

MONTANA INNOCENCE PROJECT

Spring Newsletter

Innocence Network Conference Takeaways

The Montana Innocence Project has played a critical role in addressing past injustices & wrongdoings in the criminal legal system in Montana. With seven freed clients since 2008, the work of MTIP has illuminated broader systemic problems in Montana often at the root of wrongful convictions. In addition to advocating for meaningful reforms designed to address these causes, MTIP has begun laying a foundation to expand its scope of work beyond cases of actual innocence to litigate and advocate for sentencing reviews.

MTIP Executive Director Amy Sings In The Timber recently served on a panel at the 2022 Annual Innocence Network Conference alongside two other innocence organizations (Arizona Justice Project and Innocence Project New Orleans) already engaged in this work to explore whether innocence organizations should work to litigate and advocate for excessive and unjust sentencing reviews.

The Innocence Network is a coalition of 68 organizations dedicated to freeing the innocent and preventing wrongful convictions worldwide. More than 800 innocence advocates and over 200 freed people attended this year's annual conference.



View from Amy and Caiti's morning hike with other advocates

The conference featured sessions within the following focus areas:

Intake/Case Investigation

Forensic Science

Litigation (for New and Experienced Attorneys)

Post-Release/Reentry Support

Policy Initiatives

Organizational Development

Race and Wrongful Conviction

Emerging Areas (Mass Exoneration, Posthumous Exoneration, Alternative Pathways to Release, Manifest Injustice, Suspect Development, etc.)

Amy and MTIP Legal Director Caiti Carpenter's most memorable moments from the conference included the Moth Radio Hour and Songsmith sessions where freed clients worked with professional storytellers and songwriters to share their life experiences through art. Below are some quotes that stuck with them:

"The best day in prison is the last one and it ended with an exclamation point, but it's followed by a question: 'What are you gonna do with your life?' Being in there was like having your character peeled away like the skin of an onion." - Freed client Greg Mingle

