



## **Conviction Reversed in 1985 Homicide Based on Newly Discovered DNA**

**SANTA CLARA, Calif.**, April 22, 2019— A man wrongfully convicted in a 1985 cold case murder has had his conviction reversed based on newly discovered DNA evidence. The April 15 decision by the California Superior Court of El Dorado County opened the door for a new trial in a case that spotlights high risk interrogation methods and the value of scientifically sound evidence.

After hearing evidence in mid-2018, on April 15, 2019, the Honorable Judge Kenneth Melikian reversed the 2005 murder conviction of Ricky Davis who had been convicted of the murder of Jane Hylton. The victim, who had been staying in Davis' home with her daughter, had been found dead in the home 17 years earlier, in 1985.

Davis was convicted based largely on what his lawyers believe was false testimony from Davis' former girlfriend, which was ultimately directly contradicted by DNA science.

The Northern California Innocence Project (NCIP) at Santa Clara University School of Law was appointed to the case in 2012 and brought the legal request that led to the reversal of his conviction. The law by which the court reversed Davis' wrongful conviction was one that NCIP had fought for until its enactment in January 2017.

The reversal stems from DNA results—derived using testing methods not available at the time of Davis' conviction—which revealed the DNA of an unknown male, and not Ricky Davis, on evidence intimately connected to Ms. Hylton's murder.

### ***Background***

In 1985, Hylton was found murdered in Davis' home where she was staying with her young daughter. She had injuries and a bite mark on her back indicating a serious struggle before she died.

Davis' girlfriend, Constance Dahl, also resided in the home. Davis, Dahl, and Hylton's daughter discovered Hylton's body and all denied any involvement in or knowledge of what happened.

Hylton's murder investigation went cold for 14 years until 1999, when law enforcement reopened the case and immediately focused on Davis as their suspect.

Their key witness became Davis' then ex-girlfriend Connie Dahl.

Between 1999 and 2001, Dahl was subjected to multiple prolonged and suggestive interrogations. After first denying any involvement in the crime, Dahl ultimately claimed she was present when Davis killed Hylton, and that she had bitten Hylton while struggling to stop Davis.

At the time of trial, a forensic laboratory conducted DNA testing on the crime evidence, but concluded that they could not test for saliva on the nightgown Hylton was wearing during the attack and through which she had been bitten.

Davis maintained his innocence but was convicted of Hylton's murder based largely on the testimony of Connie Dahl. Davis was sentenced to 16 years to life in prison in 2005.

Over the course of several years, with the cooperation of the El Dorado County District Attorney’s Office, the Sacramento County District Attorney’s Laboratory of Forensic Sciences DNA-tested evidence connected to Hylton’s murder using techniques developed in the years after the conviction. This testing, funded by the U.S. Department of Justice’s Postconviction Testing of DNA Evidence Grant Program, showed that neither Davis, nor Dahl, were the source of DNA evidence found in the area where Hylton had been bitten, or from under the fingernails of her injured hands. The testing revealed instead that an unknown male was the source of all such DNA.

NCIP challenged the conviction and successfully argued that had the original jury heard the DNA results, it would have likely reached a different outcome. It was a key moment because until January of 2017, the California standard required that new evidence “point unerringly to innocence”— then the highest hurdle in the country and a nearly unattainable standard. In 2016, NCIP co-sponsored Senate Bill 1134 championed by former California State Senator Mark Leno, to put California’s standard in line with that of 43 other states. The Bill, which passed in January 2017, allowed defendants like Davis to instead prove that the new evidence would likely have been persuasive to a jury.

“This new law has led to the just result today. The DNA evidence shows that both Ricky and Connie were innocent, but we might not have gotten here without the evolution of California law” said NCIP attorney Melissa O’Connell. “An unknown male DNA profile does not bring justice to Ms. Hylton’s family in solving her tragic murder, but there is no justice in convicting the wrong man for this horrific crime.”

The district attorney’s office now must decide whether to re-try Davis for Hylton’s murder.

NCIP prioritizes legislative efforts that address the consequences and causes of wrongful conviction. Our priorities for this legislative session include providing automatic compensation to exonerees and expanding defense access to post-conviction discovery. Past efforts have allowed NCIP to successfully litigate open cases and pursue previously closed cases, leading to important criminal justice reform and the exoneration of innocent individuals.

#### **About the Northern California Innocence Project (NCIP)**

NCIP is a non-profit clinical program of Santa Clara University School of Law whose mission is to promote a fair, effective, and compassionate criminal justice system and protect the rights of the innocent. Since its inception in 2001, NCIP has processed over ten thousand requests for inmate assistance, investigated hundreds of cases, pursued litigation or collaborative resolution in dozens, and obtained the freedom of 24 wrongfully convicted individuals. Learn more at [www.ncip.org](http://www.ncip.org).

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