

The Georgia Innocence Project: Proving Innocence, Saving Lives

By Robin E. Dahlen

The use of forensic DNA testing has added a new level to the criminal justice system in the United States. Such testing is now routinely used to either convict or clear those awaiting trial and for one such convicted Georgian, this powerful tool gave way to a second chance at life.

In 1983, Calvin C. Johnson Jr. was sentenced to life in prison for a crime he did not commit. Today, Johnson is a free man with a job, a home and a family. Johnson's exoneration was no stroke of good luck, but rather the work of The Innocence Project at the Benjamin N. Cardozo School of Law in New York. The Project, which was created as a nonprofit legal clinic by well-known attorneys Barry C. Scheck and Peter J. Neufeld in 1992, handles cases where post-conviction DNA testing of evidence gathered at a crime scene can produce conclusive proof of innocence.

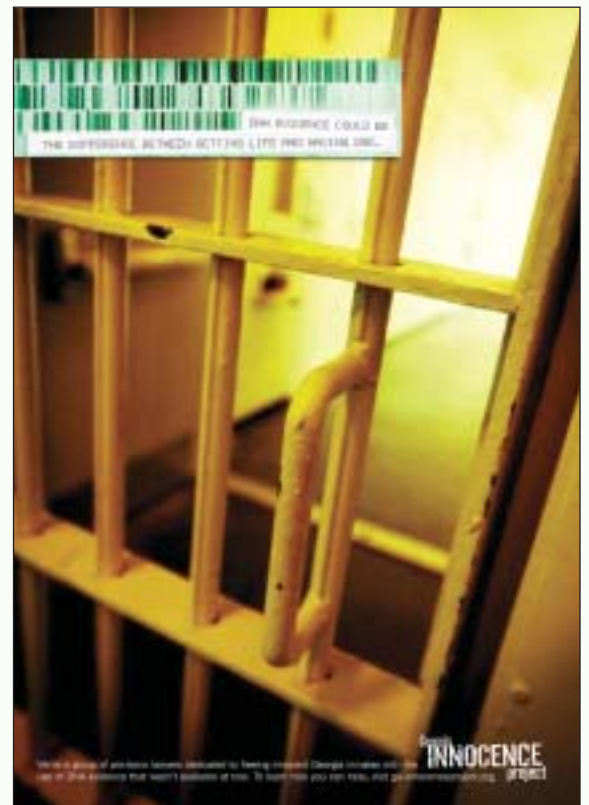
In 1996, Johnson was made aware of the Project by a friend

and took the necessary steps to enlist its help with his case. After close to three years of assistance from the Project, new tests on the original DNA evidence proved that Johnson wasn't the man who raped and sodomized a College Park, Ga., woman in her home on March 8, 1983. In 1999, 16 years after he was wrongfully imprisoned, Johnson was granted a new trial and Clayton County prosecutors dismissed the case.

Johnson is just one of the 116 individuals who have been exonerated by the Project and thousands more await evaluation of their cases. As a result of this growing need to give each individual case its due, many states have developed separate versions of the Project, including Georgia.

Georgia Project Pioneers

While students at Georgia State University (GSU) College of Law, Jill G. Polster and September Guy became interested in the idea after adjunct professor and



The GIP will be using posters to bolster its public awareness campaign.

Lawrenceville, Ga., attorney Randy Rich asked if a similar project was being developed in Georgia. Three years later, the Georgia Innocence Project (GIP) has secured funding, launched an informative Web site, established an office and is prepared to continue to build on the foundation laid by the national Project. But, the road to such an achievement has been paved with hard work and determination on the part of

Polster and Guy, who are now practicing attorneys in Atlanta.

As a result of their time, diligence and efforts in getting the project up and running, Polster and Guy were presented with a special award of recognition from the Young Lawyers Division of the State Bar of Georgia during the Bar's 2002 Annual Meeting.

