

Alfred Blanche was convicted in 1988 of the rape and sexual abuse of a 10-year-old girl hosted in Blanche's household. The girl was staying in Blanche's home as part of the Fresh Air Fund Program, which was started in New York in 1877 to enable inner-city kids to spend part of their summer in the country. At the time, Blanche, a Vietnam veteran, managed a 406-acre farm in Washington County, New York.

Physicians and nurses examined the girl shortly after her accusation. They reported no physical or emotional discomfort or trauma. What they did report was being "unsure if the assault was real or imaginative." That should have set off alarm bells, because former hosts of this child indicated she made false accusations or threatened to make false accusations if she did not get her own way. Those people would not host any other Fresh Air Program children as a result of their negative experiences with this girl.

All the physical evidence was either inconclusive or exculpatory. Additional innocence indicators are the *post-trial* disclosure of a DNA test that the district attorney had previously asserted had not been done, a rape kit that was never tested, and a 1988 police report that plainly states there was no evidence of the girl being raped or sexually abused. After the DNA test was disclosed, the district attorney said it was inconclusive because of the small size of the sample. After more sophisticated DNA tests were developed, the district attorney claimed the evidence couldn't be tested because it had been lost or destroyed. However, Blanche says that he unsuccessfully sought the DNA testing after the court clerk revealed the physical evidence was still in the court's evidence locker.

Consistent with the absence of physical or forensic evidence supporting the girl's claim, is another piece of evidence not heard by the jury: Blanche consented to and passed a lie detector test while he was awaiting trial. The test was administered by a former state police polygraph expert. The district attorney's office approved of the polygraph test and paid for half of the test's costs. Yet, after Blanche passed the test the district attorney didn't drop the charges. Instead, he offered Blanche a one to three year prison sentence if he would plead guilty to reduced charges. Otherwise, Blanche faced up to 25 years in prison. Blanche refused the offer.

After Blanche was convicted and sentenced to 8 1/3 to 25 years imprisonment, he received a letter which said that in exchange for the payment of a sum of money the girl would recant. That certainly suggests that Blanche was the victim of a scam, and that

Wrongly Convicted Prisoner Refuses Parole – The Alfred Blanche Story

By Joel Freedman

the alleged sexual crimes never happened. Blanche's accuser is now about 30. Efforts to locate her to find out if she is remorseful and will recant have been unsuccessful.

By maintaining his innocence since the onset of his ordeal, Blanche was denied family reunion visits, opportunities for release, and assistance with release planning. His direct appeal, state habeas petition, and *corim nobis* petition based on new evidence have all been denied.

Seven years ago, after Blanche gave the Parole Board the information described above to support his innocence claim, he was granted parole contingent on finding a prison-approved place to live. Blanche, however, refused to participate in a sexual offender program that required him to admit guilt. Consequently the Department of Correctional Services and Attica parole staff regarded Blanche as an unrepentant child molester and failed to provide him the assistance necessary for release.

As Blanche was preparing to initiate civil action he was suddenly paroled in January 2006. He was sent out the front gate of the infamous Attica Correctional Facility after 18 years imprisonment with no notice, without a place to live, with instructions to check in with the police and area parole office, and to seek assistance from the Washington County Department of Social Services.

In April 2006, three months after Blanche's conditional release, he was arrested for an alleged parole violation. He was jailed because he used a computer to e-mail acquaintances and to do legal research he believed was necessary in his continuing fight to clear his name. He was not accused of doing anything improper with a computer. Blanche was returned to prison with the understanding he would be paroled after one year, in April 2007.

Shortly before his scheduled release, Blanche was given a lengthy list of parole conditions that included an 8 p.m. to 8 a.m. curfew, a requirement that he maintain a log detailing all his daily activities and people he communicated with, prohibitions against him being within 1000 feet of places where young people may gather, and a prohibition against his participation in any on-line computer services or possessing any photographic equipment. Although Blanche is sixty-three and has mul-

iple health problems, he would also have to submit to electronic monitoring, periodic polygraph testing, and sex offender treatment. If Blanche became involved in a relationship with an adult woman, he would have been required to inform her of his sex offense conviction in the presence of his parole officer. Although Blanche maintains he has no history of illegal drug or alcohol abuse, he nevertheless would have been required to submit to random urine testing and to participate in substance abuse treatment programs. If the parole officer allowed Blanche to have a telephone, he would need to provide a print-out of all incoming and outgoing calls.

It is noteworthy that while Blanche's presentation of his prior exculpatory polygraph results was met with disinterest by the Division of Parole, he would now be subject to polygraph tests to assure parole compliance. Blanche was a combat photographer in Vietnam, a wildlife and nature photographer, and an editor and photographer for *Adirondack Bits 'n Pieces* magazine prior to his incarceration. Now a camera restriction would be imposed. While in prison, Blanche held prison jobs in which he mastered computer skills. Yet the parole conditions would deny him access to a computer.

Although some of the restrictions could have eventually been eased at the discretion of Blanche's parole officer, Blanche would probably have been violated for his continuing refusal to participate in sex offender therapy.

With all this in mind, Blanche refused to sign his parole release papers, even at the risk of having to serve his 25-year sentence in prison. So Blanche awaits his presumptive January 2011 release date, still proclaiming his innocence almost 20 years after the alleged incidents. While he waits for his release, he must cope from inside prison with his recent diagnoses of prostate cancer and skin melanomas.

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About the author: Joel Freedman has corresponded for many years with Al Blanche. Freedman reviews prisoners' claims of innocence as part of the services offered by the Greater Rochester Community of Churches Judicial Process Commission.

For information about the Fresh Air Fund program see, <http://www.freshair.org>