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Montana Innocence Project Launches Examination of Wrongful Convictions

MISSOULA, Mont. – The Montana Innocence Project (MTIP), a new nonprofit organization dedicated to exonerating innocent Montana inmates and preventing wrongful convictions, has opened its doors and begun examining innocence claims. A group of community leaders throughout the state—including current and former public officials, attorneys, journalists and professors—recently founded the organization to help advance the integrity of Montana’s justice system.

“We all share the common goal of promoting justice in our great state, and the Montana Innocence Project is an important part of the checks and balances ensuring that innocent people aren’t sitting behind bars,” says Sen. Dan Weinberg, founder of MTIP and president of its board of directors.

MTIP is the first organization dedicated to examining wrongful convictions in Montana, but it joins a growing national movement. To date, 223 innocent Americans—including three in Montana—have been exonerated by DNA evidence, and seventeen of these people were sentenced to death before DNA proved their innocence. The bulk of this work has been accomplished by Innocence Projects established across the country that combine the efforts of college students, attorneys, journalists and others to investigate and litigate credible innocence claims. The launch of an Innocence Project in Montana means that cases here will now receive much-needed scrutiny, and MTIP Executive Director Jessie McQuillan says she’s proud to join this notable effort.

“Innocence Projects play a vital role in rectifying major miscarriages of justice,” McQuillan says. “Not only do wrongful convictions destroy the lives of innocent people, they also allow guilty perpetrators to roam free, and deny victims’ families the comfort and protection of the justice system.”

With an active board of directors, a cadre of volunteers, and a generous gift from Weinberg and the Angora Ridge Foundation, MTIP provides free investigative and legal assistance to Montanans with credible claims of innocence. These efforts are spearheaded through the Innocence Clinic it is establishing in cooperation with the University of Montana Schools of Journalism and Law—journalism students began working with the Project in September and law students are expected to join in Fall 2009. Students in the Clinic screen, investigate and litigate innocence claims under the supervision of MTIP staff and UM professors, while gaining valuable skills, experience and academic credits. MTIP Clinic Director Larry Mansch, an experienced Missoula attorney and teacher, oversees the clinic while McQuillan, an alumna of the UM School of Journalism, works with journalism students. A network of volunteer attorneys, investigators and others across the state helps to supplement and advise students’ efforts.

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In addition to examining particular cases, MTIP is also committed to preventing wrongful convictions from occurring in the first place. Toward that end, the organization advocates for public policy reforms to improve the criminal justice system and works to educate policy makers and other Montanans throughout the state.

While wrongful convictions in Montana haven't won the intense attention received in states such as Texas and Illinois—where scores of innocent inmates have been released—in the last decade DNA evidence has shown that three Montana men were wrongly convicted. The most well-known of these cases is that of Jimmy Ray Bromgard, who spent 15 years in prison for raping a girl before DNA evidence proved he was innocent. All three of Montana's exonerees were convicted based largely on the testimony of discredited forensic scientist Arnold Melnikoff, who directed the Montana Crime Lab for 19 years. McQuillan says Melnikoff's legacy amplifies the need for an Innocence Project dedicated to this state to examine whether other Montanans have been wrongly convicted.

MTIP Board member Peter Neufeld, who's also co-director of the national Innocence Project, which he helped found in 1992 at the Cardozo School of Law in New York, believes that Montana's three DNA exonerations highlight the importance of innocence work here. And while Neufeld and the national Innocence Project represented Bromgard in his successful fight to regain freedom, Neufeld says it's crucial that an in-state group has committed itself to examining wrongful convictions in Montana.

“The Montana Innocence Project will bring critical expertise and resources to investigating wrongful conviction cases,” Neufeld says. “We know that innocent people are convicted and spend years or decades in prison in Montana, and this clinic will help exonerate more of them.”

The other members of MTIP's board of directors hail from an array of Montana communities and professions, including esteemed leaders of the state's legal world such as retired federal judge Bart Erickson and Dan Donovan, president of the Montana Association of Criminal Defense Lawyers. Whitefish attorney Frank Sweeney serves as the board's vice president, and UM journalism professor Dennis Swibold is secretary. Other members include: UM law professor Jeff Renz, Whitefish attorneys Paula Sweeney and Parker Kelly, Missoula nonprofit director Kim Mansch, Helena attorney Julie Johnson, and UM journalism professor Clem Work.

MTIP examines claims of innocence raised by Montana inmates or referred by attorneys. While some Innocence Projects only accept cases where DNA evidence is available to prove or disprove innocence, MTIP will also consider cases where DNA evidence is not available. Those seeking assistance should make a written request that details their case and conviction as well as evidence that could establish their innocence. To be eligible for consideration, people must have been convicted of a felony in Montana, completed their direct appeals, and not have access to state-appointed public defenders. The paramount question in MTIP's screening and investigation is whether someone is actually innocent of the crime for which they've been convicted, and unlike attorneys who represent guilty and innocent clients alike, MTIP will not take on a case until it is convinced that an innocence claim is credible.

While MTIP is an independent organization, it is proud to work in coordination with other Innocence Projects through the Innocence Network, an international affiliation of Innocence Projects. As a nonprofit awaiting federal approval of its charitable status, MTIP welcomes and relies upon donations to fund its efforts. To learn more information, including how to request assistance, please visit the Montana Innocence Project website at: www.mtinnoenceproject.org, or call McQuillan at (406) 544-6698.