

**IN THE CIRCUIT COURT OF COOK COUNTY,
CRIMINAL DIVISION**

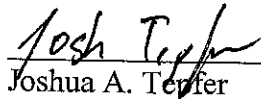
PEOPLE OF ILLINOIS)	
Respondent,)	
v.	)	Case No. 92-CR-27247
JAMES HARDEN	)	Honorable Judge Michelle Simmons,
Petitioners.	)	Presiding

PEOPLE OF ILLINOIS)	
Respondent,)	
v.	)	Case No. 95-CR-23475
JONATHAN BARR & ROBERT TAYLOR	)	Honorable Judge Michelle Simmons,
Petitioners.	)	Presiding

NOTICE OF MOTION

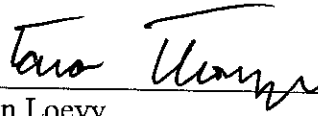
TO: Mark Ertler
Office of the Cook County State's Attorney
Deputy Supervisor, DNA Review Unit
2650 S. California Avenue
Room 11C42
Chicago, Illinois 60608

Please take notice that on April 5, 2011, or as soon thereafter as we can be heard, we will appear before the Honorable Judge Michelle Simmons, Cook County Circuit Court, Sixth Municipal District, 16501 South Kedzie Parkway, Markham, Illinois, Courtroom 108, and then and there present the attached **Sealed Joint Petition for Relief from Judgement, Immediate Vacation of Convictions, and Release of Petitioners of their own Recognizance**, a copy of which is hereby served on you.

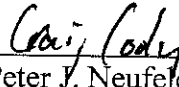


Joshua A. Tepper
Laura Nirider
Steven A. Drizin
Co-Counsel for Robert Taylor
Center on Wrongful Convictions of Youth
Northwestern University School of Law
375 East Chicago Avenue
Chicago, IL 60611
Phone: (312) 503-6298
Fax: (312) 503-8977
Attorney No. 15245

Jennifer Blagg
Co-Counsel for Robert Taylor
1400 W. Devon Ave., Suite 267
Chicago, IL 60660
Phone: (773) 859-0081
Fax: (773) 439-2863



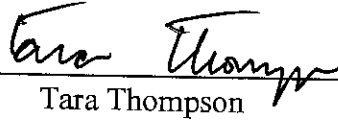
Jon Loevy
Russell Ainsworth
Gayle Horn
Tara Thompson
Elizabeth Wong
Counsel for James Harden
The Exoneration Project at the
University of Chicago Law School
6020 S. University Avenue
Chicago, IL 60637
Phone: (312) 243-5900
Fax: (312) 243-5902
Attorney No. 44407



Peter J. Neufeld
Craig M. Cooley
Counsel for Jonathan Barr
Innocence Project, Inc.
40 Worth St., Suite 701
New York, NY 10013
Phone (212) 364-5341
Fax: (212) 364-5361

CERTIFICATE OF SERVICE

I, Tara Thompson, certify that on March 25, 2011, I delivered the attached **Sealed Joint Petition for Relief from Judgment, Immediate Vacation of Convictions, and Release of Petitioners of their own Recognizance** to the above-named counsel of record by in-person delivery.


Tara Thompson

**IN THE CIRCUIT COURT OF COOK COUNTY,
CRIMINAL DIVISION**

PEOPLE OF ILLINOIS)	
)	
Respondent,)	
)	
v.	)	Case No. 92-CR-27247
)	
JAMES HARDEN)	
)	
Petitioners.	)	Honorable Judge Michelle Simmons, Presiding

PEOPLE OF ILLINOIS)	
)	
Respondent,)	
)	
v.	)	Case No. 95-CR-23475
)	
JONATHAN BARR & ROBERT TAYLOR)	
)	
Petitioners.	)	Honorable Judge Michelle Simmons, Presiding

**JOINT PETITION FOR RELIEF FROM JUDGMENT, IMMEDIATE VACATION OF
CONVICTIONS, AND RELEASE OF PETITIONERS ON THEIR OWN
RECOGNIZANCE.**

Although charged under two different case numbers, Petitioners James Harden, Robert Taylor, and Jonathan Barr all stand convicted of various charges, including first degree murder and aggravated criminal sexual assault, relating to the abduction, rape, and murder of 14-year-old Cateresa Matthews. In addition to the Petitioners, two other teenage defendants, Robert Lee Veal and Shainne Sharp, were convicted of crimes related to Cateresa's murder. Cateresa, who went missing on November 19, 1991, was found dead in Dixmoor, Illinois on December 8, 1991. Each of the three petitioners, aged 14-16 when the crime occurred, are all serving prison sentences of at least eighty years.

Undersigned counsel, including the University of Chicago Exoneration Project for Petitioner Harden, the Center on Wrongful Convictions of Youth at Northwestern University School of Law and Jennifer Blagg on behalf of Petitioner Taylor, and the Innocence Project on behalf of Petitioner Barr, moves this Court to immediately vacate Petitioners' convictions in light of newly discovered DNA evidence that proves that the Petitioners are actually innocent of Cateresa's rape and murder. Recent DNA testing of semen recovered from a vaginal swab taken from Cateresa's body in December 1991 not only excludes each of the Petitioners and their co-defendants, but it matches the DNA profile of a single perpetrator named Willie B. Randolph.¹ In December 1991, Mr. Randolph, born on July 14, 1958, was a 33-year-old resident of Dixmoor, with prior convictions for rape, deviate sexual assault, robbery, and armed robbery.² Since December 1991, Mr. Randolph has gone on to commit many other crimes, including unlawful use of a weapon, two counts of possession of a controlled substance, residential burglary, and two additional counts of burglary.³ Mr. Randolph is a career criminal who has spent the entirety of his life in and out of the Illinois Department of Corrections. There is absolutely no legal or innocent explanation as to how this 33-year-old man's semen would be inside the dead body of the 14-year-old victim. There is also absolutely no connection between Mr. Randolph and any of the Petitioners, who are all 16-18 years younger than him.

The three Petitioners in this case were wrongfully convicted of this brutal sexual assault and murder committed by Willie Randolph. They have each served nearly two decades in prison while Mr. Randolph has been on the street committing other violent crimes. In light of the post-conviction DNA results, as well as other evidence presented in this petition, each of the

¹ Petitioners have received confirmation of this information from the State's Attorney. The Illinois State Police was to have issued its final report on its search of the Combined DNA Index System ("CODIS") within two weeks of providing initial confirmation, but has yet to do so. No explanation has been provided to Petitioners for the delay.

² See Report of Convictions of Willie Randolph, attached as Group Exhibit 1.

³ See Report of Convictions of Willie Randolph, attached as Group Exhibit 2.

Petitioners is entitled to have their convictions vacated, pursuant to 735 ILCS 5/2-1401 (West 2011). Given that each of the Petitioners, just children at the time of the charges, have lost more than half of their lives in prison for a crime they did not commit, Petitioners request that this Court vacate the convictions immediately and release the Petitioners on their own recognizance.

BACKGROUND

Investigation and Pre-Trial Proceedings

1. On November 19, 1991, Cateresa Matthews left her great grandmother's house at 14449 South Vail, Dixmoor, Illinois at approximately 4:00 p.m. (R. H. 105.)⁴ Matthews was not seen again until December 8, 1991, when her body was discovered on a well-worn path running along I-57 as it passes through Dixmoor. (R. H. 225, 270.) She had been shot in the mouth at close range. (R. H. 230.) She was also an obvious victim of sexual assault, as her body was naked from the waist down. (R. H. 230.) A pair of white panties was found around her right ankle, and her jeans were draped across her chest. (R. H. 230, 249.) Lying on her chest near her white bra was a .25 caliber spent casing. (R. H. 231.)
2. Upon arriving at the scene, evidence technician Sergeant Melvin D. Trojanowski, a twenty-five-year veteran of the Illinois State police, processed the scene. (R. H. 229.) He noted rigor mortis present in the victim's body, which remains in the body after death for about 24-48 hours before disappearing. (R. H. 65; R. B. 720, 744.) He also noted fresh blood draining from the nose and the mouth of the victim that was neither "dried" nor "coagulated." (R. H. 230; R. B. 742.) There was no evidence of animal bites or that the body had degraded in any other significant way. (R. H. 65-93.)

⁴ Citations to each of the Harden, Taylor, or Barr trial will be noted as follows: (R. H. __.), (R. T. __.) or (R. B. __.), respectively. For convenience, Petitioners will presumptively cite to just the Harden file unless cites to the other trials are necessary.

3. According to photographs taken of the scene, the body was found out in the open, with no attempt to conceal it.⁵ The path on the field was sometimes used as a short cut to the nearby town or Posen, and stray dogs had been seen in the field. (R. B. 410-11.) There is a direct line of sight from a nearby neighborhood street to where the body was recovered. (Ex. 4.)
4. Seminal fluid was recovered from the vaginal and rectal swab of the victim, which was later subjected to DNA testing that **excluded** all of the Petitioners and their two co-defendants. (R. B. 683; R. T. 908.)
5. The police made no arrests and seemingly had no leads in this case for over ten months, until October 20, 1992. On that date, a police report indicates that Keno Barnes, age 15 at the time, allegedly informed the police that Petitioner Barr told him that when he last saw Cateresa, she was getting in a car occupied by Robert Lee Veal, age 14 at the time, and Petitioner Taylor.⁶ In a statement given to counsel for Petitioner Taylor on June 3, 2010, Barnes swore that Petitioner Barr never told him that, and that Barnes never relayed this fact to the police.⁷
6. On October 29, 1992, Illinois State Police officers, including lead investigator Tasso J. Kachiroubas, picked up Robert Lee Veal and brought him to the Markham courthouse for interrogation. (R. H. 276.) After more than five hours in police custody, where Veal was interrogated outside the presence of his parents or counsel, 15-year-old Veal signed a handwritten statement prepared by Cook County State's Attorney Robert J. Milan, implicating himself, Robert Taylor, Jonathan Barr, James Harden, and Shainne Sharp (16) in the gang rape and murder of Cateresa Matthews on November 19, 1991, the same

⁵ See Scene Photo, Discovery of Victim's Body, December 8, 1991, attached as Exhibit 3.

⁶ See Illinois State Police Investigative Report, October 20, 1992, attached as Exhibit 4.

⁷ See Statement of Keno Barnes, June 23, 2010, attached as Exhibit 5.

day she went missing.⁸ In a statement given to counsels for Petitioner Taylor and Harden on July 6, 2010, however, Veal recanted this confession in its entirety, claiming that it was coerced and false. He now denies any guilt or knowledge of what happened to Cateresa Matthews.⁹

7. Later in the day on October 29, 1992, 15-year-old Robert Taylor signed a handwritten statement prepared by Attorney Milan, also outside the presence of his parents or counsel, implicating himself and the four other teenage defendants in the crime.¹⁰ Robert Taylor has steadfastly maintained, including during his testimony at his pre-trial suppression hearing (R. T. H72-97), that this statement was coerced and false. He also denies any guilt or knowledge of what happened to Cateresa Matthews.
8. On October 31, 1992, after more than twenty-one hours in police custody, now 17-year-old Shainne Sharp signed a handwritten statement prepared by Attorney Milan implicating himself and the other four teenagers in the crime.¹¹ According to Veal's sworn statement on July 6, 2010, Sharp later admitted to Veal in prison in Joliet that he knew that "none of them had committed the offense."¹² (Ex. 8.).
9. On June 9, 1994, the Illinois State Police crime lab identified a single source male DNA profile from the sperm fraction of the vaginal and rectal swabs of the victim, which, as indicated above, excluded all five teenagers as the source of the semen. The State nevertheless moved forward with charges against the three Petitioners, as well as Veal and Sharp.

⁸ See Confession of Robert Lee Veal, October 29, 1992, attached as Exhibit 6.

⁹ See Statement of Robert Lee Veal, July 6, 2010, attached as Exhibit 7.

¹⁰ See Confession of Robert Taylor, October 29, 1992, attached as Exhibit 8.

¹¹ See Confession of Shainne Sharp, October 31, 1992, attached as Exhibit 9.

¹² Shainne Sharp is currently in the custody of the Indiana Department of Corrections, and counsel for Petitioners have been unable to speak with him directly. See <http://www.in.gov/apps/indcorrection/ofs/ofs?lname=Sharp&fname=Shainne&search1.x=0&search1.y=0> (last accessed March 24, 2011).

10. In June 1995, in exchange for their testimony against the three Petitioners and the dismissal of all sexual assault and other charges, Veal and Sharp entered guilty pleas to first degree murder and were sentenced to twenty years in the Department of Corrections, the minimum term of imprisonment. This deal allowed each of them to be released from prison in just over seven years, as opposed to facing potentially far lengthier and consecutive sentences on all of the charges.

Trials of the Petitioners

11. The testimony of Veal and Sharp was the only evidence directly connecting Petitioners Harden and Barr to the sexual assault and murder of Cateresa Matthews. While their testimony generally implicated all five teenagers in the rape and murder of Cateresa Matthews, their accounts of the events of the crime starkly contradicted one another in many irreconcilable ways:

a. How and why did Veal and Sharp join Harden?

Veal testified he was in a candy store when James Harden came in alone, said what's up, and left. Either an hour (as he said in his confession) or a few minutes (as he testified at trial) later, Veal got in a car with everyone but Barr. (R. H 145.) Thus, Veal was the fourth one in the car; Sharp was already in the car when Veal entered.

Sharp testified he was playing basketball when a car pulled up with Harden, Veal, and Taylor; Harden asked him to shoot dice. (R. H. 310.) Thus, Sharp was the fourth one in the car; Veal was already in the car when Sharp entered.

b. Who was driving the car?

Veal testified Harden was driving. (R. H. 149.)

Sharp testified Taylor, 14-years-old at the time, was driving. (R. H. 312.)

c. How long were they driving before picking up Barr and Cateresa?

Veal testified (at Harden's trial only) that they drove around for an hour before picking Barr and Cateresa up. At Taylor and Barr's trial, Veal testified that he could not remember how long they drove around. (R. H. 150.)

Sharp testified they picked up Barr and Cateresa "soon" after he got in the car. (R. H. 316.)

d. What did they do after they drove to the field and who hit Cateresa?

Veal testified that when they got out of the car, *Barr* hit Cateresa in the face. (R. H. 155.)

Sharp testified that they all went to Harden's basement when they got out of the car. He also testified that *Harden* was the one that hit Cateresa in the face. (R. H. 319, 323.)

e. Who was initially alone with Cateresa?

Veal testified that Cateresa and Harden walked alone for either an hour (Harden's trial) or "a minute" (at the Taylor and Barr's trial only). Harden winked when they returned. (R. H. 156-57.)

