

## Lana Canen Exonerated After Fingerprint Testimony Exposed As False

Lana Canen was released from prison after 8 years of wrongful imprisonment for the robbery and murder of 94-year-old Helen Sailor in her Elkhart, Indiana apartment in the early morning of November 29, 2002. Sailor's family had dropped her off at her apartment just hours earlier after she spent Thanksgiving day and evening with them.

The police received information in August 2003 that Andrew Royer may have been involved in the crime. When interviewed on September 3, 2003 [Royer admitted](#) "he was responsible for Sailor's death and he provided details that had not been released to the public. Royer told the police that he strangled Sailor with a rope, cleaned her apartment with towels, and that he took jewelry and money." Royer was charged with murder.

Canen was arrested exactly a year later, on September 3, 2004. She was charged with murder based on Royer's revised statement he and Canen broke into Sailor's apartment to get money. She insisted she had nothing to do with the crime.

Three days before Canen and Royer's joint trial began on August 8, 2005 the prosecution amended their charges from murder to felony murder. Royer's statement implicating Canen was excluded as evidence. So during the trial the only evidence linking Canen to the crime was the testimony of Elkhart County Sheriff Department Detective Dennis Chapman that a fingerprint on a prescription container in Sailor's apartment matched the little finger on Canen's left hand. The jury heard evidence concerning Royer's confession to committing the murder.

On August 10, 2005 the jury convicted Canen and Royer of felony murder based on the prosecution's argument she was Royer's accomplice in robbing Sailor and that Royer killed her during the robbery.

During the sentencing hearing on September 2, Royer didn't speak, but Canen [told Sailor's family](#), "You have my deepest



Lana Canen the day of her release (WSB-TV)

sympathies. When I first heard of Mrs. Sailor's murder, I prayed for your family. I still do. I'm going to prison for a crime I did not do and had no part in. I am a victim of the system." Both the 45-year-old Canen and Royer were sentenced to 55 years in prison.

Several years after Canen's conviction was affirmed on direct appeal she filed a post-conviction petition and was assigned lawyer Cara Wieneke. Wieneke conducted a post-conviction investigation that included sending the fingerprint evidence to Kathleen Bright-Birnbaum, an expert fingerprint examiner [who operates](#) Desert Forensics in Tucson, Arizona. Bright-Birnbaum determined the fingerprint on the pill container didn't match Canen's fingerprint.

During an evidentiary hearing on August 16, 2012, Det. Chapman testified that when he rechecked the fingerprints before the hearing he discovered they didn't match. After the hearing Elkhart County Prosecutor Curtis Hill issued a written statement in which [he acknowledged](#), "I no longer consider Detective Chapman's testimony at trial to be credible. As it is reasonable to believe that the jury relied upon Detective Chapman's testimony in considering the evidence against her, it is clearly in the best interest of justice that the murder conviction against Lana Canen be vacated ..."

Canen was granted a new trial by Elkhart County Circuit Court Judge Terry Shewmaker on October 12, 2012.

In a motion unopposed by the prosecution, Canen's indictment was dismissed and she was released on November 2, 2012. The 53-year-old Canen had been wrongly incarcerated for 8 years and 2 months after her arrest on September 3, 2004.

Canen's attorney Wieneke told a reporter with *The Elkhart Truth* that she investigated the fingerprint evidence because Canen insisted she was innocent. [Wieneke said](#), "I think a lot of people think that many clients claim their innocence but there really aren't that many that do, and so when she continued to maintain her innocence throughout and even when I met with her, it made me think maybe there's something there." Although relieved to be released, [Canen told](#)

WSBT-TV about being convicted and imprisoned for more than eight years, "I feel like the system failed me."

It was reported that Chapman was disciplined for his erroneous fingerprint examination and trial testimony, but he wasn't fired and as of Canen's release from custody he continued working at the Elkhart County Sheriff's Department.

Royer remains imprisoned because his post-conviction petition [was denied](#) in December 2011 on the basis there is credible evidence supporting the truthfulness of his confession.

Sources:

[Two given terms](#), *The Elkhart Truth*, September 2, 2005

[Royer v. State](#), No. 20A04-1106-PC-325 (Ind. Ct of Appeals, 12-20-2011)

[Elkhart woman's conviction vacated](#), *The Elkhart Truth*, October 25, 2012

[Elkhart woman formerly convicted](#) of murder released from prison, *The Elkhart Truth*, November 3, 2012

[Attorney re-evaluated evidence](#) in Elkhart murder case, *The Elkhart Truth*, November 3, 2012

Desert Forensics, [www.desertforensics.com](http://www.desertforensics.com)



## Fifth Annual Freedom March for the Wrongfully Convicted

The 5th Annual Freedom March for the wrongfully convicted was held in Pittsburgh, Pennsylvania on Monday, June 3, 2013. The event began at 1 p.m. on the steps of the City County Building at 414 Grant Street in downtown Pittsburgh. Speakers included Terrell Johnson, Erica Johnson, MaryAnn Lubas and others. Terrell Johnson was released in October 2012 after 17 years of imprisonment in Pennsylvania for a murder he didn't commit.

The 2013 Freedom March flyer is at, [www.justicedenied.org/images/2013freedommarch.pdf](http://www.justicedenied.org/images/2013freedommarch.pdf).

The 2013 Freedom March press release can be read at, [www.justicedenied.org/images/2013freedommarchpressrelease.pdf](http://www.justicedenied.org/images/2013freedommarchpressrelease.pdf)

