

Leslie Vass' odyssey is a horrifying tale of how Maryland's criminal justice system fails the innocent throughout their lives. More than twenty years after his release from prison, Vass is still struggling with the aftereffects of his wrongful 1975 conviction that just won't disappear from Maryland's law enforcement records, in spite of two court orders for its expungement.



Leslie Vass Haunted By Unexpunged 1975 Wrongful Conviction

By Douglas Scott Arey

Vass was 16 when he was arrested and jailed in 1974 for an armed robbery he did not commit. He was sentenced to 20 years imprisonment after his 1975 conviction in the Baltimore City Circuit Court. After Vass was imprisoned for almost ten years, the South Baltimore robbery victim came forward to say he had identified the wrong man to police, and that Vass did not commit the robbery. Vass' conviction was vacated and he was freed in 1984.

Vass sued various state agencies for his wrongful imprisonment. In 1987 he settled with the State of Maryland for \$250,000 to be paid in installments over eight years.

Maryland had no statute for compensating a wrongly convicted person when Vass was compensated in 1987; his was a case of first impression. After Kirk Bloodsworth was released in 1993 from nine years of wrongful imprisonment for a rape-murder he didn't commit, Maryland's \$300,000 payment to him was based on the compensation precedent established in Vass' case.

Unknown to Vass at the time of his settlement, was that state officials would add insult to the injury of his wrongful imprisonment by failing to comply with the order of two judges for expungement of the armed robbery conviction from Vass' criminal record. So anyone inquiring about Vass' criminal record – whether they were a potential employer, a member of the public, a law enforcement officer, or a court employee – would be misled to believe that Vass was a potentially dangerous ex-con, when in fact he was the survivor of a terrible miscarriage of justice.

In 1999 Vass sued the state for the failure of state agencies to erase his erroneous criminal charges and conviction from his criminal record. Vass was paid \$50,000 to settle that lawsuit. After the settlement, Vass told the *Washington Post* during an interview, "I am not happy at all about this," explaining that he agreed to the state's low offer so he could quickly get money to pay off bills and avoid eviction from his home. He also said, "I just hope no one else ever has to go

through what I've been through because of mistakes made by the state." On a more hopeful note he said, "I want to help other people. If I be positive, I'll do positive."

Unfortunately for Vass, Maryland officials didn't share his desire to do right by people. Even after two judges had ordered expungement of Vass' criminal record and Maryland paid \$50,000 to Vass for failing to do so, state officials still did not correct his record.

Vass found that out the hard way in March 2004, when he was arrested after his estranged wife accused him of stabbing her. He learned that his 1975 conviction remained on the books when the judge refused to grant bail because of his criminal record as a dangerous felon. The stabbing charge was false, and the jury showed it believed his testimony by acquitting him in July 2005. But that wasn't until Vass had lost another 16 months of his life to false imprisonment, and he had also lost the company of his children who were placed in foster care. Those bad things happened to Vass solely because the judge relied on his erroneous criminal record to deny bail while Vass awaited trial.

During an interview with Baltimore's WJZ-TV after his acquittal and release from jail, Vass said about his unexpunged 1975 conviction, "This has been going on for years, and I'm tired of it. Why keep holding it over me and using it against me?"

This latest example of egregious behavior by the state against Vass may be immune from suit or compensation. Why? When in 1999 Vass accepted the settlement of \$50,000 for Maryland's failure to expunge the 1975 conviction, he signed an agreement barring him from seeking further relief. That provision would be an honest and legitimate bar from further litigation if Maryland had complied in good faith with the very subject of the 1999 compensation settlement. Yet the two judicial orders for expungement of Vass' wrongful conviction still have not been honored or fulfilled to this day, many years after the 1999 settlement.

Vass has experienced periods of very tough times since his release from prison in 1984, and it hasn't helped that he has been unfair-

ly burdened by having an erroneous criminal record as a violent ex-con. Former *Baltimore Sun* columnist Michael Olesker wrote that Vass was homeless, jobless, and penniless at various times in the 1990s.

Vass was hopeful that he had turned things around for himself when he graduated with a BA in Sociology, and obtained certificates in Paralegal Studies and Computer Office Specialist Training. Those qualifications landed him a full-time job in 1999 as a placement specialist with the Maryland Job Service, a part of the Maryland Department of Labor, Licensing, and Regulation. He enjoyed his job for five years, earned numerous awards, and thought the bad times were over. But his position was eliminated in 2003 when the office was phased out, and that was followed by the false stabbing charges.

Now almost 50, Vass lives with his parents and hits the pavement with his resume to looking for a living wage job that will enable him to get his own place, get his children out of foster care, and once again restart his life. Ironically, even though he was employed with the State of Maryland as a job placement counselor, he has had difficulty placing himself in a job, largely due to the ghostly criminal conviction that has never vanished in spite of multiple court orders. Vass' vacated conviction turns up like an apparition when a prospective employer runs a criminal background check on his name.

In recent story about Vass' case, Baltimore's WJZ-TV reporter Richard Sher described Vass' unexpunged conviction as a "nuisance" to him, but it has been much worse than that.

So the saga goes on, with Leslie Vass repeatedly victimized for more than three decades by Maryland's system of "justice," with no end in sight. Edgar Allen Poe, who died in Maryland, was the author of classic horror tales. While Poe's tales were fiction, Maryland has written a true-life horror tale for Leslie Vass that shows no signs of ending.

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