



## LA District Attorney Concedes Conviction Reversal and Dismisses Case

**SANTA CLARA, Calif.**, August 12, 2020— Arturo Jimenez, a 44-year-old man who was wrongfully convicted of murder in 1995, had his conviction reversed and all charges dismissed. The Northern California Innocence Project, Morrison and Foerster, and attorney Ellen Eggers teamed up to present Jimenez’s case to the Los Angeles County Superior Court and the Los Angeles County District Attorney’s office, who agreed that Jimenez’s trial attorney was ineffective for failing to present the evidence of Jimenez’s innocence. Today the court reversed Jimenez’s conviction and the Los Angeles County District Attorney’s office announced it was dismissing the case. Jimenez was released on parole into Shelter in Place on April 10, 2020, after demonstrating that his release would not pose a danger to the public. He will now be released from parole and finally be free to live with his loved ones.

Jimenez was just 18 years old when he was convicted of murder. His conviction was based on a single eyewitness identification by a young woman in the backseat of a car who saw the shooter for only a moment. Through the investigative work of pro bono attorney Ellen Eggers, this single witness revealed that her identification was the product of police pressure. In addition, the real shooter, who is now deceased, confessed to multiple people that that he had committed the very murder that convicted and wrongfully incarcerated Jimenez for 25 years.

In 1994, the 14-year-old victim was shot during an altercation between a group of people at a gas station. Jimenez has always maintained that he was nearby when he heard the shots, drove his blue Blazer to see if anyone needed help, and when he got to the gas station, people jumped in his car through the open back window and told him to leave. He saw a young woman on the ground cradling the victim and called out to her to take him to the hospital as he drove away. That woman turned out to be the victim’s friend who was standing right next to him when he was shot. She told police that the driver of the Blazer was **not** the shooter, that he had called out to her, and that he may never have gotten out of the Blazer. These statements were memorialized in handwritten notes by the detective. The detectives also typed formal police reports, which included the fact that a police officer saw Jimenez driving away from the scene and told the detectives that he had recognized the driver of the Blazer as Arturo Jimenez, but did not include the statement from the crucial eyewitness that the driver of the Blazer was not the shooter.

Jimenez’s parents, who never doubted their son’s innocence, took out a second mortgage on their home to pay for his defense. Unfortunately, his trial attorney, who has since been disbarred, failed to present the jury with any of the exonerating information

that was in the police reports, and failed to do the investigation that has revealed further evidence of Jimenez's innocence.

Due to the trial attorney's incompetence, the jury never heard that the eyewitness with the best vantage point told the detectives that the driver of the Blazer - who an officer identified as Jimenez - was not the shooter. They also did not hear that none of the other eyewitnesses positively identified Jimenez as the shooter. In fact, one eyewitness listed several ways in which the real shooter looked different from the picture of Jimenez.

Paige Kaneb, attorney for the Northern California Innocence Project, said: "This is one of those cases that shows how frighteningly easy it is to get wrongfully convicted and spend 25 years in prison, even when the evidence of innocence is known to police and in the police reports. We are grateful to have been able to work with so many great lawyers from different parts of the system to make this day finally happen. And it is an honor to represent Arturo, who, despite spending a quarter of a century and his entire adult life in prison, has shown what a kind and gentle person he is even through the worst of circumstances."

As Jimenez continues to adjust to his freedom, he acknowledges that "the past is my present. I'm still in survival mode." He is currently working and hopes to explore counseling and educational opportunities, as well as using his experience to bring hope to others who have been wrongfully convicted.

Lynnise Guerra (Arturo's family friend), John Brown & Associates, and Loyola Law School Project for the Innocent also contributed much to make this happen.

### **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 31 wrongfully convicted individuals. Learn more at [www.ncip.org](http://www.ncip.org).

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