

# CENTURION

seeking freedom for the innocent in prison

summer 2021

issue eighteen

## The First Months of Freedom

by Alan Maimon



Kevin DeSalle



Ben Spencer



Larry Walker

Kevin DeSalle, Ben Spencer, and Larry Walker spent a combined 96 years in prison for crimes they didn't commit. Beyond the walls of prison, each of them is now confronting a new set of challenges that all newly released individuals must face. They must adjust to a new world as they try to reconnect with any family members that might still be around. Oftentimes, they are dealing with health and housing issues and with pressure to fulfill expectations and to financially sustain themselves. The Centurion team is there to help with this difficult transition process. *(Continued on page 6)*



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By Alan Maimon



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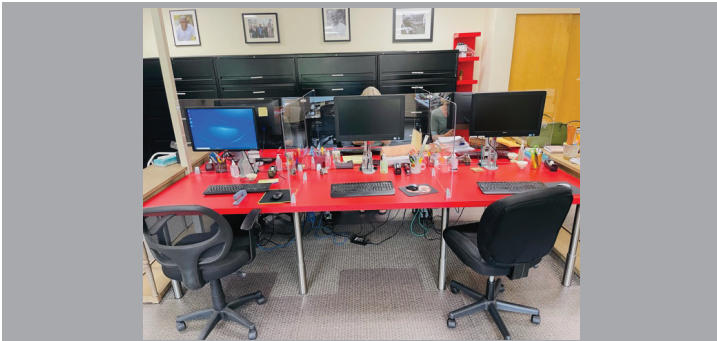
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## Welcome Back Volunteers!

Thank you for all that you do!



*In early June, we were thrilled to welcome our dedicated volunteers back to the office after a 16 month hiatus. Many thanks to Kate Germond and our wonderful supporter, Charlie Yedlin, who worked to design and outfit a new workspace that keeps our volunteers safely spaced and protected. We also greatly appreciate our team's cooperation with our Covid-19 safety protocols! It's great to have everyone back!*

# A letter from Executive Director Corey Waldron



Dear Friends,

A few weeks ago, Centurion's offices were bustling for the first time in over a year. While we maintained an open office throughout the pandemic, most days there were a minimal number of people in the office to ensure that we were able to socially distance ourselves and keep safe. But on June 10, most of our team members were **finally** back in our space, re-connecting and celebrating after nearly 17 months. The band was back together, and we were pretty excited about it.

It's been fascinating to see our team navigate advancements in our work during these extraordinary times. Despite all obstacles, we achieved an exoneration and three releases since last summer, while providing robust post-release support services to our freed clients without interruption. You can read about our progress within the pages of this newsletter. Given the nature of our work and the interruptions COVID-19 caused within the judicial process, I believe that what we accomplished is truly remarkable. It was only possible because every individual on our team deeply feels the urgency and desperation of the innocent incarcerated men and women who reach out to us for help every single day. They drive us forward.

There is never a time when the stakes of what we do are out of our minds. There is a human being behind every letter we receive, every police report we track down, and every transcript we read. Those human beings rely on us to fight for them with everything we've got, despite any obstacle that might fall into our path - we don't intend to let them down, and I know that you, our supporters, are in our corner.

This fall, our Family Gathering will bring our family of freed men and women together in Princeton, NJ. It will be a precious time of renewal, fellowship, shared memories, and laughter. This year, the men that we've freed over the past year will join us for their first Family Gathering, adding their stories to the patchwork quilt that is Centurion's legacy. Their stories would not exist were it not for your support of our work.

Thank you for everything you do to grow our work and keep our mission moving forward. We are all truly grateful.

Take care of each other,

Corey Waldron

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# A Call for Mandatory Appointment of Counsel

by Paul Casteleiro

All people charged with committing a crime have a Sixth Amendment right to the appointment of counsel at trial and on direct appeal of any conviction if they cannot afford to retain their own attorney. However, in the post conviction process — when the conviction has been upheld — no one has the constitutional right to counsel. The only rights convicted people have to counsel are those that individual states grant; because many states do not provide for the mandatory appointment of counsel, prisoners without resources must navigate their way through the criminal justice system on their own — from their prison cell. This means they must comply with all rules and procedures put in place by the state, and if they slip-up in any way, their petition will be denied and dismissed. They might plead incorrectly by not knowing the necessary elements that constitute a legally valid claim. For example: their trial lawyer was incompetent. Or they might simply miss a filing deadline. It all invalidates their post conviction petition and results in it being dismissed.

