

Louis Mickens-Thomas Released After More Than Four Decades Of Imprisonment

Centurion Ministries is the oldest organization in the United States dedicated to helping secure the exoneration of innocent persons. They have had great success in doing so. In the 31 years since Centurion's founder and director Jim McCloskey first began working on the case of an innocent person, they have assisted in the exoneration of more than 40 men and women. But since Centurion takes "tough" cases that typically require years of work to obtain new evidence, they sometimes don't succeed in helping a person to be outright exonerated. In that situation the best they can hope for is a person's sentence commutation or some form of supervised release.

Louis Mickens-Thomas is one of those cases. Thomas was tried in 1967 for the rape and murder of 12-year-old Edith Connor three years earlier in West Philadelphia. Thomas became a suspect because he lived about 50' from the apartment where the girl's family lived and his shoe repair shop was nearby. The only evidence tying Thomas to the crime was the testimony of crime lab technician Agnes Mallatratt that microscopic particles brushed from the girl's clothes were "similar in all physical characteristics" to materials in Thomas' row house and shoe shop.

The particles found on the girl's clothes included microscopic fibers and paint chips. Even though those particles were common to the area where her body was found, the jury convicted Thomas who was then 38-years-old, and he was sentenced to life in prison without parole.

After Thomas' conviction it was discovered that Mallatratt was a junior high school



Louis Mickens-Thomas

dropout with no formal training who had repeatedly committed perjury in trials by inventing academic and scientific credentials. Thomas' conviction was overturned since it was based on Mallatratt's testimony.

In 1969 during Thomas' second trial, the crime lab's director testified that he directly supervised all of Mallatratt's work. However, a glaring inconsistency is that during Thomas first trial Mallatratt testified she worked alone and the director didn't testify,

Thomas was reconvicted and again sentenced to life in prison without parole.

Centurion Ministries began investigating Thomas' case in 1990. Based on evidence of Thomas' innocence uncovered by Centurion's investigation, in 1995 outgoing Governor Robert P. Casey didn't pardon Thomas, but he did commute his sentence to life with parole. Thomas effort to be granted parole turned into a years long battle with Pennsylvania's parole board that was spearheaded by Centurion. That effort culminated in January 2004 when in unanimously granting Thomas' writ of habeas corpus the 3rd Circuit U.S. Court of Appeals cited the State's willful non-compliance, bad faith, and vindictiveness in denying Thomas parole. (*Louis Mickens-Thomas v. Vaughn*, 355 F.3d 294 (3rd Cir., 1-14-2004)).

Thomas' parole was revoked because he kissed a woman at his church.

Thomas was subsequently paroled, but it was revoked 18 months later when he reported to his parole officer that he kissed a woman at his church without her consent. He was sentenced to 9 months in prison for his violation,

but when that time was up the parole board refused to release him. Centurion began a new effort for Thomas' release. That culminated in the granting of Thomas' writ of habeas corpus by the 3rd Circuit U.S. Court of Appeals on January 20, 2011. The Court ordered the "Superintendent of the Pennsylvania State Correctional Institute at Graterford, and the Board to release Thomas on parole forthwith." (*Louis Mickens-Thomas v Vaughn*, No. 09-3744 (3rd Cir. 1-20-2011))

In ordering Thomas' release the Court explained that the parole board justified denying Thomas' parole "because he has demonstrated an "escalating pattern of high risk behavior." This claim relies on a single incident in which Thomas kissed a woman at church against her will. This incident does not credibly constitute an "escalating pattern of high risk behavior.""

Centurion found a nephew and his wife willing to let the 82-year-old Thomas live with them in Pennsylvania's Pocono mountains, and he was released on Tuesday, January 25.

Thomas spent almost 45 years in prison for a crime there is no evidence he committed except for the testimony of a crime lab technician who not only lied repeatedly in court that she had formal education and specialized training that she did not have, but who stated on the record that her job was "to fit the suspect to the crime." That is exactly what she did in Thomas' case.

Although Centurion's 21 years of working on Louis Mickens-Thomas' case hasn't yet resulted in his exoneration, it has resulted in him able to live his final years outside a prison's walls.

Sources:

Louis Mickens-Thomas v. Vaughn, 355 F.3d 294 (3rd Cir., 1-14-2004)

"Philly man wins release from prison after more than four decades," *Philadelphia Inquirer*, January 21, 2011.



Kezer cont. from page 9

founded the local chapter of Love INC, an organization that connects with people recently released from prison into the community. Williams met Kezer in the chapel at the Jefferson City Correctional Center and took an interest in his case after he exhausted his appeals. She obtained his case files and found what she believed were significant problems with the prosecution's case and the evidence the jury relied on to convict Kezer.

Williams wrote a 20-page overview of Kezer's case and sent it to an attorney she knew in Boston. After looking it over he



Jane Williams and Joshua Kezer after his release

contacted St Louis attorney Charlie Weiss. After reviewing Williams' overview and looking into the case Weiss agreed to represent Kezer pro

bono. After Weiss became involved Scott County Sheriff Rick Walter, who as a reserve deputy was the person who found Lawless' body in her car, voluntarily reopened the investigation into her murder. With access to the prosecution's internal case files, Walter's investigation uncovered the key documents prosecutor Hulshof con-

cealed from Kezer's attorney. Although the efforts of Weiss and Walter's were invaluable to Kezer's release, he would have completed his 60 year sentence without Jane Williams' investigation and efforts to bring attention to his case. Weiss said of Williams, "She instigated this whole thing. Without her, we would never be involved."

Sources:

Kezer receives settlement, not apology, Southeast Missourian, August 14, 2011.

Mo. man convicted of '92 slaying freed, MSNBC.com, February 18, 2009.

