

Eric Asante Exonerated By DNA Of Defiling Student In 2005

Eric Asante [has been acquitted](#) by the Supreme Court of Ghana of defiling a 14-year-old girl in 2005. Asante's acquittal was based on a DNA paternity test that excluded him as the father of the son born to the now 26-year-old woman.

In 2005 Eric Asante was 28 and a teacher at the Nyorhini Presby Junior High School in Tamale, Ghana. Tamale is a city of 360,000 people about 269 miles north of Ghana's capital of Accra that is on Africa's Western coast.

One of Asante's female students was 14-year-old Rubamatu Mohammed.

In January 2005 Rubamatu and several relatives informed the police that Asante forcibly had sex with her one time, and she became pregnant.

A medical examination showed Rubamatu was pregnant.

Asante was charged with defiling Rubamatu, and on February 1, 2005 he was relieved of his teaching position.

During his trial in the Tamale High Court the prosecution's case was based on the testimony of Rubamatu and the hearsay testimony of her relatives, that he had sex with her and got her pregnant.

Asante's defense was he only had a professional teacher-student relationship with Rubamatu, and he never had any sexual

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* The daily rate of 258 Chinese Yuan was equivalent to US\$37.87 on May 31, 2017, when the exchange rate was 6.812917 Chinese Yuan (CNY) per US\$1 (1 CNY = \$US.14671).

www.xe.com/currencyconverter/convert/

Sources:

[Time really is money for China's top court](#) – about US\$38 per day: People's Procuratorate sets new rate for settling cases of wrongful incarceration, *South China Morning Post*, May 31, 2017

[Commentary](#): It is Unreasonable to Compensate 24-hour Wronged Jail Time with 8-Hour Salary, *People's Daily Online*, May 19, 2016

Current and Historical Rate Tables, www.xe.com (Currency exchange on 12-31-2015, 0.1539593169 (\$US1 per CNY) and 6.4952223738 (CNY per \$US1))



Eric Asante after his release from prison in 2015 (The Mirror, Accra)

and her relatives. Asante was found guilty on September 5, 2005, and he was sentenced to 15 years in prison at hard labor.

Asante's appeal to Ghana's Court of Appeal was denied on October 6, 2006.

The Mirror, a weekly newspaper in Accra took an interest in Asante's case. *The Mirror's* parent company, the Graphic Communications Group Limited (GCGL), approached prominent human rights lawyer Francis Xavier Sosu [about representing Asante](#). He agreed, with the GCGL paying all legal and filing fees.

In 2012 Ghana's Supreme Court granted Asante leave to appeal his conviction. His appeal claimed there were inconsistencies in the prosecution's evidence presented at trial that failed to prove his guilt.

In addition, he requested an order for a paternity test to determine if he was the biological father of Rubamatu's child. The Supreme Court promptly granted Asante's request and ordered a paternity test. The order was served on Rubamatu's aunts Juliet Tinjina and Gladys Abokokpa in Tamale, who were taking care of Rubamatu's child. They were commanded to bring the child to the Korle Bu Teaching Hospital in Accra within eight weeks of being served with the court order. The women refused to bring the child to Accra, even after the Northern Regional Police Commander intervened in an effort to force their compliance with the court order.

After almost three years of non-compliance with its 2012 order, the Supreme Court issued an order on February 11, 2015 that Tinjina and Abokokpa make Rubamatu's son available to Ghana's Police Forensic Unit, so a sample of his DNA could be obtained for a paternity test. Tinjina and Abokokpa complied with the second court order.

contact with her. Although Rubamatu had given birth to her baby boy, Rubamatu's lawyer did not request a paternity test.

Faced with a "He said, She said" case, the judge chose to believe Rubamatu and her relatives. Asante was found guilty on September 5, 2005, and he was sentenced to 15 years in prison at hard labor.

In July 2015 the Police Forensic Unit notified the Supreme Court that Asante's DNA excluded him as the boy's biological father.

Asante was released in September 2015 after ten years of imprisonment. The Supreme Court granted his release on bail for his good behavior in completing two-thirds of his sentence at the Nsawam Maximum Security Prison.

On November 10, 2015 the Supreme Court publicly released the DNA test result that Asante was not the biological father of Rubamatu's son.

[Asante told](#) *The Mirror* in response to the DNA test result: "Right from the beginning of this case, there was no evidence to show I had defiled the girl, except for the pregnancy. It has been over 10 years of pain and suffering for a crime I did not commit. It saddens my heart that all these years have been wasted. I have suffered for nothing and it has cost me so much."

Nineteen months after receiving the exclusionary paternity test, Ghana's Supreme Court unanimously granted Asante's appeal on January 26, 2017, and ordered his acquittal and discharge from custody. The Court ruled there was no substantial evidence supporting Asante's guilt, and the trial judge would have found Asante not guilty if he had known the exculpatory DNA evidence that was discovered after his conviction.