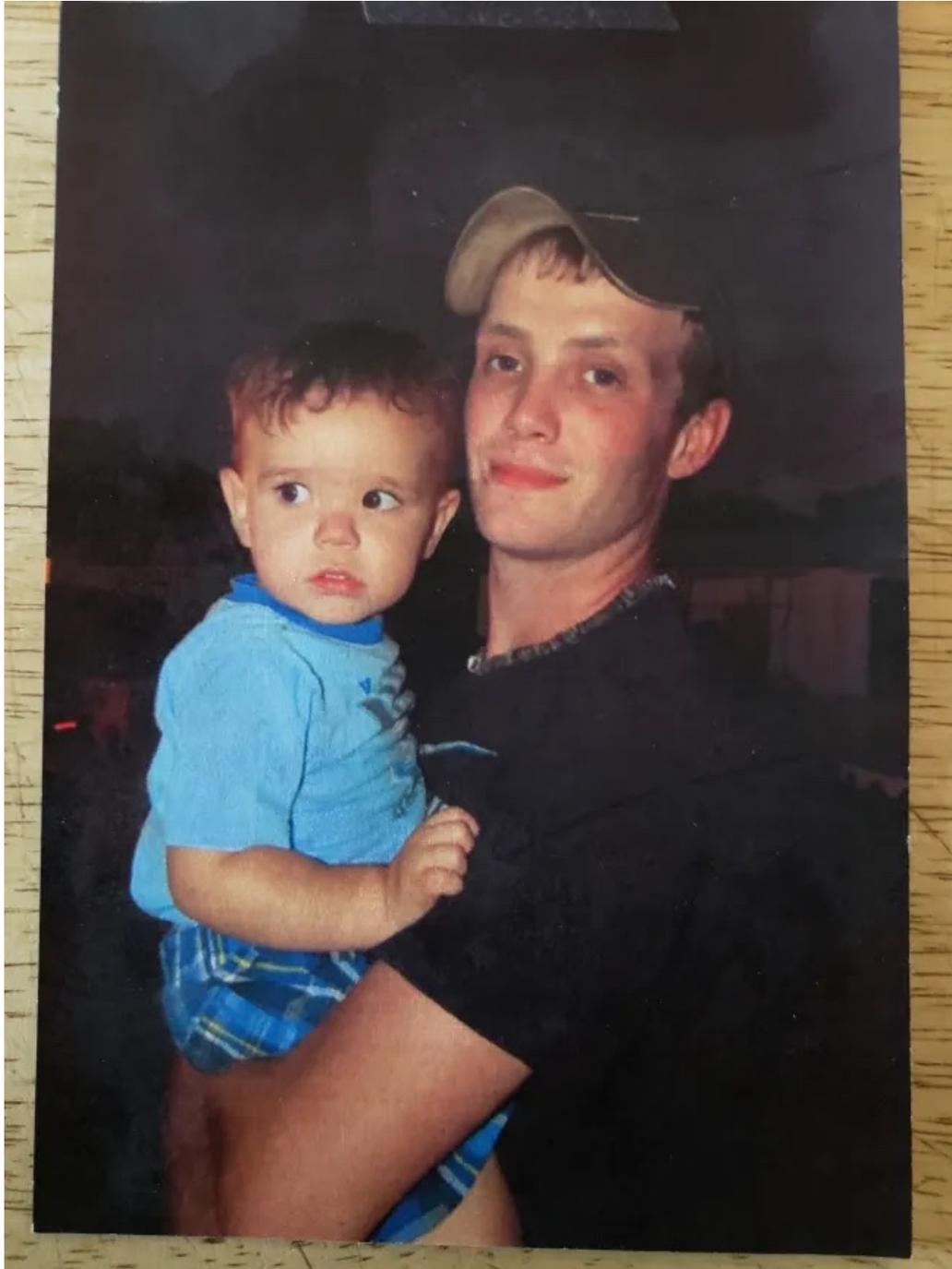
"I refuse to be the victim of a prearranged destiny." - Freed client Ronald Simpson

"I struggled to tell the adults I know that I didn't have year 18, year 19, year 20, year 21, year 22, year 23, year 24, year 25, year 26, year 27, year 28, year 29, year 30, year 31, year 32, year 33, year 34, year 35, or year 36 to be the 37-year-old before you today." - Freed client Jerome Martin

Amy and Caiti also enjoyed connecting with members of other Projects serving rural jurisdictions like the Kentucky Innocence Project and the West Virginia Innocence Project. The two embraced the opportunity to meet in person with collaborators who they have been working with only virtually for the last two years including Innocence Project co-founder and MTIP board member Peter Neufeld, Innocence Project Paralegal Robyn Trent Jefferson Paralegal, (who is an avid participant in our quarterly book club!), and Innocence Network Assistant Director of Organizational Development, Elisa Espiritu, who greatly assisted MTIP in our strategic planning process in 2020. Notably, they also met with Jon Katov, founder and CEO of The Open Table, which is a social work initiative we are currently in the process of connecting freed clients with and look forward to providing updates about soon.

Amy and Caiti agree that meeting freed clients was the highlight of the trip.

Taking Aaron Oliphant's case to the Montana Supreme Court



Aaron Oliphant holds his son Colton (Photo courtesy of Rena Oliphant)

Our client Aaron Oliphant's Petition for Post-Conviction Relief was denied in January. We are submitting our appellate brief to the Montana Supreme Court this month.

About Aaron's case:

The State of Montana charged Aaron with aggravated assault on June 28, 2016, alleging that he seriously injured his son, Raidyn, on June 8. The State's case relied on

a diagnosis of the highly controversial Shaken Baby Syndrome. A jury convicted Aaron on September 27, 2017, and on January 29, 2018, he was sentenced to the maximum term of 20 years in Montana State Prison with five years suspended. Aaron had no prior criminal history.

