

What's at stake in Osborne

The Exonerated and the U.S. Supreme Court

Thursday, February 26, 2009; 12:30 p.m.
Phillip H. Hart Auditorium (McDonough Hall),
Georgetown University Law Center

An unprecedented gathering of people from around the country who have been exonerated through DNA testing, leading legal authorities on federal post-conviction remedies, a crime victim from a recent high-profile Texas wrongful conviction case, and others will discuss **District Attorney's Office v. William G. Osborne**, which is set for oral argument at the U.S. Supreme Court on March 2. The state has arbitrarily refused Osborne's requests for DNA testing for years – even though the testing would be performed at no cost to the State, and the State now concedes that DNA testing could prove his innocence for a 1993 rape and attempted murder in Alaska. The Innocence Project will argue before the U.S. Supreme Court that Osborne has a constitutional right to DNA testing that can prove his innocence.

Confirmed speakers include:



Marvin Anderson served 15 years in prison for crimes he didn't commit. He was exonerated with DNA testing in 2002 – becoming the first person in Virginia exonerated through post-conviction DNA testing.



Rickie Johnson served 25 years at Louisiana's notorious Angola Farm Penitentiary for a 1982 rape he didn't commit. Johnson was exonerated in 2008 after the Sabine Parish District Attorney quickly agreed to DNA testing in his case.



David Rudovsky is one of the nation's leading authorities on post-conviction remedies under federal law. Rudovsky is a Senior Fellow at University of Pennsylvania Law School and has written scholarly articles and litigation-related books on criminal law, constitutional criminal procedure and evidence. He recently presented about the Osborne case to a National Institute of Justice conference.



Bruce Godschalk served 14 years in prison for a 1986 rape in Pennsylvania before DNA exonerated him. Godschalk was the first person in the U.S. granted post-conviction DNA testing under federal law (his appeals for DNA testing in state court were denied). His exoneration led Pennsylvania to enact a statute granting post-conviction DNA testing.



Dennis Fritz was convicted of murder in Oklahoma and served 11 years in prison before DNA testing exonerated him in 1999. The wrongful convictions of Fritz and his co-defendant, Ron Williamson, are the subject of John Grisham's best-selling nonfiction book, "The Innocent Man."



Michele Mallin was brutally raped in 1985 when she was a 20-year-old sophomore at Texas Tech and identified Timothy Cole as her assailant. Cole was convicted and sentenced to 25 years in prison. In 1999, Cole died in prison at the age of 39. Last year, Mallin learned about evidence of Cole's innocence and joined his family in an effort to exonerate him posthumously.

They will be joined by several other people exonerated through DNA testing and other leading attorneys in the field. The event is sponsored by the Georgetown Office of Public Interest & Community Service, the Innocence Project and the Mid-Atlantic Innocence Project. For more on the Osborne case, go to: <http://www.innocenceproject.org/osborne>.

For more information, contact Eric Ferrero at the Innocence Project (eferrero@innocenceproject.org; 212-364-5346).