Sharp testified that Cateresa and Barr "hugged on the couch" while the others shot dice for 40 minutes. They then left the basement and went into some weeds, and the others followed them out. When Barr came out of the weeds to ask for privacy, Harden asked Cateresa for sex. (R. H. 319-22.)

f. How did Cateresa get to the field in which her body was found, which was located at least 300 feet from Harden's house?

Veal testified that they all walked to the field and then Harden threw Cateresa down. (R. H. 160.)

Sharp testified that after Harden hit Cateresa in the face, she ran and the rest gave chase until they finally caught her 300 feet away. (R. H. 323.)

g. Was Cateresa gagged with a scarf or pull string?

Veal testified it was a scarf. (R. H. 161.)

Sharp testified it was a pull string. (R. H. 329.)

h. Who raped Cateresa and in what order?

Veal testified that the order was Harden, Barr, Sharp, Taylor, but his confession says that the order was Harden, Sharp, Barr, Taylor. (R. H. 162-65.)

Sharp testified at Harden's trial that it was Harden, Sharp, Taylor, Veal (omitting Barr completely). At Barr and Taylor's trial, he says the order of the rape was Harden, Sharp, Taylor, Barr, this time omitting Veal completely. In his confession, Sharp omits himself and Barr. (R. H. 332-34, 347; R. B. 793; R. T. 1014.)

i. How did Harden shoot Cateresa?

Veal testified that Harden pulled a gun from his waist and "stood over" Cateresa as he shot her. (R. H. 166-67.)

Sharp testified at Harden's trial that Harden started to leave, but he then walked back and pulled a gun from behind his back. At Barr and Taylor's trial, he said Harden stood next to Sharp, near Matthews' feet and pulled the gun, then put his foot on her

chest, bent down toward her mouth, and shot her. (R. H. 334-37; R. B. 793-94, 875; R. T. 1014-15.)

j. Did anyone take Cateresa's property?

Veal testified that Barr took a gold ring and Harden took Cateresa's coat. (R. H. 168-69.)

Sharp never mentioned anyone taking her ring, coat, or anything else.

k. Did they leave together?

Veal testified that they all got back in the car. (R. H. 169.)

Sharp testified at Harden's trial that he ran off by himself back to the basketball court at 2241 West Joliet. At Barr and Taylor's trial, Sharp said he ran off by himself to his grandmother's house. (R. H. 337; R. B. 795; R. T. 1016.)

12. On July 6, 2010, Veal recanted his trial testimony, claiming that it was false and made only to save himself from what his attorney was telling him was a certain lengthy sentence. (Ex. 7.) Again, Veal asserted that he knew nothing about what happened to Cateresa Matthews.

13. Excepting the testimony of Veal and Sharp, the only additional testimony against Petitioner Taylor was his own inculpatory statement, three pages in length. (Ex. 8.) As indicated, Petitioner Taylor steadfastly maintained that this statement was coerced and false. Taylor's statement contradicts the accounts of Veal and Sharp in many ways as well:

- a. Taylor's statement says he was the last one in the car, entering even after Cateresa and Barr. This is in great conflict with Sharp's testimony in particular, who claims that Taylor was driving.
- b. Taylor's statement says Barr punched Cateresa in the mouth right after leaving the car, conflicting again with Sharp.
- c. Taylor's statement never mentions going to Harden's house, contradicting Sharp's testimony and statement.
- d. Taylor's statement says Harden, Barr, and Sharp raped her, omitting himself and Veal. This contradicts both Veal and Sharp's testimony.

14. All physical evidence presented at trial was exculpatory. Not only did the DNA results exclude the defendants, but hairs found at the scene did not match any of the five defendants. (R. B. 1193-1212; R. T. 1486-1506.) No other physical evidence, including the recovered bullet from the victim or the shell casing found on the victim, was ever connected in any way to any of the five defendants.
15. Moreover, Petitioners Taylor and Barr presented multiple witnesses in their case-in-chief indicating that the victim was seen alive in the days after her disappearance – even though Veal, Sharp, and Taylor’s statements all say that she was already dead. (R. B. 1026-1166; R. T. 1314-1464.)
16. Petitioners Harden and Barr both had alibis accounting for their whereabouts at the time of the alleged rape and murder. (R. H. 439-70.)
17. Despite the exculpatory physical evidence, the alibis of the defendants, the starkly conflicting statements of Veal and Sharp, and the serious doubts cast on the State’s theory regarding the time of death both through the physical evidence (rigor mortis and fresh blood dripping from the victim’s nose and mouth, among other things) and eyewitness accounts, Petitioners Harden, Taylor, and Barr were all convicted and sentenced to lengthy prison terms, for which they remain incarcerated.
18. Each of the Petitioners challenged the sufficiency of the evidence against them on direct appeal, but their convictions were affirmed.
19. Each of the Petitioners filed unsuccessful collateral petitions claiming their innocence, including Petitioner Taylor and Barr’s previous request for post-conviction DNA testing and CODIS search.

NEW EVIDENCE

DNA Results

20. After a year-long search for the previously-tested DNA evidence finally proved fruitful, on October 8, 2010, this Court entered an agreed order allowing post-conviction DNA testing by Orchid Cellmark pursuant to 725 ILCS 5/116-3, and a subsequent CODIS search of any eligible profile developed.¹³
21. On February 28, 2011, Orchid Cellmark issued a report indicating that it developed a full male, CODIS-eligible profile from the seminal portion of the vaginal extract. This DNA profile was subsequently run through CODIS.¹⁴
22. In March 2011, the Illinois State Police reported a “hit” to an offender in the CODIS database. The semen recovered from the victim in December 1991 matched to a Willie B. Randolph.

Willie B. Randolph

23. In a case that has all the hallmarks of a rape-murder, we now know that the semen recovered from the vagina of the 14-year-old victim in this case belonged to Willie Randolph, who was a 33-year-old man at the time Cateresa Matthew’s body was found in December 1991.
24. In December 1991, Willie Randolph was already a convicted rapist. On May 17, 1977, in case 755845, Randolph pled guilty to rape, deviate sexual assault, and robbery, receiving concurrent sentences of 4-8, 4-8, and 2-6 years. According to the factual basis detailed during the plea hearing, which is part of the court file and is currently available for viewing at the clerk’s office at 26th and California, Randolph and his older brother,

¹³ See Agreed Order for Post-Conviction DNA Testing, October 8, 2010, attached as Exhibit 10.

¹⁴ See Orchid Cellmark, Report of Laboratory Examination, February 28, 2011, attached as Exhibit 11.

Randy Moore,¹⁵ abducted a woman on the street at 1545 S. Tripp. They demanded her money, and then took her to an alley where Moore forced the victim to perform oral sex on him. The two brothers then robbed the victim of approximately \$3 and her food stamps. Subsequently, the two brothers took the victim to a different alley, where Randolph forced her to perform oral sex and intercourse. After this rape, Moore forced the victim to have sexual intercourse. During the assault, Randolph told the victim he had a gun while Moore claimed to have a knife, although neither brandished weapons.

25. Shortly after Randolph completed his sentence, he committed another violent offense.

On July 1, 1981, Randolph was arrested for armed robbery, in what became case number 81C05231.¹⁶ He was convicted and sentenced to twenty years in prison, likely serving approximately ten.

26. Just four months after 33-year-old Randolph left his semen in Cateresa Matthews, he was arrested for possession of a controlled substance, in what became case number 92CR16918. In the court file for that case, which also is currently available at the clerk's office at 26th and California, Randolph's listed address at the time was 1809 W. 142nd Street, Dixmoor, Illinois. This address is approximately one mile both from where Matthews' body was discovered and from her great-grandmother's house, where she was last seen. According to the court file, Randolph, whose listed alias was Bernard Smith, was wandering through the street disrupting traffic at 14216 Wood Street in Dixmoor, about a block from his home, when he was stopped by the police. A subsequent search

¹⁵ Randy Moore, whose aliases include Jeffrey Moore and Charles Wilson, is a habitual violent criminal. He is currently serving life in prison without the opportunity for parole in the Illinois Department of Corrections for his commission of an armed robbery. He has previous convictions for armed violence and armed robbery, as well as the convictions with his brother for the rape, deviate sexual assault, and robbery on South Tripp.

¹⁶ Counsel for Petitioner Taylor has ordered this file from the Circuit Court clerk at Markham, but it is not yet available.

found crack cocaine. Randolph pled guilty to this offense and received a sentence of two years in prison.

27. Around this same time period, Randolph was also arrested for unlawful use of a weapon for possessing a firearm. In what became case number 92C660740,¹⁷ Randolph was convicted of this offense and received a sentence of four years in prison.

28. After Randolph finished serving these sentences, and while charges were pending against the five teenagers in the instant case, it appears that Randolph moved to Ohio.¹⁸ He eventually returned, however, to wreak more havoc on the community. In July 2001, he was convicted of possession of a controlled substance under case number 01CR19275 and sentenced to one year in prison. In this court file, Randolph has a new alias: Willie Smith. Shortly thereafter, under case number 02CR05236, Randolph was convicted of residential burglary for an incident on January 19, 2002 and was sentenced to four-and-a-half years in prison. He had yet another alias in this case: Larry Washington. And finally, in case number 05CR15952, Randolph was convicted of burglary and sentenced to eight years in the Department of Corrections.¹⁹ Randolph is now back on the streets, apparently living at 225 South Hoyne, Apartment 103, in Chicago.

29. Despite diligent investigation, Counsel for Petitioners have been unable to detect any connection whatsoever between any of the five defendants in this case and Willie Randolph, who was twice their age. Petitioners themselves would swear they have never heard of him. Randolph is unmentioned in any police reports or court transcripts related to this case.

¹⁷ Counsel for Petitioner Taylor has also ordered this file from the Circuit Court clerk at Markham, but it is not yet available.

¹⁸ See Exhibit 12, LexisNexis People Finder Report on Willie ~~Johnson~~^{Randolph}. There is a Willie ~~Johnson~~^{Randolph}, with a birthday very close to Mr. ~~Johnson~~^{Randolph}'s, who has a criminal record of arrests in Ohio, but as of the filing of this Petition the undersigned were unable to confirm whether this criminal history belonged to the Willie ~~Johnson~~^{Randolph} at issue here.

¹⁹ Information about all of these cases is available in the court file, which is currently at the clerk's office at 26th and California.

30. In sum, what we now know, and what was not known at the time of Petitioners' trials, is that the semen of a 33-year-old convicted rapist and career violent criminal was left in the body of the 14-year-old victim. We also know that while the charges were pending against these five teenagers, who all had no violent criminal history, Mr. Randolph left the state. Further, we know that within months of Cateresa's murder, Mr. Randolph, a convicted felon, had a gun.

Other New Evidence

31. In addition to this extraordinary new DNA evidence, the original evidence supporting the State's case has unraveled. As indicated above, Robert Lee Veal, one of the State's star witnesses at trial, has recanted his testimony in its entirety. (Ex. 8.) He did so, moreover, well before the new DNA results were known. Further, Veal has sworn that Sharp, the State's other star witness, disavowed his testimony when they ran into each other in the Illinois Department of Corrections. (Ex. 8.)

32. Even the basis for the police suspecting some of these boys, and the reason that they interrogated Robert Veal and Robert Taylor in the first place, has unraveled. Police reported that Keno Barnes led the police to question Taylor and Veal because Barnes stated that Barr said that he saw Cateresa get into a car occupied by Veal and Taylor before she went missing. (Ex. 5.) Barnes now says that he never reported this statement to the police, nor did he ever hear Barr make this statement. (Ex. 6.)

LEGAL STANDARD

33. Section 2-1401(c) of the Code of Civil Procedure provides that a Petitioner may seek relief from judgment on the basis exculpatory DNA results obtained pursuant to section 116-3 of the Code of Criminal Procedure. A 2-1401 petitioner is entitled to have his conviction vacated if, by the preponderance of the evidence, the new evidence was not

known to the petitioner at the time of trial, could not have been discovered by the petitioner with the exercise of reasonable diligence, and would probably change the result if a new trial is granted. *People v. Waters*, 328 Ill. App. 3d 117, 127 (1st Dist. 2002).

TIMELINESS OF CLAIM

34. The Petitioners have exercised due diligence in bringing this petition to this Court. The DNA testing technology, namely STR testing and CODIS, was not available at the time of their trials. The Petitioners secured post-conviction DNA testing of the evidence pursuant to 725 ILCS 5/116-3 and have filed the instant petition as soon as the exculpatory evidence was discovered.

THE NEW EVIDENCE EXONERATES THE PETITIONERS

35. In *People v. Dodds*, 344 Ill. App. 3d 513, 519 (1st Dist. 2003), the appellate court ruled that the 2-1401 petitioner was entitled to relief where the DNA results on blood on the defendant's sweater merely excluded the victim as the source of the blood, results the court described as somewhere in-between truly exculpatory and inculpatory. In *Waters*, 328 Ill. App. 3d at 128-29, the DNA results merely excluding the defendant as the source of the urine found on the victim entitled the petitioner to a new trial.

36. In contrast to the DNA exclusions in *Dodds* and *Waters*, here we have far more: DNA results from semen recovered from the 14-year-old victim not only exclude the Petitioners but point to the actual perpetrator. To be sure, Willie Randolph – the 33-year-old career violent criminal who ejaculated in the 14-year-old victim found unclothed just a mile from where Randolph lived – has absolutely no connection to the five teenagers, aged 14-16, who were charged and convicted in this case. Indeed, Randolph is unmentioned in any of the police reports, statements, or testimony at trial.

The New Evidence Casts Overwhelming Doubt About the Reliability of the State's Evidence Against the Petitioners.

37. The only evidence against any of the Petitioners comes from confessions induced by police interrogation and subsequent testimony pursuant to plea bargains. Prior to this new evidence, there was already significant doubt about the reliability of this evidence. First, the statements of Veal and Sharp parted ways in many significant ways, as highlighted in paragraph 11 of this motion. Additionally, the exculpatory DNA and hair evidence, excluding each of the five defendants as the source, cast very serious doubt on the evidence implicating these teenagers. Further, the condition and location of the body when discovered on December 8, 1991, as well as eyewitness accounts, make it hard to fathom that the victim was killed in that same spot nineteen days earlier on November 19, 1991, as claimed in the confessions:

- a. There was no evidence of bug or animal bites found on the victim, or any other degradation of the body, which seems highly implausible if the body were there for nineteen days and, as proven at trial, stray dogs roamed the area and temperatures reached into the 50s and 60s during that time period. (R. B. 411; R. H. 79-81.)
- b. The body was discovered in plain view on a well-worn path, and photographs demonstrate that there is an unobstructed view of the body from a nearby neighborhood street. (Ex. 4.) The path is used by teenagers as a short cut to Franks' pizza, to go to the nearby town of Posen, or just for walking among friends. (R. B. 410.)
- c. Rigor mortis, which disappears 24-48 hours after death, was noted present in the body when processed by evidence technician Sergeant Melvin D. Trojanowski, a police officer with twenty-five years experience. This officer also testified that there was blood draining from her nose and mouth that was neither dried nor coagulated. (R. H. 65, 230; R. B. 720, 742-44.)
- d. Multiple witnesses testified to seeing Cateresa Matthews, and even conversing with her, after she went missing and after the confessions claim she was already dead. (R. B. 1026-1166; R. T. 1314-1464.)