***To repeat: a convicted person with no legal training, no investigator and insufficient legal resources has no choice but self-representation.***

Centurion currently represents an individual who was convicted of a murder he did not commit because of the false testimony of a jailhouse snitch. This individual was forced to represent himself post conviction because the state would not appoint counsel to represent him. He alleged in the papers he drafted and filed that his trial lawyer was incompetent. His allegations were based on what he knew had occurred at his trial: his lawyer failed to adequately investigate his case. However, he had no idea of the

depths of his attorney's failure or that the prosecution suppressed evidence proving that the snitch was a liar. Had his attorney conducted a minimal investigation, he would likely have been able to catch the state hiding the evidence that proved that the snitch was a serial perjurer who, in this case, lied by saying our client confessed to him. Our client's *pro se* petition was denied. Then, years later when Centurion discovered and presented the evidence, the state's response was: these issues should have been raised in the first petition. And, you are prohibited from relitigating the issue of your trial attorney's competence. That's not all: because we are raising these issues in a second or successive petition, a different and higher standard of proof is imposed in order to overturn a conviction. In other words, evidence that would have freed the client had he presented it in his first petition is now insufficient because it comes too late.

This is a fairly typical example of how the system holds on to unjust convictions, preventing some innocent people from ever gaining their freedom. Others spend years in prison forced to litigate procedural issues that have nothing to do with the truth before gaining their freedom. In our client's case, had competent counsel been appointed to represent him in his first post conviction relief application, he likely would have been freed many years ago. Instead, procedural red tape keeps him locked up as we fight to keep his case alive. All this could have been prevented if the appointment of counsel were mandatory in the post conviction setting. This must change. Until all states grant the mandatory right to counsel for all prisoners in their initial post conviction relief applications, too many innocent people will remain convicted and in prison.

# CENTURION Family Gathering

*A celebration of freedom and family.*

**Fall 2021**

Details coming soon



Every year, the men and women that Centurion has freed gather with their families, Centurion's Board and staff members, and our volunteers and supporters to share precious time together healing, telling their stories, and educating our community about Centurion's fight for freedom for the innocent in prison. After cancelling last year's Gathering due to Covid-19, we are looking forward to bringing our family together this fall. Please look for an email about the upcoming celebration in the next few weeks!



# The First Months of Freedom

(continued from page 1)

by Alan Maimon

## **Kevin DeSalle**

On September 24, 2020, Kevin DeSalle walked out of Louisiana's notorious Angola prison a free man after 24 years of wrongful incarceration. The following Sunday, Kevin and his father watched their beloved New Orleans Saints on television together for the first time since his conviction in 1995. Kevin, 49, is currently living with his mother at her New Orleans home. He has reconnected with his two sisters and is seeking treatment for medical conditions that emerged during his period of imprisonment.



Kevin DeSalle



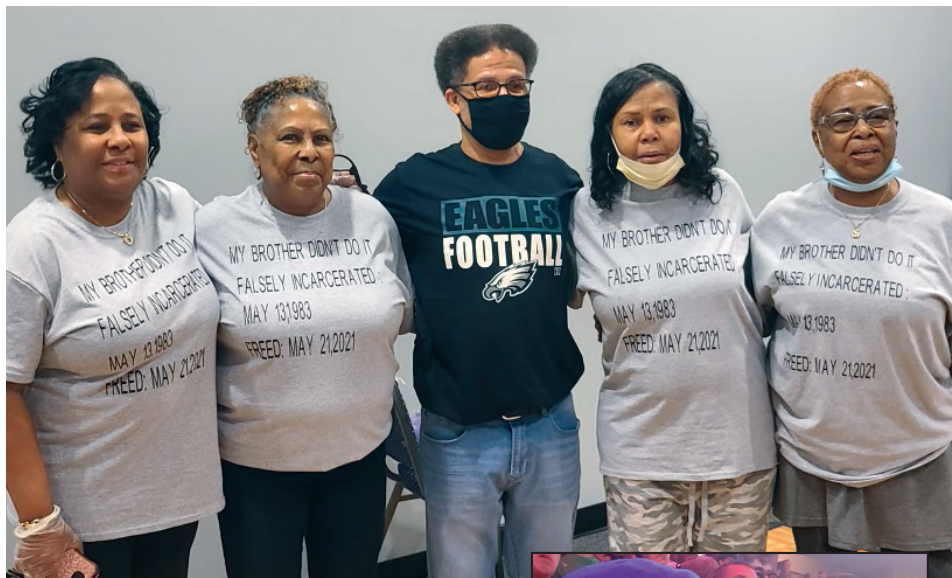
Kevin with his sisters, Christina and Bonnie.