The Supreme Court directed that Asante could file a claim for compensation. Asante's lawyer Sosu told reporters Asante would apply for 10 million Ghana Cedi (About US\$2.1 million) in compensation.[1]



Eric Asante (in blue) with his lawyer, Francis Xavier Sosu outside the Supreme Court building in Accra after his acquittal on January 26, 2017. (Emmanuel Ebo Hawkson)

[Asante called for](#) Ghana's Attorney General to open an investigation of the case, because "there is a true culprit out there who committed the crime and connived with the lady to implicate me." The lady he referred to is Rubamatu Mohammed. The sixty-four dollar questions are why she falsely accused him of having sex with her and being the father of her child, why she actively participated to ensure he was falsely convicted, and why she did nothing while he languished in a maximum security prison for ten years before his release.

Ghana is a former British colony whose

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Mother

Review of the movie
By Hans Sherrer

Mother is a South Korean movie that tells the tale of a young man arrested for the murder of a teenage girl in a small town. The morning of the murder the young man and a friend had a run-in with some men at a golf course but they were released by the police without being charged. A golf ball is found near the murdered girl and he was seen in the area, so the police are convinced he is guilty.

The only person convinced of the young man's innocence is his mother. She is a hard working woman who lives modestly and has saved the money necessary to hire a lawyer for her 27-year-old son – who is normal physically, but somewhat mentally slow. When the mother realizes the lawyer is not going to help her son prove his innocence, she sets out to find evidence he was framed.

The mother runs into some dead-ends, but she keeps forging ahead with a quiet intensity and single-mindedness that nothing is going to stop her from finding proof her son is innocent.

Mother has a gritty feel, and its unexpected plot twists are reminiscent of *Lady Vengeance*, a 2005 South Korean movie about a

woman wrongly convicted of kidnapping a child. The main character in *Mother*, like the lead character in *Lady Vengeance*, shows a degree of uncompromising proactiveness that isn't portrayed in U.S. movies about a wrongly accused or convicted person.

Mother is filmed primarily in dark tones that almost give it the feel of a black and white movie, it has unglamorous actors, it is subtitled in English, and there are no special effects, so it is unmistakably a foreign film that makes no effort to mimic a Hollywood movie. What *Mother* has is a powerful story about what can happen when hands-on involvement seems like the only course of action available to a concerned person when the legal system is lined-up against a person they believe is innocent.

The viewer doesn't learn until the end if the mother's determined quest to prove her son's innocence is successful – or is there a twist to solving the girl's murder?

Mother had a very limited release in major U.S. cities in January 2010, so few people saw it in a theater. However, U.S. critics loved it with [95% positive reviews](#) on Rottentomatoes.com.

Mother was honored during the 2010 Asian Film Awards (the Asian equivalent of the U.S. Academy Awards) with the awards for Best Film, Best Actress, and Best Screenwriter.

Mother is [available on DVD](#) and Blu-ray.



Watch *Mother*'s 2-minute [trailer by clicking here](#).

Mother

Stars: Hye-ja Kim (mother) and Bin Won (son).

Director: Joon-ho Bong

Writers: Joon-ho Bong (story) and Eun-kyo Park (screenplay).

128 minutes

U.S. theater gross, \$547,292 (IMDb.com)

Released to theaters in South Korea in 2009, and the U.S. in January 2010.

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official language is English, and its legal system is rooted in the English Common Law, the same as the United States. [Asante told](#) *The Mirror* in an interview that his case of being convicted and imprisoned though innocent wasn't unique: "there were countless other people in jail who did not deserve to be there but the system had made them convicts."

On February 17, 2017 [Asante filed a petition](#) with the Ghana Education Service to reinstate him as a teacher, and for the payment of salary arrears and other allowances due him from February 1, 2005 to the date of his reinstatement. The petition also requested that the GES consider promoting him to an appropriate teaching rank that he would have achieved if he had not been wrongly convicted and incarcerated.

Asante's exoneration was the first in Ghana attributable to post-conviction DNA test-

ing. Historically there are few DNA exonerations outside the U.S. The [Innocents Database](#) documents there were only seven known DNA exonerations outside the United States during the five years from 2012 to 2016, and only 39 since 1989.

Note 1: The exchange rate was .217 Ghana Cedi to 1 US dollar on February 26, 2017.

Sources:

[DNA exonerates Ghanaian man](#) jailed 15 years for defiling 14-year-old girl, *AfricaNews.com*, January 28, 2017

[Wrongfully jailed 12-years](#) for defilement; teacher freed after DNA test, *Citifmonline.com* (Ghana), January 26, 2017

[DNA proves man innocent](#) after 10 years in prison, *Graphic Online* (Ghana), November 20, 2015

[Eric Asante petitions GES](#) for reinstatement, *Graphic Online* (Ghana), February 24, 2017

[When the justice system fails](#): the Eric Asante story, *Graphic Online* (Ghana), February 3, 2017

When the justice system fails: the Eric Asante story, *Graphic Online* (Ghana), February 3, 2017

[Wrongfully jailed](#): Man freed after DNA test proves his innocence, *Graphic Online* (Ghana), January 26, 2017

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