38. The new DNA “hit” to Randolph now plainly demonstrates the Petitioner’s innocence. Although DNA now proves that Randolph raped Matthews, he is unmentioned in the confessions or the testimony at trial. There is absolutely no known connection between any of the five defendants, aged 14-16 at the time, and this 33-year-old man.
39. The other new evidence properly before this Court, namely the recantation of Veal, only further demonstrates the unreliability of the State’s evidence in this case. *See People v. Cheeks*, 318 Ill. App. 3d 919, 921 (3d Dist. 2001) (“Section 2-1401 of the Code provides a means of obtaining relief from judgments that are based on false testimony [internal citation omitted] without proof that the State knowingly used the testimony.”). *People v. Brown*, 169 Ill. 2d 94, 107-08 (1995) (noting that a petitioner may pursue a claim that his conviction was based on false testimony via 2-1401).

The Fact That There Are Multiple “Confessions” In This Case Does Not Mean the Extremely Probative New DNA Evidence Should Be Disregarded.

40. False confessions – even multiple ones in the same case – and false guilty pleas are not uncommon in the annals of wrongful convictions. As of today’s date, there have been 267 post-conviction DNA exonerations – almost all of which were rape or murder convictions – and false confessions were involved in 25% of those cases.²⁰ Exonerees who were accused as teenagers, moreover, are almost twice as likely to falsely confess as accused adults.²¹ Through a process called contamination – which occurs when interrogators inadvertently reveal specific facts of a crime either before or during an interrogation – false confessions often can be surprisingly rich in accurate detail.²²

²⁰ See <http://www.innocenceproject.org/understand/False-Confessions.php> (last accessed March 22, 2011)

²¹ Joshua A. Tepfer, Laura H. Nirider, & Lynda Tricarico, Arresting Development: Convictions of Innocent Youth, 62 Rutgers L. Rev. 887 (2010) (comparing 103 wrongful convictions of accused teenagers and children against a dataset of 214 accused adult DNA exonerees and finding that 31.1% of the youth falsely confessed whereas 17.8% of the adults did so).

²² Brandon Garrett, The Substance of False Confessions, 62 Stan. L. Rev. 1051, 1054 (2010).

41. Multiple convictions of innocent defendants in the same case are, unfortunately, neither unprecedented nor unusual in the context of wrongful convictions. This is especially so in cases where the accused are teenagers and confessions are involved.²³ New York's Central Park Jogger case is perhaps the most infamous example: there, five teenagers, aged 14-16, all confessed during police interrogation to the rape and brutal assault of a young woman in 1989. They were all convicted, but the convictions were overturned fourteen years later when DNA testing proved that the act was committed by a single serial offender.²⁴ Indeed, the DNA results in the Central Park Jogger Case, which practically mirror the results in this case, plainly demonstrate why relief must be immediately granted here.
42. Multiple wrongful convictions in the same case have previously happened here in Cook County, including the wrongful convictions of four teenagers in the Lori Roscetti rape and murder. In that case, two of the teenagers falsely confessed, one of whom – Marcellius Bradford – also pled guilty. Of the first 250 DNA exonerees, sixteen pled guilty.²⁵
43. In a tragic twist of irony, the confessions in this case, which the new DNA evidence clearly establishes are false, bear many of the hallmarks of false confessions that former Cook County Assistant State's Attorney Robert J. Milan – the same prosecutor who wrote out the confessions in this case – has identified as problematic in an article he published.²⁶

²³ Arresting Development, 62 Rutgers L. Rev. 887 (noting twelve examples where one youth was wrongfully convicted along with other defendants, usually other accused youth).

²⁴ Chris Smith, Central Park Revisited, N.Y. Mag., <http://nymag.com/jmetro/news/crimelaw/features/n7836> (last visited March 22 2011).

²⁵ Brandon Garrett, Convicting the Innocent: Where Criminal Prosecutions Go Wrong, (Harvard Univ. Press 2011).

²⁶ See Robert J. Milan, *Preventing and Addressing Wrongful Convictions*, Prac. Prosecutor, 2005, at 35, 36, attached as Exhibit 13.

- a. First, Milan notes that research supports that confessions from juveniles should be given closer scrutiny. Here, the three confessions taken in this case were taken from two teenagers aged fifteen at the time of the confession (Taylor and Veal) and one teenager aged seventeen at the time of the confession (Sharp).
 - b. Second, Milan suggests that if the criminal history of the suspect does not suggest violence, there could be a problem. None of the five teenage defendants charged with this crime had a violent criminal past that suggested that they would be inclined to gang rape a peer and then shoot her in the mouth.
 - c. Third, Milan notes that there should be careful scrutiny when the co-defendants have no known connection. Veal's affidavit states that he and Taylor were from Harvey and did not get along with Harden, Barr, and Sharp, who were from Dixmoor. Sharp testified that he knew Taylor only by sight and did not know Veal at all.
 - d. Fourth, Milan questions the reliability of confessions that are uncorroborated or are inconsistent with physical evidence. In this case, all the physical evidence at trial (and, of course, the new evidence discussed in this motion), including the male seminal DNA profile and unknown hair recovered from the victim, exclude the defendants. Eyewitness accounts and the location, discovery, and condition of the body all also cast significant doubt on the date of death as reported in the confessions.
44. Finally, while the confessions in this case are rich in detail, it is impossible to assess from whom this detail arose, given that the interrogations and confessions were not electronically recorded. We do know, however, that the confessions in this case were given eleven months after Cateresa's body was found, meaning that the police were

already aware of many of the facts recorded in the confessions, including: (1) the date Cateresa went missing; (2) the description of the clothing she was wearing when she was found; and (3) the cause of death being a gunshot wound to the mouth at close range. Without an electronic recording, it is impossible to assess whether Veal, Taylor, or Sharp provided these details on their own or whether they were provided as a result of a contamination process, such as leading questions from the police or neighborhood gossip. And again, it is plainly apparent that the confessions themselves, when compared against each other, contain glaring inconsistencies, as documented in paragraphs 11 and 13 of this petition.

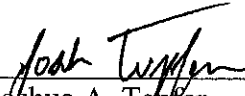
45. Given the extraordinary new exculpatory evidence directly connecting this crime to Willie Randolph, the only reasonable conclusion in this case is that the confessions of Veal, Sharp, and Taylor, and the subsequent testimony of Veal and Sharp, were coerced and false.

CONCLUSION

46. Almost twenty years after the tragic murder of 14-year-old Cateresa Matthews, a separate tragedy has revealed itself: five innocent teenagers were wrongfully convicted and sentenced for her rape and murder, while the true perpetrator went free and continued to commit violent crimes on the community. Three of those wrongfully convicted continue to remain incarcerated unjustly.
47. The DNA "hit" to Randolph is not merely exculpatory; it completely exonerates the three Petitioners. Randolph can and should be taken into custody before he commits another violent crime. Regardless of Randolph's fate, however, the Petitioners must have their convictions immediately vacated and be released on their own recognizance while the

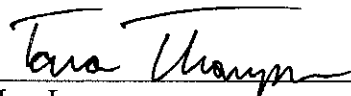
State re-investigates the murder of Cateresa Matthews and the tragic miscarriages of justice that followed.

WHEREFORE, Petitioners jointly request that this Honorable Court immediately vacate their convictions and order the release of the Petitioners on their own recognizance.




Joshua A. Tepper
Laura Nirider
Steven A. Drizin
Co-Counsel for Robert Taylor
Center on Wrongful Convictions of Youth
Northwestern University School of Law
375 East Chicago Avenue
Chicago, IL 60611
Phone: (312) 503-6298
Fax: (312) 503-8977
Attorney No. 15245

Jennifer Blagg
Co-Counsel for Robert Taylor
1400 W. Devon Ave., Suite 267
Chicago, IL 60660
Phone: (773) 859-0081
Fax: (773) 439-2863



Jon Loevy
Russell Ainsworth
Gayle Horn
Tara Thompson
Elizabeth Wong
Counsel for James Harden
The Exoneration Project at the
University of Chicago Law School
6020 S. University Avenue
Chicago, IL 60637
Phone: (312) 243-5900
Fax: (312) 243-5902
Attorney No. 44407



Peter J. Neufeld
Craig M. Cooley
Counsel for Jonathan Barr
Innocence Project, Inc.
40 Worth St., Suite 701
New York, NY 10013
Phone (212) 364-5341
Fax: (212) 364-5361

List of Exhibits

- Group Exhibit 1 Report of Convictions of Willie Randolph, Cook County Case No. 75845 (Rape, Deviate Sexual Assault, Robbery, Armed Robbery)
- Group Exhibit 2 Report of Convictions of Willie Randolph, Cook County Case Nos. 81 C 5231, 92 C 660740-01, 92 CR 16918-01, 01 CR 19275-01, 02 CR 5236-01, 05 CR 15952-02, 05 CR
- Exhibit 3 Scene Photo, Discovery of Victim's Body, December 8, 1991
- Exhibit 4 Illinois State Police Investigative Report, October 20, 1992
- Exhibit 5 Statement of Keno Barnes, June 23, 2010
- Exhibit 6 Confession of Robert Lee Veal, October 29, 1992
- Exhibit 7 Statement of Robert Lee Veal, July 6, 2010
- Exhibit 8 Confession of Robert Taylor, October 29, 1992
- Exhibit 9 Confession of Shainne Sharp, October 31, 1992
- Exhibit 10 Agreed Order for Post-Conviction DNA Testing, October 8, 2010
- Exhibit 11 Orchid Cellmark, Report of Laboratory Examination, February 28, 2011
- Exhibit 12 LexisNexis People Finder Report on Willie Johnson.
- Exhibit 13 Robert J. Milan, *Preventing and Addressing Wrongful Convictions*, Prac. Prosecutor, 2005, at 35, 36.

FOR EDUCATIONAL USE ONLY

Department of Corrections Record

Source Information

Admissions Information Current Through: 09/20/2010

File Last Updated: 10/22/2010

Current Date: 03/11/2011

Source: DEPARTMENT OF CORRECTIONS, IL

Offender Information

Offender Name: RANDOLPH WILLIE

Date of Birth: 07/14/1958

Gender: MALE

Race: BLACK

Eye Color: BROWN

Hair Color: BLACK

Height: 5 FT.5 IN.

Weight: 165 LBS.

Scars and Tattoos: TAT R ARM
TAT L ARM
HEART, CWB
\$

Arrest Information

Date of Arrest: 08/12/1975

Court & Case Information

Court County: COOK

Case Number: 755845

Current Charge or Offense Information

Number of Counts/Crimes: 1

Offense Charged: RAPE

Sentence Information

Sentence Length: 8 YEAR(S)

Incarceration Information

Inmate Status: PAROLE

Institution: DANVILLE : PAROLE DISTRICTS

Admission Date: 12/25/2006

Release Information

Projected/Provided Release Date: 12/10/2010

Parole Information

Parole Release Date: 12/10/2008

The preceding record is for informational purposes only and is not the official record. This information is not warranted for accuracy or completeness. For copies of the official record (of conviction or incarceration), contact the agency or court.

This information is not to be used for any purpose regulated by the fair credit reporting act including employment screening or in violation of any local or state law.

Order Documents

Call Westlaw CourtExpress at 1-877-DOC-RETR (1-877-362-7387) for on-site manual retrieval of documents related to this or other matters. Additional charges apply.

END C

EXHIBIT

1

FOR EDUCATIONAL USE ONLY

Department of Corrections Record

Source Information

Admissions Information Current Through: 09/20/2010
File Last Updated: 10/22/2010
Current Date: 03/11/2011
Source: DEPARTMENT OF CORRECTIONS, IL

Offender Information

Offender Name: RANDOLPH WILLIE
Date of Birth: 07/14/1958
Gender: MALE
Race: BLACK
Eye Color: BROWN
Hair Color: BLACK
Height: 5 FT.5 IN.
Weight: 165 LBS.
Scars and Tattoos: TAT R ARM
TAT L ARM
HEART, CWB
\$

Arrest Information

Date of Arrest: 08/12/1975

Court & Case Information

Court County: COOK

Case Number: 755845

Current Charge or Offense Information

Number of Counts/Crimes: 1
Offense Charged: DEVIATE SEXUAL ASSAULT

Sentence Information

Sentence Length: 8 YEAR(S)

Incarceration Information

Inmate Status: PAROLE

Institution: DANVILLE : PAROLE DISTRICTS

Admission Date: 12/26/2006

Release Information

Projected/Provided Release Date: 12/10/2010

Parole Information

Parole Release Date: 12/10/2008

The preceding record is for informational purposes only and is not the official record. This information is not warranted for accuracy or completeness. For copies of the official record (of conviction or incarceration), contact the agency or court.

This information is not to be used for any purpose regulated by the fair credit reporting act including employment screening or in violation of any local or state law.

Order Documents

Call Westlaw CourtExpress at 1-877-DOC-RETR (1-877-362-7387) for on-site manual retrieval of documents related to this or other matters. Additional charges apply.

END OF DOCUMENT

FOR EDUCATIONAL USE ONLY

Department of Corrections Record

Source Information

Admissions Information Current Through: 09/20/2010

File Last Updated: 10/22/2010

Current Date: 03/11/2011

Source: DEPARTMENT OF CORRECTIONS, IL

Offender Information

Offender Name: RANDOLPH WILLIE

Date of Birth: 07/14/1958

Gender: MALE

Race: BLACK

Eye Color: BROWN

Hair Color: BLACK

Height: 5 FT.5 IN.

Weight: 165 LBS.

Scars and Tattoos: TAT R ARM
TAT L ARM
HEART, CWB
\$

Arrest Information

Date of Arrest: 08/12/1975

Court & Case Information

Court County: COOK

Case Number: 755845

Current Charge or Offense Information

Number of Counts/Crimes: 1

Offense Charged: ROBBERY

Class of Offense: CLASS 2 FELONY

Sentence Information

Sentence Length: 6 YEAR(S)

Incarceration Information

Inmate Status: PAROLE

Institution: DANVILLE : PAROLE DISTRICTS

Admission Date: 12/26/2006

Release Information

Projected/Provisional Release Date: 12/10/2010

Parole Information

Parole Release Date: 12/10/2008

The preceding record is for informational purposes only and is not the official record. This information is not warranted for accuracy or completeness. For copies of the official record (of conviction or incarceration), contact the agency or court.

