Here are some highlights:



Domingo with NCIP Supervising Attorney Paige Kaneb

Domingo Bustos Freed After 21 Years

On October 17, NCIP client Domingo Bustos walked out of prison a free man after serving 21 years for a shooting he did not commit. Domingo was wrongfully convicted in 1997 after two trials. No physical or other evidence ever connected Domingo to the crime. The first trial ended in a hung jury, with eight of twelve jurors voting to acquit. At the second trial, the prosecutor introduced a new witness: a serial jailhouse informant, who testified Domingo confessed to him. In return, the informant, who was facing a life sentence, was set free with all charges dropped.

In 2015, there was a breakthrough in the case when the actual perpetrator, who had fled to Mexico, talked to NCIP's investigator and confessed to the murder. With this new evidence, Domingo returned to court with help from attorneys at NCIP and pro bono partner, Kecker, Van Nest & Peters. NCIP and Kecker worked with the Stanislaus County District Attorney, who recognized there was sufficient doubt, to relieve Domingo of his life sentence. Since his release, Domingo has returned to Mexico to be with his family.

Governor Brown Signs Two Bills Into Law

In October, Governor Brown signed two NCIP-backed bills that provide needed support for exonerees post release. Both bills go into effect on January 1, 2018.

The first bill, NCIP-sponsored Senate Bill (SB) 336, authored by Senator Joel Anderson, expands the eligibility of wrongfully convicted individuals to receive re-entry services after their release from prison. Previously, exonerees were only eligible for services if their conviction was overturned based on very specific language, and as a result, services were rarely provided. This bill amended the language to make re-entry services available to a wider group of exonerees.



California State Senator Joel Anderson, author of SB 336

The second bill, NCIP-supported Assembly Bill (AB) 454, authored by Assemblymember Sebastian Ridley-Thomas, exempts wrongfully convicted individuals from paying state income tax on any monetary awards received from the State of California due to their wrongful incarceration. This bill makes California state law consistent with federal law.

California Hair Microscopy Coalition Receives Unprecedented Cooperation

NCIP's review of microscopic hair comparison analysis cases continued throughout 2017. In 2015, the FBI admitted that from 1985-2000, FBI hair examiners improperly testified in 95% of cases involving hair microscopy. In February of 2016, former FBI Director James Comey sent a letter to governors admitting flaws in how the FBI trained state hair examiners, and urging states to conduct a review of hair microscopy cases in their state. NCIP began a California review and convened a coalition consisting of the California Innocence Project, Loyola Project for the Innocent, and law firm Morrison & Foerster LLP. To help with the review, the coalition secured assistance from the California Association of Crime Lab Directors, the California District Attorneys Association, the California Sheriffs' Association, and the California Police Chiefs Association. The coalition also received unprecedented cooperation from district attorneys offices across California and a number of cases are moving toward resolution as a result of these collaborative efforts.



Linda Starr

NCIP Co-Founder Linda Starr Named Executive Director

In September, NCIP co-founder Linda Starr was appointed as NCIP's new executive director. Linda's national reputation as a leader in innocence work will continue to serve NCIP well, as will her unrivaled ability to explain the work and represent NCIP. With Linda at the helm, NCIP is poised for great legal and policy successes in the year ahead.

Ed Easley's Name Cleared 24 Years After Conviction

On August 31, NCIP client Ed Easley was exonerated 24 years after having been wrongfully convicted of child molestation. Ed was convicted in 1993 after being pressured to plead guilty when prosecutors told him there was medical evidence supporting the accusations, and that he faced 35 years in prison. Ed served 5 years in prison, time on parole, and was required to register as a sex offender for life.



Ed with NCIP Supervising Attorney Paige Kaneb and NCIP Executive Director Linda Starr

Years later, the victim, Nichole, recanted her allegations, explaining that her aunt and mother pressured her into accusing Ed to cover for her cousin, the true perpetrator. Despite the recantation, courts denied NCIP's petitions challenging Ed's conviction on the grounds that he had not met California's standard to prove innocence post-conviction, and that he was no longer in custody and thus California law said he had no standing to advance an innocence claim. In January of 2017, NCIP-backed legislation opened the door to successfully bring Ed's case back to court. The Shasta County District Attorney conceded, and the Superior Court vacated Ed's conviction. Ed can finally live his life in peace and Nichole can rest assured her bravery in coming forward to make the truth known set Ed free.

NCIP Hosts Cutting-Edge DNA Training

On July 21, NCIP partnered with the Scientific Collaboration, Innovation & Education Group (SCIEG) to present an innovative training on the Santa Clara University campus, **Interpreting Mixtures: Probabilistic Genotyping for Attorneys**. Probabilistic genotyping (PG) is a method of DNA profile interpretation used on samples containing low-levels of DNA and/or mixtures of DNA from multiple individuals. A total of 21 attorneys from the across the West Coast attended, including prosecutors, defense attorneys, and innocence attorneys, all of whom are using or encountering PG in their cases.



NCIP students and attorneys at the hotel preparing for Jack's hearing

NCIP Clinic Students Contribute to Jack Sagin's Hearing

NCIP's two-semester clinic provides Santa Clara Law students a unique opportunity to investigate and help litigate possible wrongful convictions. In April of 2017, NCIP clinic students helped prepare for client Jack Sagin's evidentiary hearing by participating in a mock hearing to help develop lines of questioning, drafting legal memos, and creating charts and indexes to organize exhibits. NCIP's legal team and clinic students continue to fight for Jack, who has spent nearly half his life in prison for a crime he didn't commit. He is now 72 years old and continues to await justice.

Freedom of Expression Art Exhibit Humanizes Wrongful Conviction

In March of 2017, NCIP unveiled "Freedom of Expression," an exhibit featuring artwork from and about men and women who have been exonerated of crimes they did not commit, or remain imprisoned despite strong evidence of innocence. The exhibit was featured on the Santa Clara University campus to educate the public about how people survive the traumas of wrongful conviction and how art can be used as a vehicle to help them grapple with injustice.



"Rooted in Freedom" by exoneree Franky Carrillo

Your Continued Support is Critical

Together, we are freeing the innocent and reforming policies to help prevent wrongful convictions – but without you, it just wouldn't be possible! **Make your year-end gift to NCIP today, via the enclosed envelope or online at www.ncip.scu.edu.**