

PERSONAL REFLECTIONS

INTRODUCTION

When examining the aftermath of miscarriages of justice, it is paramount not to drift too far from the people whose lives are most directly impacted. It is the voices of those wrongly convicted and their family members, lawyers, advocates, and the crime victims in their cases that anchor scholarly analyses of barriers to reintegration, coping, trauma and stigma management, public perceptions, and public policy.¹ Equally paramount is the recognition that the felt impact of miscarriages of justice does not stop at the life of the person suffering the injustice. The impact extends to family members of those injured, supporters, advocates, and attorneys—and even to the community at large. To that end, this special edition of the *Albany Law Review*, in a rare move, includes personal narratives by four individuals whose lives have been directly impacted by the wrongful conviction of an innocent person. Their voices and stories serve as reminders of the enduring legacy that a miscarriage of justice leaves behind.

Ronald Keine was wrongly convicted and condemned to death for the kidnapping and murder of William Velten in New Mexico in 1974.² His conviction rested primarily on the coerced testimony of a motel maid who claimed, under extreme pressure by prosecutors, that Keine and his friends had raped her and murdered Velten. Keine was released when his conviction was quashed in late 1975 after the actual perpetrator, Kerry Lee, confessed to the crime and ballistics tests linked Lee to the murder weapon. Lee was convicted of the crime in 1978.

Nancy Vollertsen is the sister of death row exoneree Greg Wilhoit who was wrongly convicted of the rape and murder of his wife Kathy in Oklahoma in 1987.³ The evidence that sent Wilhoit to

¹ See, e.g., SAUNDRA D. WESTERVELT & KIMBERLY J. COOK, LIFE AFTER DEATH ROW: EXONEREES' SEARCH FOR COMMUNITY AND IDENTITY (forthcoming 2012).

² Ronald Keine, *When Justice Fails: Collateral Damage*, 75 ALB. L. REV. 1501 (2011/2012); Ron Keine, WITNESS TO INNOCENCE, http://www.witnesstoinnocence.org/view_stories.php?Ron-Keine-24 (last visited Apr. 1, 2012).

³ Nancy Vollertsen, *Wrongful Conviction: How a Family Survives*, 75 ALB. L. REV. 1509

death row rested heavily on the forensic testimony of two dental “experts,” not long out of dental school, who claimed a bite-mark match between his teeth and marks left on the victim. These unsubstantiated claims were left to stand because of the incompetence of his defense attorney. Wilhoit was exonerated in 1993 when several of the nation’s top odontologists (bite-mark experts) opined at his second trial that the bite marks could not have belonged to him. During his entire journey through the criminal justice system, Nancy Vollertsen remained Wilhoit’s ardent supporter.

Jennifer Thompson became the unwitting participant in a wrongful conviction case when she was raped as a college student and picked her alleged perpetrator out of a lineup a few days later.⁴ Despite having painstakingly taken notice of the physical features of her attacker, she chose the wrong person from the lineup and subsequently testified against him at trial on two separate occasions. When DNA analysis revealed eleven years later that she had identified the wrong person, she began an incredible journey of redemption and forgiveness.

Mark Rabil has served as Darryl Hunt’s attorney, advocate, and friend since November 1984 when he was assigned to represent Hunt for the rape and murder of Deborah Sykes in Winston-Salem, North Carolina.⁵ Hunt was a young black man charged with the rape of a white woman in the south. Rabil was a young inexperienced lawyer who had never handled a murder case, much less a capital murder case. He knew he had his work cut out for him. Little did he know that his representation of Hunt would take him on a nineteen-year odyssey that finally ended in Hunt’s exoneration in 2003 after DNA evidence identified the actual perpetrator of the crime.

(2011/2012); *Greg Wilhoit*, WITNESS TO INNOCENCE, http://www.witnesstoinnocence.org/view_stories.php?Greg-Wilhoit-19 (last visited Apr. 1, 2012).

⁴ Jennifer Thompson, *The Unpredictable Journey*, 75 ALB. L. REV. 1529 (2011/2012); see JENNIFER THOMPSON-CANNINO, RONALD COTTON & ERIN TORNEO, PICKING COTTON: OUR MEMOIR OF INJUSTICE AND REDEMPTION (2009).

⁵ See Mark Rabil, *My Three Decades with Darryl Hunt*, 75 ALB. L. REV. 1535 (2011/2012).