This information is not to be used for any purpose regulated by the fair credit reporting act including employment screening or in violation of any local or state law.

Order Documents

Call Westlaw CourtExpress at 1-877-DOC-RETR (1-877-362-7387) for on-site manual retrieval of documents related to this or other matters.

FOR EDUCATIONAL USE ONLY**Department of Corrections Record****Source Information**

Admissions Information Current Through: 09/20/2010

File Last Updated: 10/22/2010

Current Date: 03/11/2011

Source: DEPARTMENT OF CORRECTIONS, IL

Offender Information

Offender Name: RANDOLPH WILLIE

Date of Birth: 07/14/1958

Gender: MALE

Race: BLACK

Eye Color: BROWN

Hair Color: BLACK

Height: 5 FT.5 IN.

Weight: 165 LBS.

Scars and Tattoos: TAT R ARM
TAT L ARM
HEART, CWB
\$

Arrest Information

Date of Arrest: 07/01/1981

Court & Case Information

Court County: COOK

Case Number: 81C05231

Current Charge or Offense Information

Number of Counts/Crimes: 1

Offense Charged: ARMED ROBBERY

Sentence Information

Sentence Length: 20 YEAR(S)

Incarceration Information

Inmate Status: PAROLE

Institution: DANVILLE : PAROLE DISTRICTS

Admission Date: 12/26/2006

Release Information

Projected/Provisional Release Date: 12/10/2010

Parole Information

Parole Release Date: 12/10/2008

The preceding record is for informational purposes only and is not the official record. This information is not warranted for accuracy or completeness. For copies of the official record (of conviction or incarceration), contact the agency or court.

This information is not to be used for any purpose regulated by the fair credit reporting act including employment screening or in violation of any local or state law.

Order Documents

Call Westlaw CourtExpress at 1-877-DOC-RETR (1-877-362-7387) for on-site manual retrieval of documents related to this or other matters. Additional charges apply.

END OF DOC

EXHIBIT**2**

FOR EDUCATIONAL USE ONLY**Department of Corrections Record****Source Information****Admissions Information** 09/20/2010**Current****Through:****File Last Updated:** 10/22/2010**Current Date:** 03/24/2011**Source:** DEPARTMENT OF CORRECTIONS, IL**Offender Information****Offender Name:** RANDOLPH WILLIE**Date of Birth:** 07/14/1958**Gender:** MALE**Race:** BLACK**Eye Color:** BROWN**Hair Color:** BLACK**Height:** 5 FT.5 IN.**Weight:** 165 LBS.**Scars and Tattoos:** TAT R ARM
TAT L ARM
HEART, CWB
\$**Arrest Information****Date of Arrest:** 05/22/1992**Court & Case Information****Court County:** COOK**Case Number:** 92C66074001**Current Charge or Offense Information****Number of Counts/Crimes:** 1**Offense Charged:** FELON POSS/USE WEAPON/FIREARM**Class of Offense:** CLASS 3 FELONY**Sentence Information****Sentence Length:** 4 YEAR(S)**Incarceration Information****Inmate Status:** PAROLE**Institution:** DANVILLE : PAROLE DISTRICTS**Admission Date:** 12/26/2006**Release Information****Projected/Provisional Release Date:** 12/10/2010**Parole Information****Parole Release Date:** 12/10/2008

The preceding record is for informational purposes only and is not the official record. This information is not warranted for accuracy or completeness. For copies of the official record (of conviction or incarceration), contact the agency or court.

This information is not to be used for any purpose regulated by the fair credit reporting act including employment screening or in violation of any local or state law.

Order Documents

Call Westlaw CourtExpress at 1-877-DOC-RETR (1-877-362-7387) for on-site manual retrieval of documents related to this or other matters.

FOR EDUCATIONAL USE ONLY**Department of Corrections Record****Source Information**

Admissions Information Current Through: 09/20/2010
File Last Updated: 10/22/2010
Current Date: 03/11/2011
Source: DEPARTMENT OF CORRECTIONS, IL

Offender Information

Offender Name: RANDOLPH WILLIE
Date of Birth: 07/14/1958
Gender: MALE
Race: BLACK
Eye Color: BROWN
Hair Color: BLACK
Height: 5 FT.5 IN.
Weight: 165 LBS.
Scars and Tattoos: TAT R ARM
 TAT L ARM
 HEART, CWB
 \$

Arrest Information

Date of Arrest: 03/29/1992

Court & Case Information

Court County: COOK
Case Number: 92CR1691801

Current Charge or Offense Information

Number of Counts/Crimes: 1
Offense Charged: CONT SUBS ACT-UNAUTH POSS
Class of Offense: CLASS 4 FELONY

Sentence Information

Sentence Length: 2 YEAR(S)

Incarceration Information

Inmate Status: PAROLE
Institution: DANVILLE : PAROLE DISTRICTS
Admission Date: 12/26/2006

Release Information

Projected/Provided Release Date: 12/10/2010

Parole Information

Parole Release Date: 12/10/2008

The preceding record is for informational purposes only and is not the official record. This information is not warranted for accuracy or completeness. For copies of the official record (of conviction or incarceration), contact the agency or court.

This information is not to be used for any purpose regulated by the fair credit reporting act including employment screening or in violation of any local or state law.

Order Documents

Call Westlaw CourtExpress at 1-877-DOC-RETR (1-877-362-7387) for on-site manual retrieval of documents related to this or other matters.

FOR EDUCATIONAL USE ONLY**Administrative Office of the Courts Record****Source Information****Filings Current Through:** 03/09/2011**File Last Updated:** 03/10/2011**Current Date:** 03/11/2011**Source:** ADMINISTRATIVE OFFICE OF
THE COURTS - COOK
COUNTY, IL**Current Charge or Offense Information****Statute Violated:** 720-570/402(C)**Offense Charged:** POSS AMT CON SUB
EXCEPT(A)/(D)**Class of Offense:** FOURTH DEGREE FELONY**Offense Disposition:** DEF SENTENCED ILLINOIS
DOC - 08/23/2001**Defendant Information****Name:** RANDOLPH, WILLIE**Last Known Address:** 5330 S. PRAIRE #33
CHICAGO, IL 60615**FBI Number:** 0774794N7**State ID Number:** 015541130**Date of Birth:** 07/14/1958**Gender:** MALE**Sentence Information****Sentence Minimum:** 1 YEARS

The preceding record is for informational purposes only and is not the official record. This information is not warranted for accuracy or completeness. For copies of the official record (of conviction or incarceration), contact the agency or court.

This information is not to be used for any purpose regulated by the fair credit reporting act including employment screening or in violation of any local or state law.

Arrest Information**Date of Arrest:** 07/11/2001**Court & Case Information****Court County:** COOK**Court State:** IL**Case Number:** 2001-CR-1927501**Disposition:** 08/23/2001**Order Documents**

Call Westlaw CourtExpress at 1-877-DOC-RETR (1-877-362-7387) for on-site manual retrieval of documents related to this or other matters. Additional charges apply.

END OF DOCUMENT

(c) 2011 Thomson Reuters. No Claim to Orig. US Gov. Works.

FOR EDUCATIONAL USE ONLY

Administrative Office of the Courts Record

Source Information

Filings Current Through: 03/09/2011

File Last Updated: 03/10/2011

Current Date: 03/11/2011

Source: ADMINISTRATIVE OFFICE OF THE COURTS - COOK COUNTY, IL

Current Charge or Offense Information

Statute Violated: 720-5/19-3

Offense Charged: RESIDENTIAL BURGLARY

Class of Offense: FIRST DEGREE FELONY

Offense Disposition: CREDIT DEFENDANT FOR TIME SERV - 12/18/2003

Defendant Information

Name: RANDOLPH, WILLIE

Last Known Address: 5330 S PRAIRIE APT33 CHICAGO, IL 60615

FBI Number: Q774794N7

State ID Number: Q15541130

Date of Birth: 07/14/1958

Gender: MALE

Sentence Information

Sentence Minimum: 69 DAYS

The preceding record is for informational purposes only and is not the official record. This information is not warranted for accuracy or completeness. For copies of the official record (of conviction or incarceration), contact the agency or court.

This information is not to be used for any purpose regulated by the fair credit reporting act including employment screening or in violation of any local or state law.

Arrest Information

Date of Arrest: 01/19/2002

Order Documents

Call Westlaw CourtExpress at 1-877-DOC-RETR (1-877-362-7387) for on-site manual retrieval of documents related to this or other matters. Additional charges apply.

Court & Case Information

Court County: COOK

Court State: IL

Case Number: 2002-CR-0523601

Disposition: 12/18/2003

END OF DOCUMENT

FOR EDUCATIONAL USE ONLY**Department of Corrections Record****Source Information**

Admissions Information Current Through: 09/20/2010

File Last Updated: 10/22/2010

Current Date: 03/11/2011

Source: DEPARTMENT OF CORRECTIONS, IL

Offender Information

Offender Name: RANDOLPH WILLIE

Date of Birth: 07/14/1958

Gender: MALE

Race: BLACK

Eye Color: BROWN

Hair Color: BLACK

Height: 5 FT.5 IN.

Weight: 165 LBS.

Scars and Tattoos: TAT R ARM
TAT L ARM
HEART, CWB
\$

Arrest Information

Date of Arrest: 06/10/2006

Court & Case Information

Court County: COOK

Case Number: 05CR1595202

Current Charge or Offense Information

Number of Counts/Crimes: 1

Offense Charged: BURGLARY

Class of Offense: CLASS 2 FELONY

Sentence Information

Sentence Length: 8 YEAR(S)

Incarceration Information

Inmate Status: PAROLE

Institution: DANVILLE : PAROLE DISTRICTS

Admission Date: 12/26/2006

Release Information

Projected/Provisional Release Date: 12/10/2010

Parole Information

Parole Release Date: 12/10/2008

The preceding record is for informational purposes only and is not the official record. This information is not warranted for accuracy or completeness. For copies of the official record (of conviction or incarceration), contact the agency or court.

This information is not to be used for any purpose regulated by the fair credit reporting act including employment screening or in violation of any local or state law.

Order Documents

Call Westlaw CourtExpress at 1-877-DOC-RETR (1-877-362-7387) for on-site manual retrieval of documents related to this or other matters.

FOR EDUCATIONAL USE ONLY**Administrative Office of the Courts Record****Source Information**

Filings Current Through: 03/09/2011

File Last Updated: 03/10/2011

Current Date: 03/11/2011

Source: ADMINISTRATIVE OFFICE OF
THE COURTS - COOK
COUNTY, IL

Defendant Information

Name: RANDOLPH, WILLIE

Last Known Address: 10047 S. HOXIE
CHICAGO, IL 60617

FBI Number: 0774794N7

State ID Number: 015541130

Date of Birth: 07/14/1958

Gender: MALE

Arrest Information

Date of Arrest: 06/19/2005

Court & Case Information

Court County: COOK

Court State: IL

Case Number: 2005-CR-1595202

Disposition: 12/04/2006

Current Charge or Offense Information

Statute Violated: 720-5/19-1(a)

Offense Charged: BURGLARY

Class of Offense: SECOND DEGREE FELONY

Offense Disposition: DEF SENTENCED ILLINOIS
DOC - 12/04/2006

Sentence Information

Sentence Minimum: 8 YEARS

The preceding record is for informational purposes only and is not the official record. This information is not warranted for accuracy or completeness. For copies of the official record (of conviction or incarceration), contact the agency or court.

This information is not to be used for any purpose regulated by the fair credit reporting act including employment screening or in violation of any local or state law.

Order Documents

Call Westlaw CourtExpress at 1-877-DOC-RETR (1-877-362-7387) for on-site manual retrieval of documents related to this or other matters. Additional charges apply.

END OF DOCUMENT

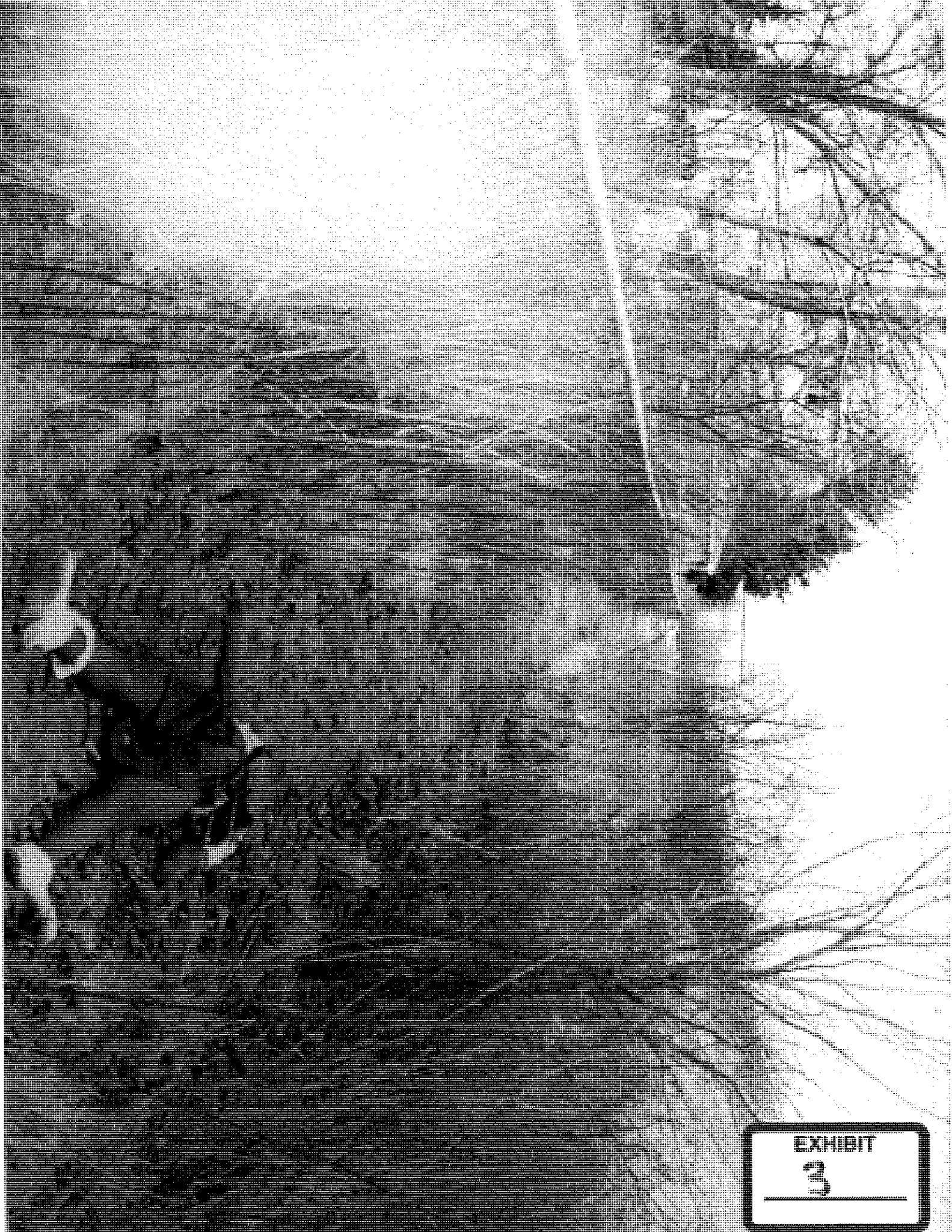


EXHIBIT
3

ILLINOIS STATE POLICE

INVESTIGATIVE REPORT

M/Sgt. Meduga #2159

Division No.: 91E7898	Reporting Date(s): October 20, 1992	Reporting Agent(s): Insp Davis #2465, S/A Kachiroubas #2965	ID #: 712	Lead No.:
Subject: CATERESA MATTHEWS		Case Agent: ID #: Kachiroubas	Office: Zone 04	Typed By: Date: dp November 9, 1992

On October 20, 1992 at approximately 12:00 noon, Lt. Joseph Falica of the Dixmoor Police Department contacted Reporting Agent (R/A) Tasso Kachiroubas and advised R/A that an individual was at the Dixmoor Police Department who had information reference the CATERESA MATTHEWS investigation.

