

Advocates 4 Wrongfully Convicted

"Guided by truth, Justice shall prevail"

www.A4WC.org

<https://www.facebook.com/a4wc1>

520-481-6031

June 4, 2013

Ohio Innocence Project
Attn: Mark Godsey, Director
PO Box 210040
Cincinnati, OH 45221-0040

RE: David G. Thorne/#385-897

Dear Mr. Godsey:

I am writing on behalf of our client, David G. Thorne. We appreciate the time and effort your innocence project put into reviewing Mr. Thorne's case. Mr. Thorne shared your rejection letter with me and while we appreciate your analysis, we respectfully disagree with your decision.

Your Website states the following:

"...the OIP seeks to identify inmates in Ohio prisons who are actually innocent of the crimes they were convicted of committing. Innocence is often determined by DNA testing, but can include other types of new evidence such as new witnesses, new expert testimony, or evidence of police misconduct" (www.law.uc.edu/o-i-p).

In your rejection letter, you argue that there is no DNA testing that can be done due to the contamination of the crime scene. The statement above from your own Website states that other new evidence can be used to prove innocence. In this case we have a new witness, George Hale, to name one, new expert testimony - Brent Turvey's crime scene investigation and hand writing expert, Michael Robertson. Both expert reports are available for review at www.wcodt.org. Additionally you state that "evidence of police misconduct" can determine innocence. Clearly this case has overwhelming evidence of police misconduct, your rejection letter alone states that as one of your reason you are NOT accepting David's case, however, that is contradictory to your statement on your website.

Additionally, I would like to respond to your reasons for not accepting David's case, per your rejection letter.

The crime scene was HIGHLY contaminated - While we agree that the crime scene was highly contaminated, we do not believe this should be held against Mr. Thorne. The Alliance Police Department clearly did not care about preserving this crime scene. Post-conviction investigation has shown that Ms. Layne had relations with multiple police officers. This, being new evidence,

shows the police department had a very good reason to contaminate the crime scene, possibly to protect one of their own. Additionally, while the scene was contaminated, it does not prove that testing of the pillowcase or knife found in the road would not provide clear DNA evidence of the true killer. How can one ever be 100% sure that testing of any evidence will provide clear results, but when a man's life is at stake, why not give it a shot? In this case there is a clear thumbprint on the knife blade and there is also a stain on a pillowcase where the murder weapon was wiped off, possibly transferring the true killer's DNA from the blade of that knife.

We understand that Joseph Wilkes plead guilty to the crime and Ohio's DNA testing statute does not allow for testing in crimes where the defendant plead guilty, David Thorne did not plead guilty. His conviction is based on Joe's confession which has been recanted. Additionally, David's conviction is 100% based on evidence from the same crime Joe plead guilty to. Therefore, in order to prove David's innocence it is necessary to negate Joe's confession; therefore any evidence in this case is absolutely linked to David's case. There must be an Ohio or Federal case that can be cited in order to get around Ohio's DNA testing statute in this regard.

While we realize this is not a slam-dunk case and there is still a lot of work to be done in order to prove David's innocence, we respectfully request that your decision be reversed. The fresh and open minds of your law students are what David needs in order to clear his name and obtain his freedom. We are happy to assist you in any way you wish in working toward the same goal - to overturn Mr. Thorne's conviction. Whether it be fundraising for DNA testing or providing investigative work, David Thorne is innocent and shouldn't have to pay the price of the Alliance Police Department and Joe Wilkes' intimidated confession.

Thank you for your already invested time and consideration of Mr. Thorne's case and I hope you will reconsider your decision and help to free this innocent man. Please feel free to contact myself at dickleb@aol.com or Diane Heisler, our case investigator on David's case at deheisler@gmail.com. On behalf of David Thorne, I thank you again for your time.

Respectfully yours,

Dick Blanchard
Executive Director

cc: David G. Thorne
Diane Heisler, Case Investigator Advocates 4 Wrongfully Convicted