Shaken Baby Syndrome is a medico-legal diagnosis in babies and toddlers defined by a triad of symptoms: brain swelling, subdural hemorrhages, and retinal hemorrhages. These symptoms were once thought to be caused by parents violently shaking their babies, but research shows this was and still is an unproven hypothesis.

Shaken Baby Syndrome was not reviewed by an independent scientific agency until 2016. [The review](#) found evidence to be “insufficient.” The report states that it would be “incompatible with both doctors’ professional duties and the regulations concerning legal certification” to definitely conclude that a child was shaken when the triad of symptoms is present. In short, there is no way to determine whether the triad of symptoms is caused by shaking or something different such as an accidental fall or an organic medical problem.

Aaron’s attorney did not consult with any medical experts about the validity of this diagnosis.

“In this case, you don’t have external injuries, but you have fractures to the skull,” Carpenter said. “How? How do you break someone’s skull and not have even a bruise? The state maintains that this could have only happened between 6 and 10:30 when Raidyn was in Aaron’s care. How could you get five fractures and have no external injuries at the hospital the next morning? It’s utterly bizarre, and it just goes back to the complete and utter ineffectiveness of counsel that none of this was communicated to the jury.”

[Read more about Aaron’s case here >>](#)

New profile on current client Kelly Worthan



Kelly spent nearly 10 years in the Army. He had this picture taken for his grandmother.

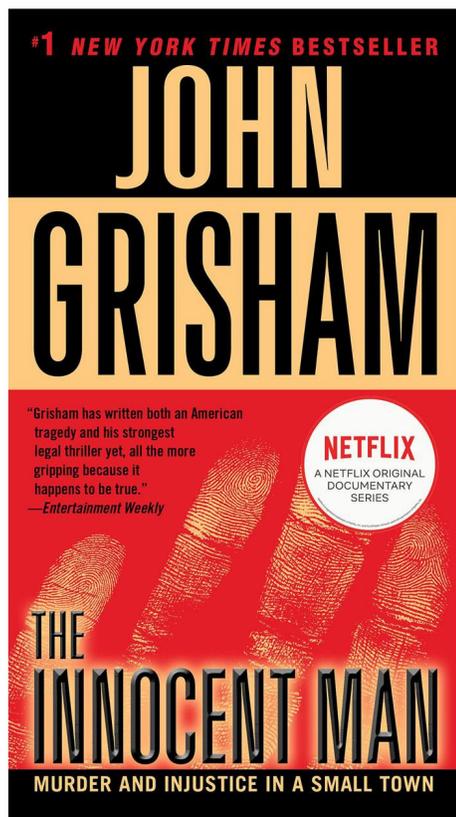
Kelly Worthan has been a client of the Montana Innocence Project since 2019, but we have struggled to tell his story because his case was quickly sealed upon filing his petition for post-conviction relief. We recently wrote a profile about Kelly. Unfortunately, you won't be able to read about the mounting evidence of his innocence just yet, but

you will have a chance to get to know him, what he values, and how the experience of wrongful conviction has shaped his life.

[Click here to read the profile>>](#)

Join us for our virtual book club discussion of John Grisham's "The Innocent Man" on April 29

Virtual Book Club!



FRIDAY, APRIL 29
3 - 4 P.M.

ZOOM MEETING ID:
966 0686 5270

ZOOM MEETING
PASSWORD: 934037

The Montana Innocence Project will host a virtual book club on Friday, April 29 from 3-4 p.m. Mountain Time. This meeting's book selection is John Grisham's ["The Innocent Man: Murder and Injustice in a Small Town."](#)

“The Innocent Man” is about the wrongful convictions of Ronald Keith Williamson for the murder of Debra Sue Carter in Ada, Oklahoma. The book details the Ada Police Department and Pontotoc County District Attorney’s efforts to convict, including the coercive technique of “dream confessions.” Our discussion will highlight innocence issues including coerced confessions and official misconduct.

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