At approximately 3:00 p.m., R/A Kachiroubas, M/Sgt. John Meduga and S/A Willie Davis arrived at the Dixmoor Police Department and spoke with Keno Barnes, M/B, DOB: 04/19/77. Barnes advised R/As that on October 19, 1992 at approximately 3:30 p.m., while at 147th Street and Winchester, Harvey, Illinois, Johnathan Barr, M/B, DOB: 09/10/77 related the following information.

Barr observed MATTHEWS get in a car which was occupied by ROBERT LEE (ROBERT L. VEAL, M/B, DOB: 02/22/77) and ROBERT TAYLOR (ROBERT J. TAYLOR, M/B, DOB: 09/08/77) and some other boys. Barr was not in the car but that is the last Barr ever saw MATTHEWS again.

Barns further related to R/As that the following individuals were also present when Barr made the statement.

1. Vincent Hayward
2. Tiny Hayward
3. Obda Johnson

Dissemination:

IN THE CIRCUIT COURT OF COOK COUNTY
CRIMINAL DIVISION

ROBERT TAYLOR,)
Petitioner,) Case No. 95 CR 23475
-vs-)
PEOPLE OF THE STATE OF)
ILLINOIS,)
Respondent.)

DECLARATION

I, Keno Barnes, D.O.B. 4/19/1977, state the following:

This statement was taken at 15000 Paulina, Harvey, IL & Laura Ninder
KOB ~~6/22/2010~~ on 6/22/2010 by Joshua Tepper, Esq KOB
attorneys and Lawren Hillmann a law student, on behalf of Robert Taylor. SS

SS I was a student at Roca Parks Elementary
School in Dixmoor, IL at the time Cateresa
Matthews went missing. I remember, at one point
after she went missing, police officers took
several students out of school, including me,
to the Dixmoor police station to interview us about
her going missing. When I got there, they took

Page 1 of 4

Initials KOB

EXHIBIT

5

me into a room. My Mom, Vicki Barnes, and my cousin, William Barnes, were with me.

The police kept asking me over and over if I knew anything about her going missing. I told them I didn't know anything.

I remember them asking a whole lot of questions about James Harden. They also mentioned Jonathan Barr and Shainne Sharp, but they asked about James the most. I continued to tell them I knew nothing about this.

My Mom also continued to tell them I knew nothing about this. My cousin was saying the same thing. I then left the station with my Mom and cousin. I spoke to the police for only a short time.

This was the only time I ever spoke to the ^{SS} ~~SS~~ ^{KOB} police ^{about this case.} Mr. Tepper showed me Exhibit 1 to this statement.

When he showed me the document, the hand writing was not on it. I read the entire document. I know how to read. This was the first time I ever saw this document. What the document says is not true.

Page 2 of 4

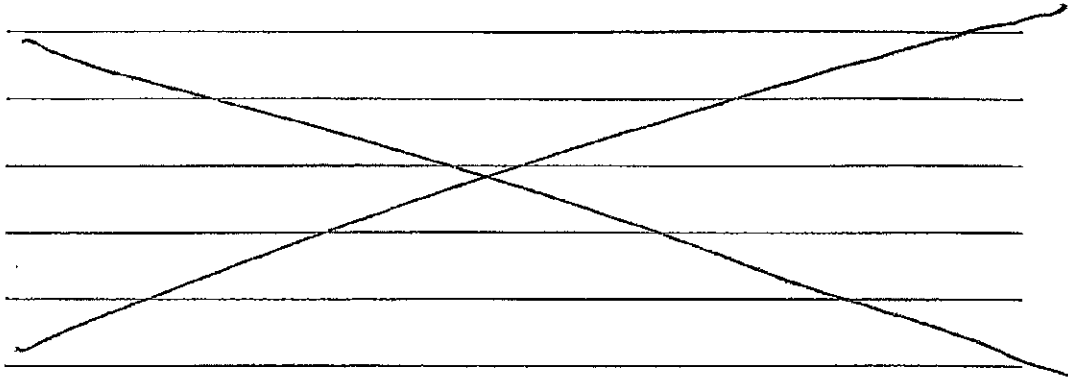
Initials KOB

I never had a conversation with Jonathan Barr in the presence of Vincent Hayward, Tiny Hayward, and Obda Johnson. Obda is my cousin, and I know Vincent Hayward - he went to school with me. I have no idea who Tiny Hayward is. Jonathan Barr never told me that he saw

KOB
SS ~~Robert Taylor or/and Robert Udal get in~~
Cateressa Matthews get in a car occupied by Robert Taylor, Robert Lee Udal, and other boys on October 17, 1992 at 3:30 p.m. This never happened. I do not know why the police report says that.

Page 3 of 4

Initials KOB



I make this statement of my own free will; I have not been threatened or coerced in any way. I have not received and have not been offered any compensation for this statement. I make this statement only because I wish the truth to be known.

Initials KOB

Under penalties as provided by law pursuant to 735 ILCS 5/1-109, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters stated to be on information and belief and as to such matters the undersigned certifies that he believes the same to be true.

Keon Barnes
Signature of Declarant

6-23-10
Date

Shawn Spive
Signature of Witness

6-23-10
Date

Page 4 of 4

Initials KOB

VOLUNTARY STATEMENT

DATE: 10/29/92 TIME: 3:35 P.M. PLACE: MARKHAM COURTHOUSE STATES ATTORNEY OFFICE

I, ROBERT LEE VEAL, D.O.B. 02/22/77

reside at 15128 S. POPE HARVEY ILLINOIS I have been advised and duly warned by

SA TASSO J. KACHIROUBA identified to me as an officer of the Illinois State Police, DCI ZONE 4

- 1. That I have the right to remain silent;
2. That anything I say can and will be used against me in a court of law;
3. That I have the right to talk with a lawyer now and have him present with me while being questioned;
4. If I cannot afford to hire a lawyer, one will be furnished to represent me, free of any cost, before questioning.

I state that I understand each of these rights and that I did not at any time ask that a lawyer be present to represent me in this matter. I hereby voluntarily agree to make the following statement which is made of my own free will, without promise of reward or favor, without fear or threat of physical harm, without coercion, and without offer of leniency by any person or persons.

I WAS AT A CANDY/GAME STORE AT 147 ST. LOUISE AVE HARVEY ILLINOIS AT APPROXIMATELY 2:00 PM WHEN JAMES HARDING CAME INTO THE STORE. JAMES STAYED IN THE STORE FOR APPROXIMATELY FIVE (5) MINUTES & THEN LEFT. I STAYED AT THE STORE FOR APPROXIMATELY ONE (1) MORE HOUR PLAYING GAMES. I THEN LEFT THE STORE TO WALK HOME. I WAS WALKING ON ROBEY AVE WHEN JAMES HARDING WHO WAS DRIVING A RED CAR PULLED UP NEXT TO ME & SAID TO COME RIDE AROUND WITH US. ALSO IN THE CAR WAS ROBERT TAYLOR AND A GUY APPROXIMATELY SEVENTEEN (17) YEARS OF AGE WHO I THINK HAD A NAME OF SHEVENE. JAMES WAS DRIVING. SHEVENE WAS IN THE FRONT PASSENGER SEAT, ROBERT TAYLOR

I have read this statement consisting of 5 page(s), and I affirm to the truth and accuracy of the facts contained therein.

[Handwritten signature]

Robert Veal 10/29/92 Signature Date

Witness: S.A. Robert [Handwritten] #1964 10/29/92 Date Time

Witness: [Blank] Date Time

IL 493-0156

EXHIBIT 6

VOLUNTARY STATEMENT
Continuation Report

WAS SITTING BEHIND JAMES & I GOT IN THE CAR
& SAT IN THE REAR BEHIND SHEYNE. WE DROVE FOR
APPROXIMATELY THREE (3) OR FIVE (5) MINUTES BEFORE
WE CAME ACROSS JONATHAN BARR & CATERESA WALKING
TOGETHER. JAMES STOPPED THE CAR & TOLD JONATHAN &
CATERESA TO GET IN THE CAR. THEY GOT IN WITH CATERESA
NOW SITTING IN THE REAR BEHIND JAMES, JONATHAN IN
REAR NEXT TO CATERESA, ROBERT TAYLOR IN REAR NEXT TO
JONATHAN & I WAS SITTING IN THE REAR NEXT TO ROBERT
TAYLOR. WE DROVE AROUND FOR APPROXIMATELY THREE (3)
MINUTES BEFORE JAMES PARKED THE CAR NEXT TO A FIELD. &
WE ALL GOT OUT OF THE CAR. IT WAS STILL LIGHT OUT.
SHORTLY AFTER GETTING OUT OF THE CAR, JONATHAN PUNCHED
CATERESA IN THE FACE. CATERESA WAS CRYING & WENT & SAT
IN THE CAR. JAMES SPOKE WITH CATERESA & TOLD HER TO
COME & TAKE A WALK WITH HIM. CATERESA GOT OUT OF THE
CAR & CATERESA & JAMES THEN WALKED DOWN THE STREET TILL
WE COULDN'T SEE THEM ANYMORE. THEY WERE GONE FOR
APPROXIMATELY ONE (1) HOUR BEFORE THEY CAME BACK TO THE
CAR. IT WAS STILL LIGHT OUT. ONCE AT THE CAR, JAMES LOOKED
AT JONATHAN & WINKED. JAMES & CATERESA WERE HOLDING HANDS
& THEN WALKED TO THE FIELD. MYSELF, ROBERT TAYLOR,

[Signature]
A.S.A. Robert J. Melan
Witness
Sgt. [Signature] #2969
10/29/93
Date Time

Robert Neal 10/29/93
Signature Date
Witness
Date Time

VOLUNTARY STATEMENT
Continuation Report

JOHNATHAN BARR & SHEYNE WALKED BEHIND THEM THROUGH A PATH INTO THE FIELD. WHEN WE GOT INTO THE FIELD JAMES THREW CATERESA DOWN TO THE GROUND. JAMES THEN PUT HIS HAND OVER CATERESA'S MOUTH SO CATERESA WOULDN'T SCREAM. JAMES THEN PULLED A DARK SCARF OUT OF HIS PANTS POKET & TIED IT AROUND HER MOUTH. ROBERT TAYLOR & SHEYNE HELD CATERESA'S LEGS WHILE JOHNATHAN BARR & MYSELF HELD HER ARMS BEHIND HER HEAD. JAMES PULLED CATERESA'S COAT OFF & THEN PULLING HER JEANS OFF. CATERESA'S COAT WAS A BLACK & RED CHICAGO BULLS COAT. AFTER JAMES PULLED CATERESA'S JEANS OFF, JAMES PULLED HER PANTIES OFF. THE FOUR OF US WERE STILL HOLDING CATERESA DOWN WHILE JAMES WAS DOING THIS. JAMES THEN PUT HIS PENIS INSIDE CATERESA'S VAGINA. AFTER JAMES, SHEYNE THEN RAPED CATERESA. I CONTINUED HOLDING CATERESA'S ARM DOWN. JAMES TOOK SHEYNE'S PLACE HOLDING DOWN CATERESA'S ONE LEG WHILE SHEYNE RAPED CATERESA. JOHNATHAN WAS STILL HOLDING ONE OF CATERESA'S ARMS DOWN AND ROBERT TAYLOR WAS STILL HOLDING DOWN CATERESA'S OTHER LEG WHILE SHEYNE RAPED CATERESA. AFTER SHEYNE FINISHED RAPING CATERESA, JOHNATHAN THEN RAPED HER. SHEYNE TOOK

Johnathan Barr
A.S.A. Robert J. Miller
Witness
Terry Kallmanor #2961
10/29/92
Date Time

Robert Deal 10/29/92
Signature Date
Witness
Date Time

VOLUNTARY STATEMENT
Continuation Report

JOHNATHAN'S SPOT HOLDING HER DOWN WHILE THE
REST OF US STAYED AT THE SAME POSITION HOLDING
HER DOWN. WHEN JOHNATHAN FINISHED RAPING
CATERESA, ROBERT TAYLOR THEN RAPED HER. JOHNATHAN
TOOK ROBERT TAYLOR'S SPOT HOLDING CATERESA'S LEG WHILE
THE REST OF US STAYED WHERE WE WERE AT HOLDING HER
DOWN. CATERESA WAS FIGHTING, TRYING TO STOP IT THE
WHOLE TIME. WHEN ROBERT TAYLOR FINISHED RAPING
CATERESA JAMES TOLD ROBERT TO TAKE JAMES' SPOT.
ROBERT TAYLOR THEN TOOK JAMES' SPOT. JAMES THEN
PULLED OUT A DARK COLORED HAND GUN FROM JAMES' WAIST
BAND AND STOOD OVER CATERESA WITH HIS ARM EXTENDED
& THE GUN POINTING TOWARDS HER HEAD. JAMES THEN
FIRED ONE SHOT AND CATERESA STOPPED FIGHTING US.
JOHNATHAN THEN TOOK A RING OFF CATERESA'S FINGER &
PUT IT IN HIS PANTS POCKET. JAMES PICKED UP CATERESA'S
COAT & ALL OF US THEN WENT BACK TO THE CAR. JAMES
BROUGHT CATERESA'S COAT INTO THE CAR. WE THEN LEFT
IN THE CAR WITH JAMES DRIVING. JAMES HAD ALREADY
PUT THE GUN BACK INTO HIS WAISTBAND COMING FROM
THE FIELD. JAMES TOLD ME NOT TO SAY ANYTHING
OR JAMES WOULD HAVE HIS COUSIN SHOOT ME.

