

CLARENCE MOSES - EL
27 YEARS OF INJUSTICE, 3 COUNTING

"The greatest crime of all in a civilized society is an unjust conviction. It is truly a scandal which reflects unfavorably on all participants in the criminal justice system".

- New York Chief Judge
John Collins 1992

As I sit here writing this, Clarence Moses - El, who is imprisoned at Bend County Correctional Facility in Las Animas, Colorado, is going about his day for the twenty-seventh year of his wrongful imprisonment caused by police and prosecutorial misconduct. At some point in 1996 Attorney Barry Scheck of the New York based Innocence Project became involved in the case to prove Moses - El's innocence.

Amazingly, after having obtained a court order that required DNA testing of the alleged victims clothing, and the bed sheets and a sexual assault kit, the Denver Police Department and district attorney colluded to keep Moses-El in prison. Instead of being tested, these items of evidence — which were in a box marked "DO NOT DESTROY" — was tossed into the trash. After this incident, which was a violation of Denver Police Department's policies and procedures, and circumvented the purpose of the court order, Moses-El filed an appeal challenging his conviction. A judge denied Moses-El appeal which sought a new trial, and based the decision to deny a new trial on Moses-El failure to prove "bad faith" on the part of the police/prosecution in failing to preserve the potentially exonerating evidence.

The Denver Post in a series of articles on destruction of evidence, shed some much needed light on the subject in July 2007. The newspaper uncovered at least 125 criminal cases of persons who had compelling evidence

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destroyed that could of exonerated them of
the crimes they currently languish in various
Colorado prisons because of. In response
to the Innocence Project's request that
Moses-El's case be reopened, the district
attorney Mitch Morrissey, has refused,
stating, "The defendant has had his day in
court". While it may be true that Moses-
El had his day in court, that doesn't mean
that it was a fair day as required by
the Constitution of the United States.

A few facts that makes this case even more
troubling is that LC Jackson, who was one
of the three people identified as an
assailant, recently gave confession that
Moses-El is innocent. Another thing, the
victim never mentioned Moses-El initially
following the rape. As to why the victim
would eventually accuse Moses-El, the
original investigator cites an ongoing
dispute between the victim and Moses-El's
spouse, the last of which ended with the
victim telling his spouse that she would get
even with her. In 2005, the now deceased

detective who investigated the crime, James Huff, stated in 2005 in a sworn statement

"DUE TO THE FIGHTING AND BICKERING, THE JEALOUSY, THE PETTINESS, ALL OF THAT, I ALWAYS HAVE HAD DOUBTS ABOUT THIS [CASE]. I COULD NEVER PROVE IT EITHER WAY, AND THIS IS ONE OF THOSE CASES WHERE I REALLY WISH THERE WAS DNA"

SHARE THIS STORY WITH OTHERS AND JOIN THE PEOPLE IN DEMANDING JUSTICE FOR CLARENCE MOSES-EL. ✓✓

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Additional Sources of Information:

- 1) coloradoindependent.com
- 2) [DENVER Post.com](http://denverpost.com)
- 3) [Innocent Project New York](http://innocentproject.org)