## **Ben Spencer**

On March 12, 2021, Ben Spencer's 34 years of wrongful imprisonment in Texas came to an end. Ben, 56, was reunited with his wife, Deborah, his son B.J., and the rest of his family. In June, Ben spent his first Father's Day with B.J. Ben has found employment at a Dallas parking garage.



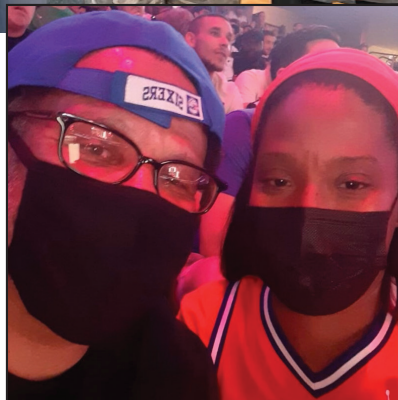
Ben with his wife Deborah.



Larry with his sisters: (L to R) Grace, Barbara, Larry, Doris and Adella.

## Larry Walker

On May 21, 2021, Larry Walker was released from the Pennsylvania corrections system after serving 38 years for a crime he didn't commit. Dozens of family members, including his son, Larry, and daughter, Sharena, were waiting outside the prison to greet him. Larry, 60, is living for now with his daughter and her family in West Philadelphia. He is quickly getting up to speed on new technology and hopes to enter the workforce soon.



Larry with his daughter Sharena.



Ben with his son BJ.

# The Faces We Have Freed

by Kate Germond

Clearly, the American criminal justice system needs a lot of work. Some argue that it needs to be burned to the ground and rebuilt (Me). While that perspective is too extreme for most, and frankly, impractical, the truth is it is time to begin the process of dismantling and rebuilding it with one primary focus in mind - ***every piece of this consortium has life-altering consequences on actual human beings.***

For those of us who work within this structure, this is not an abstract concept as it might be for most whose encounters with the system are more at arm's length. In every conversation about the criminal justice system, I see the faces of the people we are working for and those we have freed. I know about an establishment that is far more concerned with winning than about actual justice. All because those whose job it was to do justice only cared about winning. And it makes me furious.

Our office is a pictorial history of this organization and its family, and of the failures of the American justice system. Every wall is covered with photos of emotional moments captured by our photographer Diane Bladecki. They're pictures of people I love, and no matter how many times I've looked at these, inevitably there is a tear or a smile and a flood of memories. In my office, as I look at a photo of me with John Restivo, it brings a smile to my face; he has his arm around my shoulder and his head is leaning towards

mine and he's got his crooked John half-smile. There's the sweet picture of me being totally cracked up by Mark Schand, Richard Miles, Marcus Washington and Michael Austin. I no longer remember what was said, but I remember the evening and that moment, their arms are around each other and me. There's a ginormous one of me with James Waller, an innocent man with no prior criminal record excluded from the crime by DNA evidence, and Joyce Ann Brown, an innocent woman who the Dallas County prosecutor wanted to execute — again we're laughing at something one of us said. There's a historic one of Clarence Brandley walking off of the Coffield Unit, which houses Death Row in Texas — the first time an innocent person had been walked off of Texas' Death Row. In the background you can see Jim McCloskey's bald head.

With each happy memory, I also remember how each of these men and women were held on to so tightly by a system more concerned with preserving its image and protecting itself than it was with the human being who was wrongfully trapped in its clutches. Every victim of a crime, every witness, every family member, every innocent person who is wrongfully incarcerated — even every guilty person — deserves better. These are people, people. When are we going to start doing better?

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# New Additions to Our Board of Directors

by Laila Wilson

We are happy to announce that we have added two additional Board members to join us in our mission of vindicating for the wrongfully convicted. Richard Mies and Willem Kooyker officially joined our Board of Directors in the spring of 2021.



**Richard Mies** will bring a wealth of perspective and experience. He is a Centurion Exoneree who spent 15 years in a Texas prison, wrongfully convicted, for murder and aggravated assault. He was released on October 10, 2009 and fought for his exoneration, which was granted on February 15, 2012.

Richard pursued his Associates Degree in Science during his incarceration. He has become a tireless advocate for social justice and fights to ensure others do not encounter the same injustice he did. After his release, he founded Miles of Freedom, an organization providing re-entry and support services to recently released men and women in the Dallas area. In 2021, the Richard Mies Act was passed in TX. This law requires police departments to certify that they have turned over all evidence in a case.