J. Quinn
A.S. Robert J. Miller
Witness
Sgt. Tamey Kallumba # 2969
10/29/92
Date Time

Robert Neal 10/29/92
Signature Date
Witness
Date Time

VOLUNTARY STATEMENT
Continuation Report

JAMES THEN DROPPED ME OFF AT THE
CANDY/GROCERY STORE WHERE I WAS AT EARLIER.

I HAVE BEEN TREATED GOOD BY THE POLICE
AND THE STATES ATTORNEY. I HAVE BEEN FED A
BURGER KING AND FRIES AND HAVE USED THE WASHROOM.

I HAVE GIVEN THIS STATEMENT ON MY OWN
FREE WILL. I AM NOT UNDER THE INFLUENCE OF
ALCOHOL OR DRUGS.

x Robert Neal

11A Texas J No. 2969

A.S.A. Robert J. Miller

Jr. James [Signature]

10/29/92

Signature

Date

Witness

Witness

Date

Time

Date

Time

Page 5 of 5

IN THE CIRCUIT COURT OF COOK COUNTY
CRIMINAL DIVISION

ROBERT TAYLOR,)
Petitioner,) Case No. 95 CR 23475
)
-vs-)
)
PEOPLE OF THE STATE OF)
ILLINOIS,)
Respondent.)

DECLARATION

I, Robert Lee Veal, D.O.B. 2/22/77, state the following:

This statement was taken at 16921 S. Crane St. Hazelcrest
IL on July 6, 2010 by Josh Tepler, and Tara Thompson,
attorneys; and _____, a law student, on behalf of Robert Taylor and James Harden.

I am giving this statement to Josh Tepler,
who told me he represents Robert Taylor, and
Tara Thompson, who told me she represents James
Harden. I went to school at Rosa Parks Middle
School with Cataresa Matthews but I didn't
know her. I heard she went missing in
November of 1991, and I also heard her body

Page 1 of 10

Initials RV

EXHIBIT

7

was found the next month. I know nothing about how she went missing or how she died.

At that time I knew Robert Taylor. He was a friend. I also knew James Harden, Jonathan Barr, and Shainne Sharp. I thought of them as enemies. Taylor and I were from Harvey and the three of them were from Dixmoor. Harvey and Dixmoor guys didn't get along. I have never been in a car with James, Jonathan or Shainne. I have never hung out with James, Jonathan or Shainne. The five of us (me, Robert Taylor, James, Jonathan and Shainne) have never ridden in a car together or ever been together at the same time at all.

The morning of October 29, 1992, I was asleep when an investigator I later knew as

Page 2 of 10

Initials RV

"T.J." and another cop came to my aunt's house. They said they wanted to question me about a murder that happened in Dixmoor. My grandma and mamma said to go with the men to clear my name. I was 15 at the time. They cuffed and frisked me and put me in the back of the car and took me to the Markham courthouse. Before I left the house my mom and grandma said they would follow, but I never saw them at Markham.

The police began questioning me at Markham in a closed room with a table. T.J. and the other police read me my rights and I said I wanted an attorney or my mom. T.J. went out and came back with a man wearing a suit and tie who was a tall, white man with gray hair. T.J.

Page 3 of 10

Initials RU

told me this man was an attorney. This guy stood to one side and didn't say anything during the interview.

The police started questioning me again. They said they knew me, Robert Taylor, Jonathan Barr, James Harden and Shainne Sharp had killed Catressa Matthews. They said we all drove in a car to a field. They said when we got out Jonathan hit Catressa and then James took her on a walk in the field. They told me Jonathan admitted that he hit her and that James walked with her. I said and kept saying that I wasn't there so I didn't know who did what. I told them there was no way Robert and I would hang out with James, Jonathan or Shainne. They said they had witnesses with all of us in the same car. I said that couldn't be true.

Page 4 of 10

Initials RV

TJ started trying to explain the story, saying I went to the store, that I was there but I didn't do anything, that James Harden fired the gun. TJ started writing things down and telling me what he was writing. He used the word "approximately" which I didn't understand. He told me I held her down and that they made me do it. TJ said we took turns holding her down while the others raped her. His main focus was James - he kept saying "You know James did it." He said James was the oldest and must have been the ringleader. Every time he wrote something down I told him that wasn't true.

After he was done writing I signed the papers even though they weren't true because I didn't know by signing it I was saying it was true. I kept telling them it wasn't

Page 5 of 10

Initials RV

true. After I signed, TJ said I might go home and it was up to the Judge. When I signed it, I thought that would end the questioning and I could go home. I was 15 and I'd never been questioned by the police before. I had been picked up for stolen cars but nothing that led to the police questioning me. Before when I'd been picked up I'd been taken to the police station but then picked up by a truant officer to go the Audy Home. Then I would go to court the next morning and been able to go home. This time, after I signed the statement I went to another police station and then to the Audy Home but I didn't get to go home.

Because I was innocent I wanted to fight the charges. I had a paid lawyer

Page 6 of 10

Initials RV

who had a hearing to try to get my statement tossed out but I lost. After that I learned I would be charged as an adult and my lawyer told me I could be facing heavy time. At this point I was at county with adults. Because I was facing so much time and I'd lost these earlier hearings, I was scared. Even though I was innocent I thought I would lose. The state then offered me 20 years to plead and to read my statement in court. After I pled the States Attorney took me to an empty courtroom to practice my testimony and explain what would happen. They took me to practice two or three times. I then testified in two trials, but the testimony I gave was false. I knew I had to give this false testimony or I wouldn't get the deal. I was not willing to admit at the time of these trials that my testimony

Page 7 of 10

Initials RV

was fake because my ^(RV) ~~public~~ attorney (by the time I pled I had a public defender) told me the court could give me as much as 75 years if I went to trial. As part of my plea the rape ^{and kidnaping and robbery (RV)} charges were dropped.

After I went to IDOC I went to Joliet. When I was getting ^{ready to (RV)} leave out of Joliet I ran into Shainne Sharp and he said it was bogus that all of us had caught this case because none of us had done it. I never saw Robert, James or Jonathan in IDOC and haven't seen or spoken to them since my testimony.

When I ^{was (RV)} released I talked to my mom about suing TJ and the State for what happened but my mom told me not to do it because she was worried I would be harassed by the police.

Page 8 of 10

Initials RV

I am coming forward now because I want the truth and I want to know who really did this to this little girl. The real killer who did this should be locked up, but I don't know who ~~that~~ ^(RV) really did this

Two weeks ago I spoke to Josh Tepler ^(RV) and Laura Nirider and their student. This was on the phone because I was in Minnesota and they called me from my auntie Kenyatta Erby's ^{cell (RV)} ~~house~~ phone. Before that and since my trial, I haven't spoken about what happened to any attorneys or investigators. I never came forward about this because I thought the case was closed. I currently live in Minnesota and have since 2005.

Page 9 of 10

Initials RV

I make this statement of my own free will; I have not been threatened or coerced in any way. I have not received and have not been offered any compensation for this statement. I make this statement only because I wish the truth to be known.

Initials RV

Under penalties as provided by law pursuant to 735 ILCS 5/1-109, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters stated to be on information and belief and as to such matters the undersigned certifies that he believes the same to be true.

Robert H. Cook
Signature of Declarant

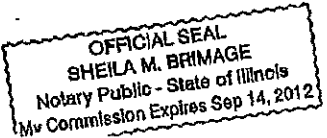
Signature of Witness

7-6-10
Date

Date

State of Illinois
County of: Cook
Sworn to and Subscribed before me
this 6 day of July, 2010
by: Robert H. Cook

9-14-12
Notary Public, State of Illinois
My Commission Expires:



Page 10 of 10

Initials RV



ILLINOIS STATE POLICE

VOLUNTARY STATEMENT

Date 10-29-92 Time 8:15 p.m. Place Markham Courthouse

I, Robert Taylor, am 15 years of age

and my address is 92 W. 150th St. Harvey, IL

I hereby voluntarily agree to make a statement to answer questions asked of me by Robert Milan, who has identified himself to me as a an ASSISTANT STATE'S ATTORNEY

~~the witness~~ I did not at any time ask that an attorney-at-law be present to represent me in this matter. I further state that I have not been threatened or mistreated in any fashion nor have any gratuities been promised to me in return for making this statement.

Robert Taylor

Robert J. Milan, Witness

Mr. Quinn, Witness

On about Nov. 19, 1991 I was at school at Rosa Parks school. After school I got into a car with James Harding, Jonathan Barr, Cheyenne, Robert Veal and Cateresa. James was driving. We drove around for awhile until James drove to a vacant field. Everybody got out of the car

ROBERT TAYLOR

A.S.A. Robert J. Milan, Witness

Mr. Quinn, Witness

SA J. Grant #2135

Time Completed: 8:45 AM 85

IL-893-0500

EXHIBIT
8

VOLUNTARY STATEMENT
Continuation Report

and Jonathan punched Cataresa in the mouth. She fell and started crying. James picked her up and James and Cataresa walked down the street and turned the corner. A while later they came back. James and Cataresa walked through the vacant field. Jonathan and Cheyenne followed them. Me and Robert Veal followed Jonathan and Cheyenne. Cataresa was carrying her coat. James started yelling at her and grabbed her shirt and ripped it off. She fell down and got back up and slapped James. Cheyenne grabbed her from behind and held her while James pulled her jeans off her. Cheyenne slammed her to the ground. James covered her mouth with his hand and stuck something in her mouth so she would not scream. James yelled "Grab her." I grabbed her leg and all five of us held her down. Then James, Jonathan and Cheyenne

Sgt. Hank #215
Witness
10/29/92
8:45pm

ROBERT TAYLOR
Signature
A.S.A Robert J. Miller
Witness
10/29/92
8:45pm

VOLUNTARY STATEMENT
Continuation Report

took turns having sex with her, me and Robert were holding her while the other guys raped her. After that was over James grabbed her by the neck and yelled at her. He reached into his pants and pulled out a gun and shot her in the face. All of us got into the car and Cheyenne was driving now. Both James and Cheyenne told me to shut up and they dropped me off a block from my house. I have been treated good by the police and state's attorney. I have given this statement freely and voluntarily and it is the truth. I'm not under the influence of alcohol or drugs. I have been offered food and drink.

SA J. [unclear] #2135
J. [unclear] [unclear]
Witness
10/29/92 8:45pm
Date Time

ROBERT TAYLOR
Signature Date
A.S. A Robert J. [unclear]
Witness
10/29/92 8:45pm
Date Time

VOLUNTARY STATEMENT

DATE: 10-31-92 TIME: 4:50 p.m. PLACE: T.S.P. DIST. 4

I, Shainne R. Sharp, D.O.B. 5-1-75

reside at 153rd + Main St. Harvey, IL. I have been advised and duly warned by

Robert T. Milan, identified to me as an officer of the

(Name) (ID#)
Illinois State Police, Assistant State's Attorney

- 1. That I have the right to remain silent;
- 2. That anything I say can and will be used against me in a court of law;
- 3. That I have the right to talk with a lawyer now and have him present with me while being questioned;
- 4. If I cannot afford to hire a lawyer, one will be furnished to represent me, free of any cost, before questioning.

I state that I understand each of these rights and that I did not at any time ask that a lawyer be present to represent me in this matter. I hereby voluntarily agree to make the following statement which is made of my own free will, without promise of reward or favor, without fear or threat of physical harm, without coercion, and without offer of leniency by any person or persons.

In late November of 1991 at about 3:00 p.m. I was playing basketball at 2241 Juliet in Dixmoor. A car pulled up with Robert Taylor, James Harden and a light skinned dude whose name I don't know. I knew James Harden for over a year from Rose Parks school and from living near me. I knew Robert Taylor from before cause he knew my sisters. When they pulled up Robert Taylor was driving. James Harden asked me if I wanted to play dice. I had a couple of bucks so I went with them. The car we were

I have read this statement consisting of _____ page(s), and I affirm to the truth and accuracy of the facts contained therein.

Shainne A. Sharp 10/31/92
Signature Date

Stacey Washburn 9269
Witness

A.S.A. Robert J. Milan
Witness

10-31-92 5:45 p.m.
Date Time

10-31-92 5:45 p.m. 104
Date Time

EXHIBIT
9

VOLUNTARY STATEMENT
Continuation Report

IN was stolen so Robert took side streets
to James Harden's house so no police would
see us. At 145th Vale we saw Cateresa Matthews
and Jonathan Barr. They were walking down
the street towards her house. Jonathan
Barr and James Harden are brothers. I knew
Jonathan from Rosa Parks school too. I knew
Cateresa my whole life. She was a flirt
that made guys want it from her. She was
a tease. This day she was wearing tight
jeans and looking good. Jonathan and
Cateresa got in the car and we went to
Jonathan and James's house. Nobody was
drinking or smoking or doing any drugs.
While we were shooting dice Cateresa was
hugging on Jonathan and saying let's go
I'm bored. Jonathan said we're fittin
to go and Jonathan and Cateresa left
the house. We knew he was going to
fuck her so we went to peek. Me, James,
Robert and the light skinned dude followed
them to the field by the street. We were

Shaimus R. Sharp 10/31/92
Signature Date

Stacy Hochhuber #2969
Witness

A.S.A. Robert J. Miller
Witness

10-31-92 5:45 AM
Date Time

10-31-92 5:45 PM
Date Time

Page 5 of 5

VOLUNTARY STATEMENT
Continuation Report

trying to peek. Jonathan said give me some privacy. About 20 minutes later Jonathan and Cateress came out of the weeds. James Harden got jealous because Cateressa wouldn't fuck him just his brother. James said he was fittin to fuck the bitch. James grabbed her and she started running on the other side of the fence through that path. James started kissing her and slapping her and asking if she was gonna give him some pussy. She said no. He started smacking on her. He grabbed her and stuck "black draw" strings in her mouth. She stumbled. Jonathan charged on her and grabbed her left side of the body and held her down. James had already ripped her shirt and then he pushed her back up. Robert Taylor held her right shoulder down. The light skinned guy was looking around for police to make sure no one saw us. James asked me to grab her leg for him. I pulled her

Shainne R. Sharp 10/31/92
Signature Date

SA Taroni Koeluber #2969
Witness

A. S. A. Robert J. Miller
Witness

10-31-92 5:45 AM
Date Time

10-31-92 5:45 PM
Date Time

VOLUNTARY STATEMENT
Continuation Report

leg open for him. James was trying to get himself hard by playing with himself. I held her leg open until he put himself in her. James fucked her for about 15 or 20 seconds. She was trying to get up but she couldn't. After James fucked her the light skinned guy fucked her for about the same amount. After the light skinned guy got off her, Robert Taylor fucked her for about only 20 seconds. They would take turns holding her for each other. I don't think they even got their nut off. When Taylor was done James Harden said let's go. Then James said wait a minute. James then put his foot on her stomach. James then took out a small black gun, stood over her and shot her in the face. I ran to 2241 Joliet, Juan West's house. His real name is Leroy West. I shot dice at Leroy's house and I told Leroy what happened. When I told the state's

Shamone R. Sharp 10/31/92
Signature Date

S/A Tracy Kachub 2960
Witness

A.S.A. Robert J. Rubin
Witness

10-31-92 5:45 AM
Date Time

10-31-92 5:47 PM
Date Time

Page 4 of 5

VOLUNTARY STATEMENT
Continuation Report

Attorney and police that I wasn't around
when Caterese was killed. That was
a lie I told because I was scared and
wanted to protect myself. I have been
treated nice by the police and state's
Attorney. They bought me food and pop
and cigarettes. I have told the police
and state's attorney this because I
had to get relieved. I have given this
statement of my own free will. I have
not been threatened or promised anything
in return for this statement. I am not
under the influence of alcohol or drugs.

