



**INNOCENCE PROJECT OF TEXAS
FOR IMMEDIATE RELEASE**

Contact: Natalie Roetzel (Executive Director) or Jeff Blackburn (Chief Counsel)
Roetzel Cell: (***) ***-****; Blackburn Cell: (***) ***-****

**JAMES WOODARD TO BE RELEASED IN DALLAS AFTER DNA TESTING
CALLS INTO QUESTION THE VALIDITY OF HIS CONVICTION – BECOMES
LONGEST SERVING MAN RELEASED AS A RESULT OF DNA TESTING**

DALLAS – The Innocence Project of Texas (IPOT) is pleased to announce that on Tuesday, April 29, 2008 at 9:00 a.m. in the 265th Criminal District Court, James Lee Woodard is expected to be released from incarceration after serving more than 27 years for a Dallas County murder that he has always maintained he did not commit.¹ This startling number makes Woodard the longest serving man in the United States to be released as a result of DNA evidence indicating that his conviction was in error. Woodard's release comes as the result of more than 1000 man hours spent by IPOT and the Dallas County District Attorney's Office evaluating his case, interviewing witnesses, conducting DNA testing on a rape kit collected from the decedent, and drafting the legal documents necessary to secure his release. IPOT Chief Counsel, Jeff Blackburn, noted that "this case demonstrates the absolute need for prosecutors to devote time, effort, and energy into these innocence claims. Only the government has the power to fully investigate witnesses and subpoena information. If the Dallas District Attorney's Office had not exercised its powers in this case, we would not be where we are today."

As a result of our partnership with the Dallas County District Attorney's Office, the Innocence Project of Texas began reviewing Woodard's case in October of 2007. At that time, the case was assigned to an IPOT volunteer law student, Alexis Hoff, who was working with one of IPOT's member organizations located at the Texas Wesleyan School of Law. After reviewing Woodard's trial and appellate records, Hoff recommended that Woodard's case be submitted for DNA testing. IPOT attorneys and the Dallas County District Attorney's office agreed, and they sent the rape kit evidence collected from the victim in Woodard's case to Orchid Cellmark for testing. The DNA test was funded by a generous grant from the Texas Bar Foundation, and the results of the test excluded Woodard as the victim's rapist. However, because Woodard was ultimately convicted of murder, not rape, further investigation by both the D.A.'s office and IPOT was required.

IPOT then gained the volunteer services of a forensic pathologist to review the autopsy photos, coroner's notes, and other relevant information taken from the crime

¹ James Lee Woodard was initially incarcerated on January 1, 1981. He was later convicted of murder and sentenced to life in prison on July 17, 1981. He is currently 55 years old.

scene. The pathologist concluded that to a reasonable medical certainty the victim in Woodard's case was sexually assaulted and murdered during the same time frame. His report set the stage for the Chapter 64 Motion for DNA Testing that will be filed by Innocence Project of Texas attorneys on Tuesday morning. The Innocence Project of Texas will later request that Woodard receive a pardon for the crime that he was convicted of back in 1981.

Woodard's release highlights one major factor leading to wrongful convictions and the issues faced by the wrongfully convicted when trying to establish their innocence in Texas courts. First, Woodard fell victim to a series of *Brady* violations committed by the prosecution. For example, after his conviction, it was revealed that the prosecution had evidence identifying three men as having been with the victim only hours before her death. One of these men was subsequently convicted of a violent rape. Although prosecutors were aware of these individuals' identities prior to Woodard's trial, they did not reveal the information to Woodard or his attorney, and they did not fully investigate the potential involvement of these men in the victim's death. Had this information been disclosed at the time of Woodard's trial, the result would have likely been different, and the actual perpetrator may have been apprehended.

Furthermore, while incarcerated, Woodard filed six writs of habeas corpus on his behalf urging the courts to reexamine his wrongful conviction. Several of these writs were barred from consideration by the Court of Criminal Appeals because of a subsequent writ doctrine, which effectively prohibits inmates from asserting their innocence in a writ on more than one occasion. Accordingly, without the cooperation of the Dallas County District Attorney's office and the attorneys and volunteers at the Innocence Project of Texas, Woodard would have likely spent the rest of his life in prison without the opportunity to receive a hearing on his innocence claim. According to IPOT Executive Director Natalie Roetzel, "the courthouse doors were previously closed to James Lee Woodard because of the current state of Texas writ law. His release highlights the dire need for writ reform in the State of Texas."

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