

News

PRO BONO CLIENT FREED AFTER JUDGE AGREES WITH HIS INNOCENCE

Nov 30, 2021

In a case that has brought significant regional and national media attention, BCLP *pro bono* client Kevin Strickland was freed Nov. 23 after more than 40 years in prison for three murders he did not commit. Strickland, now 62, always maintained his innocence and said he had nothing to do with the killings, which happened when he was 18 years old.

A BCLP team led by Partner Bob Hoffman worked in partnership with the Midwest Innocence Project (MIP) to free Strickland, who was convicted based solely upon the eyewitness testimony of a single witness. The eyewitness, who later recanted her identification, knew Strickland before the crimes but failed to identify him at the scene and only said it was him after substantial suggestion by police and others.

Judge James Welsh vacated the 1979 judgment of conviction after a three-day evidentiary hearing. The Court found that “clear and convincing evidence” was presented that “undermines the Court’s confidence in the judgment of conviction.”

Welsh further noted that no physical evidence ever linked Strickland to the crimes and that the key witness recanted her testimony to multiple friends and family members before her death. Two other defendants pleaded guilty to their involvement in the murders and both testified that Strickland was not a participant, instead naming two other participants who were never charged or convicted.

“Under these unique circumstances, the Court’s confidence in Strickland’s convictions is so undermined that it cannot stand, and the judgment of conviction must be set aside,” Welsh wrote in ordering Strickland’s immediate release.

Jackson County Prosecuting Attorney Jean Peters Baker, whose office prosecuted Strickland in 1979, reviewed the case in late 2020 and agreed that Strickland was actually innocent. Under a new law enacted in 2021, the prosecutor was able to file a motion seeking Strickland’s release and, despite strenuous opposition from the Missouri Attorney General’s Office, the Court ultimately accepted Strickland’s claim of innocence.

Along with BCLP Partner Bob Hoffman, Strickland's wider defense team included MIP Executive Director Tricia Rojo Bushnell and BCLP Associates Logan Rutherford, TJ Briggs and Ben Ford.

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