St. Louis Kochwalter 3968
Witness
10-31-90 5:45 P.M.
Date Time

William R. Sharp 10131192
Signature Date
A.S. A. R. [unclear]
Witness
10-31-92 5:45 P.M.
Date Time

The same single-source male DNA profile, using Restriction Fragment Length Polymorphism (RFLP) analysis, was established from seminal fluid separately extracted from a vaginal and anal swab of the 14-year-old victim. This single-source DNA profile did not match any of the Petitioners nor did it match Robert Lee Veal or Shainne Sharp. The evidence of this exclusion was presented at each of the three Petitioners' trials.

The Petitioners, without objection from the State, seek additional post-conviction DNA analysis and testing beginning with testing from extracts from the vaginal and anal swabs in order to determine whether a Short Tandem Repeat (STR) DNA profile can be established from any remaining seminal fluid. The parties agree to enter any suitable STR DNA profile obtained into Illinois' DNA database and the FBI's DNA database (i.e., the Combined DNA Index System (CODIS)).

This Court, having examined the request, and understanding that none of the parties objects, hereby GRANTS post-conviction DNA testing, subject to the following conditions:

1. The Court GRANTS DNA testing on the following items:
 - a. Extracts from the vaginal swab of the victim; and
 - b. Extracts from the anal swab of the victim.
2. Based on all the information received by the parties to date, the aforementioned evidence is currently in the custody of the Dixmoor Police Department.
3. Within seven days of the entry of this Order, a representative from the Cook County State's Attorney's Office will go to the Dixmoor Police Department and properly package the evidence while at Dixmoor to assure that it is not damaged or contaminated during transit. Once properly packaged, the Cook County State's Attorney representative

will Fed-Ex the items to Orchid Cellmark, 13988 Diplomat Drive, Suite 100, Dallas, Texas 75234. Shipping costs will be forwarded to and paid by counsel for Petitioners.

4. Upon receipt of all the items, Cellmark shall follow established procedures for processing evidence in such a way that profiles are suitable for inclusion in CODIS as well as inventory, properly document, and photograph the items before testing. Testing shall proceed as follows:

- a. Cellmark shall test the evidence to determine if there are any interpretable male DNA profiles. During testing, Cellmark shall consume no more of the item than is necessary to obtain a result; if Cellmark determines its testing will consume an entire sample, Cellmark shall contact Assistant State's Attorney Mark Ertler, as well as the attorneys for each of the Petitioners. The contact information for all attorneys of record is provided below.

- b. Each of the following defendants shall provide a reference sample (using buccal swabs) to a representative from the Cook County State's Attorney's Office:

- i. James Harden, presently incarcerated in the Illinois Department of Corrections;

- ii. Jonathan Barr, presently incarcerated in the Illinois Department of Corrections;

- iii. Robert Taylor, presently incarcerated in the Illinois Department of Corrections;

- iv. ~~Shairme Sharp (presently incarcerated in Indiana State Prison, 1 Park Row, Michigan City, IN 46360, DOC# 196612); and~~

v. ~~Robert Lee Veal (last known address being 590 Cook Avenue East,
Apartment 3, Saint Paul, MN 55106):~~

vi. All expenses related to obtaining these buccal swabs shall be forwarded to and paid by petitioners' attorneys up front.

c. Cellmark shall subject these reference samples to DNA testing.

i. If these profiles are excluded from one or more full or partial male DNA profiles obtained by Cellmark, the parties will not object to the entry of the DNA profile into CODIS.

d. Once the testing and databank searches are complete, Cellmark shall publish its findings in a report which shall be faxed and mailed to the Cook County State's Attorney and the attorneys for each of the Petitioners. All parties shall also be entitled to review any data, graphs, laboratory files, or any other Cellmark work product.

e. All extracts, cuttings, and evidence not consumed during testing shall be returned to the Cook County State's Attorney's Office.

5. The Cook County State's Attorney's Office, in not objecting to this DNA testing, makes no concessions that the lack of Petitioners' DNA on any of the extracts or the presence of someone else's DNA on the extracts would establish any of the Petitioners' actual innocence or entitle the Petitioners to any other form of relief.

6. This order does not foreclose any of the parties from attempting to seek additional DNA or forensic testing on other items recovered from the investigation of the sexual assault and murder of Cateresa Matthews pending the results of this testing.

7. Petitioners' attorneys shall pay for all the DNA testing conducted pursuant to this order;

all bills for DNA testing shall be forward to counsel for the petitioners.

ENTERED THIS 8th DAY OF

October 2010


Honorable Judge Simmons
1837

Mark Ertler, Assistant State's Attorney
Cook County State's Attorney's Office
2650 South California Avenue, Room 11C39
Chicago, IL 60608
Phone: (773) 869-5832
Fax: (773) 674-3726

Tara Thompson, Counsel for James Harden
The Exoneration Project
at the University of Chicago Law School
6020 S. University Avenue
Chicago, IL 60637
Phone: (312) 243-5900
Fax: (312) 243-5902

Craig M. Cooley, Counsel for Jonathan Barr
Innocence Project, Inc.
100 Fifth Avenue, 3rd Floor
New York, NY 10011
Phone (212) 364-5341
Fax: (212) 364-5361

Joshua A. Tepfer, Co-Counsel for Robert Taylor
Steven A. Drizin
Laura Nirider
Center on Wrongful Convictions of Youth
Northwestern University School of Law
375 East Chicago Avenue
Chicago, IL 60611
Phone: (312) 503-6298
Fax: (312) 503-8977

Jennifer Blagg, Co-Counsel for Robert Taylor
1400 W. Devon Ave., Suite 267
Chicago, IL 60660
Phone: (773) 859-0081
Fax: (773) 439-2863



**ORCHID
CELLMARK**

13988 Diplomat Drive · Suite 100 · Dallas, TX 75234 · 214.271.8400 · 1.800.752.2774 · 214.271.8322 fax

Report of Laboratory Examination

February 28, 2011

Craig M. Cooley
The Innocence Project
100 Fifth Avenue
3rd Floor
New York, NY 10011

SUBJECT: Cateresa Matthews
SUSPECTS: Jonathan Barr; James Harden
Robert Taylor

ORCHID CELLMARK NO: FR10-0172
AGENCY CASE NO: 92 CR 27247 & 95 CR
23475
ADD'L AGENCY NO: J915438

EXHIBITS

Client Item	OC Item	Received	Item Description	Screened	PCR
92 CR 27247 & 95 CR 23475	FR10-0172-01	10/19/2010	DNA Extract:16-1 F1 (EF-Vaginal)	N	N
92 CR 27247 & 95 CR 23475	FR10-0172-02	10/19/2010	DNA Extract:16-1 F1 HWM Sample (EF-Vaginal)	N	N
92 CR 27247 & 95 CR 23475	FR10-0172-03	10/19/2010	DNA Extract:16-1 F1 Crust (EF-Vaginal)	N	N
92 CR 27247 & 95 CR 23475	FR10-0172-04	10/19/2010	DNA Extract:16-1 F2 Amp Sample (SF-Vaginal)	N	Y
92 CR 27247 & 95 CR 23475	FR10-0172-05	10/19/2010	DNA Extract:17-1 F1 (EF-Rectal)	N	N
92 CR 27247 & 95 CR 23475	FR10-0172-06	10/19/2010	DNA Extract:17-1 F1 (EF-Rectal)	N	N
92 CR 27247 & 95 CR 23475	FR10-0172-07	10/19/2010	DNA Extract:SEB F2 (Differential Reagent Blank)	N	Y
92 CR 27247 & 95 CR 23475	FR10-0172-08	10/19/2010	DNA Extract:11-1 Matthews	N	Y
92 CR 27247 & 95 CR 23475	FR10-0172-09	10/19/2010	DNA Extract:SEB (Reference Reagent Blank)	N	Y
92 CR 27247 & 95 CR 23475	NOT EXAMINED	10/19/2010	1.5mL Microcentrifuge Tube:16-1 F3 (Re-Extracted Substrate)	N	N
92 CR 27247 & 95 CR 23475	NOT EXAMINED	10/19/2010	1.5mL Microcentrifuge Tube:16-1 F3 (Re-Extracted Substrate)	N	N
92 CR 27247 & 95 CR 23475	NOT EXAMINED	10/19/2010	1.5mL Microcentrifuge Tube:17-1 F3 (Re-Extracted Substrate)	N	N
92 CR 27247 & 95 CR 23475	NOT EXAMINED	10/19/2010	1.5mL Microcentrifuge Tube:17-1 F3 (Re-Extracted Substrate)	N	N
92 CR 27247 & 95 CR 23475	NOT EXAMINED	10/19/2010	1.5mL Microcentrifuge Tube:25-1 Taylor	N	N
92 CR 27247 & 95 CR 23475	NOT EXAMINED	10/19/2010	1.5mL Microcentrifuge Tube:26-1 Sharp	N	N

92 CR 27247 & 95 CR 23475

FR10-0172

1 of 3



Client Item	OC Item	Received	Item Description	Screened	PCR
92 CR 27247 & 95 CR 23475	NOT EXAMINED	10/19/2010	1.5mL Microcentrifuge Tube:33-1 Harden	N	N

RESULTS

DNA testing using the polymerase chain reaction (PCR) and the AmpFISTR Profiler Plus™ and AmpFISTR COfiler™ Amplification Kits was performed on the indicated exhibits. The loci tested and the results obtained for each tested sample are listed in Table 1 and Table 2 (see attachments).

Human specific DNA quantitation using the Quantifiler Human kit was performed on the samples listed below. Human DNA was detected for these samples. PCR testing was not performed on these samples at this time.

- DNA Extract:16-1 F1 (Epithelial Fraction-Vaginal) (01.01.1)
- DNA Extract:16-1 F1 HWM Sample (Epithelial Fraction-Vaginal) (02.01.1)
- DNA Extract:16-1 F1 Crust (Epithelial Fraction-Vaginal) (03.01.1)
- DNA Extract:17-1 F1 (Epithelial Fraction-Rectal) (05.01.1)
- DNA Extract:17-1 F1 (Epithelial Fraction-Rectal) (06.01.1)

Male specific DNA quantitation using the Quantifiler-Y kit was performed on the samples listed below. Y-STR testing was not performed on these samples at this time.

- DNA Extract:16-1 F1 (Epithelial Fraction-Vaginal) (01.01.1)
- DNA Extract:16-1 F1 HWM Sample (Epithelial Fraction-Vaginal) (02.01.1)
- DNA Extract:16-1 F1 Crust (Epithelial Fraction-Vaginal) (03.01.1)
- DNA Extract:16-1 F2 Amp Sample (Sperm Fraction-Vaginal) (04.01.1)
- DNA Extract:17-1 F1 (Epithelial Fraction-Rectal) (05.01.1)
- DNA Extract:17-1 F1 (Epithelial Fraction-Rectal) (06.01.1)
- DNA Extract:SEB F2 (Differential Reagent Blank) (07.01.1)

CONCLUSIONS

FR10-0172-04.01.1

The predominant DNA profile obtained from the DNA extract of "16-1 F2 amp sample" (the sperm fraction of the vaginal swab sample) originated from an unknown male. No conclusion can be made regarding any additional types present in this sample.

FR10-0172-08.01.1

A partial DNA profile was obtained from the DNA extract of "11-1 Matthews" (the blood standard from Cateresa Matthews).

February 28, 2011



ORCHID
CELLMARK

92 CR 27247 & 95 CR 23475]

FR10-0172

2 of 3

DISPOSITION

In the absence of specific instruction, evidence will be returned to the submitting agency by Federal Express or another appropriate carrier.

REVIEW

The results described in this report have been reviewed by the following individuals:

Analyst: Jennifer L. Smith
Jennifer L. Smith / DNA Analyst II

Technical
Reviewer: Huma Nasir
Huma Nasir / Team Leader

Procedures used in the analysis of this case adhere to the Quality Assurance Standards for Forensic DNA Testing Laboratories. Orchid Cellmark is accredited by the American Society of Crime Laboratory Directors/Laboratory Accreditation Board and Forensic Quality Services-International. The results in this report relate only to the items tested.

cc: Mark Ertler, A.S.A.
Cook County State's Attorney's Office
2650 South California Ave.
RM. 11C39
Chicago, IL 60608

cc: Tara Thompson
Exoneration Project
312 N. May Street
Suite 100
Chicago, IL 60607

cc: Joshua Tepfer
Center on Wrongful Convictions of Youth
375 East Chicago Ave.
Chicago, IL 60611

February 28, 2011



ORCHID
CELLMARK

92 CR 27247 & 95 CR 23475 |

FR10-0172

3 of 3



ORCHID
CELLMARK

Report of Laboratory Examination

Orchid Cellmark, Dallas

2/28/2011

ORCHID CELLMARK NO: FR10-0172
AGENCY CASE NO: 92 CR 27247 & 95 CR 23475
ADD'L AGENCY NO: J915438

Table 1 Profiler Plus

Sample Name	D3S1358	vWA	FGA	AMEL	D8S1179	D21S11	D18S51	D5S818	D13S317	D7S820
DNA Extract: 16-1 F2 Amp Sample (SF-Vaginal Sample) FR10-0172-04.01.1	14, 16	15, 17	20, 22	X, Y	14, 15	28, 29	15, 21	12, 13	11, 12	8, 12
92 CR 27247 & 95 CR 23475 DNA Extract: SEB F2 (Differential Reagent Blank) FR10-0172-07.01.1	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR
92 CR 27247 & 95 CR 23475 DNA Extract: 11-1 Matthews FR10-0172-08.01.1	14, 15	16, 17	24, 29	X	14, 16	30	16, 20	11, 12	12, 14	10, 12
92 CR 27247 & 95 CR 23475 DNA Extract: SEB (Reference-Reagent Blank) FR10-0172-09.01.1	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR

SF = Sperm Fraction

X = Female

X, Y = Male

0 = Type(s) in parentheses may be present.