We are grateful Richard is now a part of our leadership team.

Willem Kooyker has been a supporter of Centurion for close to two decades. He and his wife, Judith-Ann, are active in civic life, with a focus on New York City. Arts and culture is a major interest, as well as education, health, and social justice. Their support of Centurion has made a huge impact on our work and growth.

**Willem Kooyker** received his B.A. in economics from Baruch College and an MBA in international finance and



economics from NYU. He began his trading career with Internatio-Muller in Rotterdam, where he eventually became a managing director of the international trading group. In the early 1980s, he joined Commodities Corporation in Princeton, where he became president. In 1988, Kooyker founded Blenheim Capital Management, and was its chairman until retirement.

We are thrilled Willem has joined the amazing group of dedicated leaders on our Board!

# Meet Our Team: Post-Release Support Services

by Pam Feig

Just over a year ago, Centurion expanded our capacity to serve our freed clients by bringing Pamela Feig onto our staff to lead our Post-Release Support team. A licensed clinical social worker, Pamela focuses on some of the core principles of social work: to empower the individual and strengthen their capacity for self-determination. She assesses each individual's needs, connects them to emotional and mental health support, and arranges concrete services as needed for our freed clients - those who were released from prison, as well as those who have been out for years. Pam works closely with Tyler Spikes, whose long-standing role includes staying in contact with our clients on an ongoing basis and reporting back on any troubling issues. Additionally, Lori Freedman, our volunteer social worker, continues to provide support to a number of cases. Working together, this team ensures that the men and women we support post-release are able to build full, self-determined lives for themselves.

The road to building that life is winding and wrought with a complicated and interconnected set of variables that can be extremely daunting for a person who has been incarcerated for decades. The world they left behind ten, twenty, or thirty+ years prior is likely an unfamiliar one. Does this person have family, resources and community waiting to support them and attend to the details for transitioning to a new life? How will they manage the initial relief and joy they experience when they are first released? Will their long-awaited freedom be tempered by unanticipated realities and unmet expectations?



*Pam maintains a psychotherapy practice in Princeton and worked at Carrier Clinic for 13 years prior to joining Centurion as Post-release Support Coordinator.*

That's where our Post-Release Support team comes in. The first focus is basic necessities: official identification, a birth certificate and social security card must be obtained as quickly as possible. The team helps coordinate living arrangements for both the long and short term. We provide a cell phone so we can keep in close contact, especially in the early days of their release. We take our clients shopping for clothes, toiletries, and the basic household items most of us take for granted. These initial arrangements are a team effort of logistical deftness and coordination; as the saying goes, it takes a village.

The next layer of support positions our clients to navigate the complex processes of access to healthcare, transportation,

training/education and employment. Federal and state programs vary greatly and there is no uniformity from state to state in the provision of services, so a lot of time is spent researching, calling, making new contacts and learning the system of care in each city where a Centurion case is pending. Some locales have robust re-entry programs that can be accessed while others require the cobbling together of limited options.

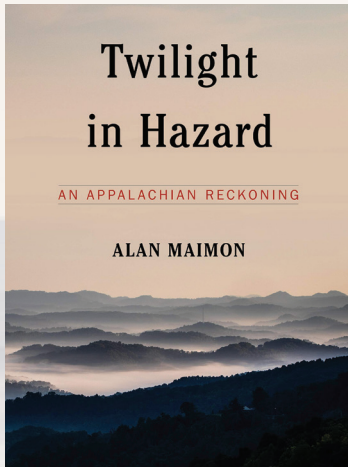
We also connect our recently freed clients with members of our exoneree family who have been out for a number of years. This allows our freed family to support

and mentor each other, providing an opportunity to engage with the only people who understand exactly what it's like to suffer decades of injustice and wrongful incarceration. These relationships are critical to helping our freed clients feel less isolated and alone during a period of radical change and upheaval.

Ultimately, the goal of post-release support is to foster self-sufficiency in the individual. Our team accomplishes this by bringing the tools necessary to meet each individual's goals within reach and setting them on a path to the fulfilling, free life they always deserved.

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## Centurion's very own Alan Maimon, Investigator & Pulitzer Prize finalist, released his latest book!



**“This book is harrowing, angering, and, most importantly, true.”**

— *Wiley Cash, New York Times*

**“A somber consideration of a broken region that saves the scolding for its leaders instead of its residents.”**

— *Kirkus reviews*

A story of how a perfect storm of events has had a devastating impact on life in small town Appalachia, and on the soul of a shaken nation.

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