"Jill and September always stood out as strong advocates for the rights of the criminal defendant," notes Rich. "Their arguments were so heartfelt that you could sense their emotions when they argued on behalf of a mock criminal client in class. The traits I see in Jill and September are so rare in law students and I know of no other lawyers who have put in time, energy and effort into making



Pictured left to right: GIP President Jill Polster, GIP Vice President September Guy, GIP Board member Calvin Johnson Jr. and GIP Executive Director Aimee Maxwell.

a real improvement for criminal defendants, even ones they have never met."

Polster and Guy initially solicited sponsorship support for the GIP from the law schools at both GSU and the University of Georgia. While several law school faculty members were enthusiastic, administration at both schools was not and the schools passed on the project. Not ones to be easily deterred by this potential setback, the two decided to forge ahead and establish the project independently.

To better understand how the national Project works, Polster and Guy visited Cardozo, as well as Northwestern University's Center for Wrongful Conviction and the Death Penalty. They were even given the opportunity to meet with the national Project's co-founder, Scheck. On the state level, the two attended meetings of the Georgia Association of Criminal Defense Lawyers (GACDL) to drum up support for the project.

"We knew the development of a Georgia Innocence Project was an achievable goal," says Polster. "We just didn't realize that it would take as long as it did to pull everything together."

During one of the GACDL meetings, Polster and Guy met Aimee Maxwell, who, at the time, was serving as director of the Professional Educational Division of the Georgia Indigent Defense Council (GIDC). Soon after their fateful meeting, Maxwell left the GIDC and assumed the responsibility of executive director of the GIP. In her new role, Maxwell was instrumental in assembling a board that boasts some of the Georgia's finest legal professionals (see Board listing on page 40).

"The board really did come together for us so quickly," Maxwell recalls. "We had our wish list of potential members and when those individuals were contacted not a one of them turned us down. Our board numbers currently stand at 17, but we have plans to grow that number to our cap of 25 and branch out into securing more corporate executives and lawyers from civil firms."

The Search for Funding

As with the startup of any new project or business, fundraising became a focal point for Polster, Guy and Maxwell as they continued development of the GIP. Fortunately, the trio was successful in garnering the financial support needed to sustain the GIP in its infancy. The project is now supported in part by the Georgia Bar Foundation, the GACDL and the GIDC, and individual donations have been coming in, as well. In fact, anyone who gives \$1,000 to the GIP is considered a "founding member" for life (see page 40 for list of founding members).

The Georgia Bar Foundation gave the GIP a matching challenge grant in the amount of \$25,000. The award was granted after the GIP

The Georgia Innocence Project

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was successful in meeting the Foundation's requirement of raising \$50,000 on its own, although that endeavor did take close to 12 months to accomplish.

Georgia Bar Foundation Executive Director Len Horton is thrilled that the Foundation chose to award a grant to the GIP last year. "The work of the Georgia Innocence Project is so important that I'm pleased the Board chose to provide funding," Horton says. "There's a screaming need to make sure there is no chance of a mistake where the death penalty is a possibility. The Georgia Innocence Project meets that need and meets it well."

Polster is extremely thankful for this level of support. "We truly felt

our first bit of the project's legitimacy when we received the grant from the Foundation," she says.

Those behind the scenes at the GIP know that fundraising activities will never slow and plans are in the works to step up those efforts. Such plans include a raffle for a 2003 Toyota Camry and T-shirt sales.

"What we would like to see happen is for a civil firm to adopt the project," notes Guy. "We could really use this type of enthusiasm and support. We certainly have no problem with being someone's tax deduction."

In addition to the roughly \$100,000 in contributions received



GIP Board of Directors members Randy Rich (right) and Calvin Johnson Jr. (left) enjoy a reception celebrating the GIP's new home. The GIP moved into its new facility in November 2002.

by the GIP, the project has been given the use of free office space by ChoicePoint Cares, the philanthropic arm of ChoicePoint, a national