NR = No Result

The results listed in the table do not depict intensity differences.



ORCHID
CELLMARA

Report of Laboratory Examination

Orchid Cellmark - Dallas

2/28/2011

ORCHID CELLMARK NO: FR10-0172

AGENCY CASE NO: 92 CR 27247 & 95 CR 23475

ADD'L AGENCY NO: J915438

Table 2 COfiler

Sample Name	D3S1358	D16S539	AMEL	TH01	TPOX	CSFIPO	D7S820
DNA Extract:16-1 F2 Amp Sample (SF-Vaginal Sample) FR10-0172-04.01.1	16	11, 13	X, Y	7, 8	6, 8, 12	12	8, 12
92 CR 27247 & 95 CR 23475 DNA Extract:SEB F2 (Differential Reagent Blank) FR10-0172-07.01.1	NR	NR	NR	NR	NR	NR	NR
92 CR 27247 & 95 CR 23475 DNA Extract:11-1 Matthews FR10-0172-08.01.1	14, 15	10, 12	X	7	6, 12	7*	10*
92 CR 27247 & 95 CR 23475 DNA Extract:SEB (Reference-Reagent Blank) FR10-0172-09.01.1	NR	NR	NR	NR	NR	NR	NR

SF = Sperm Fraction

X = Female

Y = Male

* = Possible additional allele(s) below threshold

Q = Type(s) in parentheses may be present.

NR = No Result

The results listed in the table do not depict intensity differences.

Finder Information

Name: RANDOLPH, WILLIE B
Address: 1809 W 142ND ST
DIXMOOR, IL 60426-1167
COOK COUNTY
SSN: 353-50-XXXX
Date of Birth: 07/1958

Historical Person Locator

This data is for informational purposes only.

Finder Information

Name: RANDOLPH, WILLIE B
Address: 7109 S BENNETT AVE APT
CHICAGO, IL 60649-2445
COOK COUNTY
SSN: 353-50-XXXX
Date of Birth: 07/1958

Person Locator 2

This data is for informational purposes only.

Personal Information

Name: RANDOLPH, WILLIE
Address: 11413 DURANT AV
CLEVELAND, OH 44108
SSN: 353-50-XXXX

Person Locator 2

This data is for informational purposes only.

Personal Information

Name: RANDOLPH, WILLIE B
Address: 7109 BENNETT S
CHICAGO, IL 60649
SSN: 353-50-XXXX

Person Locator 2

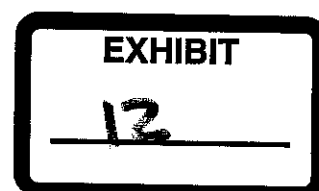
This data is for informational purposes only.

Personal Information

Name: RANDOLPH, WILLIE B
Address: 1809 142ND ST W
HARVEY, IL 60426
SSN: 353-50-XXXX

Phone

This data is for informational purposes only.



Finder Information

Name: RANDOLPH, WILLIE B
Address: 1809 W 142ND ST
DIXMOOR, IL 60426-1167
COOK COUNTY
SSN: 353-50-XXXX
Date of Birth: 07/1958

Historical Person Locator

This data is for informational purposes only.

Finder Information

Name: RANDOLPH, WILLIE B
Address: 7109 S BENNETT AVE APT
CHICAGO, IL 60649-2445
COOK COUNTY
SSN: 353-50-XXXX
Date of Birth: 07/1958

Person Locator 2

This data is for informational purposes only.

Personal Information

Name: RANDOLPH, WILLIE
Address: 11413 DURANT AV
CLEVELAND, OH 44108
SSN: 353-50-XXXX

Person Locator 2

This data is for informational purposes only.

Personal Information

Name: RANDOLPH, WILLIE B
Address: 7109 BENNETT S
CHICAGO, IL 60649
SSN: 353-50-XXXX

Person Locator 2

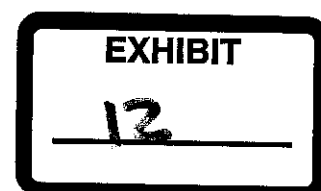
This data is for informational purposes only.

Personal Information

Name: RANDOLPH, WILLIE B
Address: 1809 142ND ST W
HARVEY, IL 60426
SSN: 353-50-XXXX

Phone

This data is for informational purposes only.



Policy

THE WARNING SIGNS

Preventing and Addressing Wrongful Convictions

by Robert J. Milan

A Case Study

On October 18, 1986, 23-year-old medical student Lori Roscetti left her school library at approximately 1:00 a.m. after studying. At 4:45 a.m. her body was found next to her car on a railroad access lane on Chicago's near west side. Lori had been beaten to death. Her skull was crushed by a chunk of concrete, her ribs were broken and semen was recovered from her body.

In January of 1987 the investigation focused on suspects previously arrested for breaking into railroad boxcars near the scene of the Roscetti murder. M, 17 years of age, who committed some of those burglaries, was questioned regarding the Roscetti murder. M eventually gave a court-reported confession implicating 14-year-old C, 17-year-old L (C's cousin) and 17-year-old O. C also gave a court-reported confession to the Roscetti murder. L and O did not make incriminating statements.

In return for a 12-year sentence for Aggravated Kidnapping, M testified against L. Three separate jury trials were held for the remaining defendants and all three were convicted of the rape and murder of Lori Roscetti, and all three were sentenced to natural life.

During post-conviction proceedings in 2001, the DNA extracted from the semen found on Lori's body and clothes was compared to the four defendants. No match was found. While the DNA testing was being performed, the Cook County State's Attorney's Office conducted an extensive investigation. Over 100 people were interviewed and dozens of new DNA profiles were compared with those from the crime scene. People who were originally interviewed in 1986 were swabbed, as were a number of new suspects. The DNA profiles were entered into the state and national databases, but no matches were found. In December 2001, the previously convicted defendants were released from prison and their cases were dismissed.

In January 2002, Bernard Roach contacted the police and informed them that his brother Duane Roach and friend Eddie Harris told him that they committed the Roscetti murder. Bernard's information was verified when the DNA profiles from Duane Roach and Eddie Harris matched the semen stains from Lori's body. When arrested, Duane Roach and Eddie Harris gave detailed videotaped confessions to the Roscetti murder and sexual assault. Later they both pleaded guilty to 75 years in the Illinois Department of Corrections.

Wrongful convictions are the greatest threat to public confidence in a prosecutor's office. Over the past ten years DNA evidence has demonstrated that wrongful convictions are a national problem. The Cook County State's Attorney's Office has been particularly disturbed by several high profile cases from years past which proved to us that defendants had been convicted of crimes they did not commit. As a result, our office developed a training session for our attorneys focusing on wrongful convictions and specifically false confessions. In the sessions, we use videotapes that show seemingly voluntary confessions, which ultimately turned out to be untrue. The session is a dramatic one -- and one that all prosecutors should learn.

We have studied local and national cases and have found patterns in these cases. Based on these patterns, we have developed warning signs for prosecutors to use in order to avoid charging the wrong individual with a serious offense. This article is designed to outline these warning signs and advise other prosecutor's offices how to deal with a wrongful conviction.

Beware of the nexus between the crime and arrest.

Invariably, investigations that lead to wrongful convictions go awry from the very beginning. A detective relies on a confidential informant who identifies an innocent party. A detective relies on an anonymous phone call, identifying the wrong party. A well-meaning eyewitness misidentifies someone from a mug book. The detective focuses on the person who discovered the body. All of these situations are classic examples of how an investigation can go awry and lead to a wrongful conviction.

As prosecutors we must examine and test the nexus between the crime and arrest. Prior to charging, we should interview the eyewitness to the crime and test the witnesses' credibility and ability to observe the crime. We should go to the scene to determine if the witness could have seen the crime and the perpetrators. Prior to charging, prosecutors should interview the confidential informant to determine his credibility and his source of information. Whatever led the police to the suspect must be examined and tested by the prosecutor prior to charging.

Beware of cases where co-defendants have no connections with each other.

In a number of cases in Illinois and nationwide, prosecutors were unable to link co-defendants together. Individuals who had never met were identified from mug books and charged as co-defendants for terrible crimes. Obviously at the time of charging no attempt was made to link these individuals together. Prior to charging prosecutors must do everything possible to connect co-defendants and if you cannot, you may have a serious problem with your case.

Beware of confessions from mentally-challenged suspects and juveniles.

It is truly difficult to believe that anyone would ever con-

Policy

ness to a horrible crime that they did not commit. However, it has become readily apparent from the Roscetti case and others that some people do. Often times, these confessions are taken from very young adults, teenagers or people with low IQ's. A well meaning detective can focus on such a person and during a lengthy interrogation confront the person with enough information that later, that individual may give what appears to be a meaningful confession. Prosecutors should interview and test the suspects to determine the competency level of the person. Also, prosecutors should require that the confession be fully corroborated prior to charging. If the confession does not make sense in light of the physical evidence and other evidence that you have, you may have a problem.

Beware of charging before all physical evidence is examined.

This is easier said than done. Crime labs are often overwhelmed with lab requests, leaving prosecutors forced to make charging decisions without vital information. Uninformed decisions lead to wrongful convictions. Prosecutors should collect as much information as possible regarding physical evidence prior to charging.

Beware of unbroken alibis.

It is not uncommon for a prosecutor to be confronted with a situation in which two witnesses identify a suspect from a lineup as a killer. This suspect tells the police that at the time in question he was with his girlfriend and his brother. That girlfriend and brother must be interviewed and that alibi should be broken prior to charging, even with two "eye-witnesses." If you cannot break that alibi you may have a problem.

Beware of single finger identification cases.

Many of the wrongful conviction cases that have occurred across the country were the result of misidentification by well-meaning witnesses. In these cases, prior to charging, the prosecutor should interview the witness and test the witnesses' credibility and ability to observe. Also, the prosecutor should attempt to corroborate the witness' story with other evidence -- the car, clothes, prints, proceeds, weapons, etc.

Analyze the rap sheet.

Is this a one-hit wonder or the wrong guy? We have all seen cases in which an individual with no criminal background suddenly commits a horrible crime. It happens, but it is uncommon. Prior to charging an individual with a serious crime, analyze his rap sheet. If his criminal history is incompatible with this crime, give the case a closer look. In the Roscetti case three of the four wrongfully convicted young men had little or no criminal background. Duane Roach, one of the real killers, had a string of convictions for violent sexual assaults of women.

PREVENTION AND RESTORING PUBLIC CONFIDENCE

1. Create an atmosphere in your office that accepts the possibility of misidentification, false confessions and wrongful

convictions. Every prosecutor should feel comfortable telling his supervisor that he has concerns with a current or past case. Such concerns should never be frowned on but encouraged.

2. A prosecutor's office should have some type of review prior to charging. Felony review accomplishes three goals. First, it screens out cases that cannot be proven beyond a reasonable doubt. Second, prosecutors are able to make solid cases stronger prior to charging by making constructive suggestions to police. Third, a thorough review of a case by a prosecutor prior to charging will greatly decrease the chance of a wrongful conviction.

3. Listen to defense attorneys who are adamant about their client's innocence. Sometimes they are right. If a defense attorney raises reasonable concerns, we have a duty to reinvestigate that case. Often times we hear prosecutors say, "twelve citizens found him guilty beyond a reasonable doubt, that's good enough for me!" If there are legitimate questions regarding the case, that type of response is irresponsible. In a questionable case, consider a meaningful reinvestigation that includes re-interviewing everyone involved and if DNA is available, test it. If feasible, create a unit that reinvestigates questionable cases, as we did in Cook County.

4. Provide training regarding misidentifications, false confessions and wrongful convictions. It is important that all of your felony prosecutors are aware of these possibilities. By using an actual case, prosecutors can see how these mistakes occur and how to prevent them in the future. Also, urge and participate with your local police departments to conduct similar training sessions.

5. If you uncover a wrongful conviction, it is your duty to find out how it happened. The public and judiciary will demand that such questions be answered.

6. You must assign open-minded prosecutors and investigators to reanalyze a case. You must have confidence that the people who conduct the reinvestigation will search for the absolute truth and not attempt to justify the original conviction.

7. If you uncover a wrongful conviction, be prepared for ludicrous explanations. In the Roscetti case, some members of law enforcement theorized that the original defendants raped and murdered Lori and later, Harris and Roach had sex with the body. Remember that the original prosecutors and investigators have a vested interest in the original case. Follow the physical evidence and common sense and be prepared for ridiculous theories.

8. Be prepared for cases in which your final decision is not clear-cut. Most crimes don't have DNA. The Roscetti case provided irrefutable evidence that we prosecuted the wrong individuals. Most of the time, you will not have this type of evidence which may require you to make the really tough call.

Policy

9. If you dismiss a case based on a wrongful conviction, be prepared to address a clemency petition or pardon request because the defense will make such requests.

10. In order to prevent misidentifications, consider informing witnesses, prior to viewing a lineup or photo array, that the suspect may not be in the lineup or photo array. This admonishment will prevent the witness from having any expectations prior to the identification process. Also consider having lineups and photo arrays conducted by police officers that don't know who the suspect is. This will prevent any possibility of accusation that an officer improperly affected the lineup. Also, consider documenting verbatim what the witness said when the witness identified the suspect.

11. Consider videotaping or audio taping all interrogations of suspects on homicide cases. This will definitely decrease the chance of false confessions for homicides and also protect law enforcement from false accusations of coerced confessions.

What we've outlined in this article are suggestions borne of examining and re-examining the methods by which we approved and prosecuted cases that led to wrongful convictions. It is our hope, that through this process we were able to develop strategies that would better assist our prosecutors, as well as yours, in the search for truth and justice and the elimination of prosecutorial errors. Exposing and learning from these past missteps can only lead to restored confidence within the criminal justice system and more importantly restored public confidence.



Robert J. Milan is a career prosecutor who has spent the last 16 (sixteen) years with the Cook County State's Attorney's Office. He worked his way up through the Felony Trial Division to Supervisor of the Felony Review Unit. He served as Chief Deputy State's Attorney and was appointed the First Assistant State's Attorney of Cook County in

April, 2003. ♦

The Executive Program

A Course for Prosecution Leadership

September 30 - October 4, 2005
Myrtle Beach, South Carolina

The Executive Program is the College's premier course, exclusively designed for the top leadership in the prosecutor's office. It is ideal for both the seasoned and newly elected/appointed prosecutor. This