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↳ After Lawyer Johnson served 10 years for a murder he didn't commit, a university asked him to come speak about his experience. He keeps the invitation and envelope in separate folders so they won't get wrinkled.

Another day, another report of botched DNA evidence. Of faulty witness testimony and official misconduct. Of yet another innocent man released from jail. There seems to be no end in sight, as the issue of unjust imprisonment has forced its way back into the spotlight. And as the stories of these six men make clear, the state's efforts to do right by those it has wronged won't ever go far enough.



THE PRICE OF INNOCENCE

By OLIVIA DIFETERICI,
RUSHMIE KALKE,
and ANNIE SHERMAN

Photographs by
CHRISTOPHER CHURCHILL

In the past three decades at least 23 wrongfully convicted men have been set free from Massachusetts prisons.

It's a day of celebration every time it happens. The inmate's family waits to greet him. He looks at the sky, breathes in the air of freedom, and takes the first steps of his new life. The injustice has been lifted. Just getting to this point, though, has taken years of struggle and, as often as not, luck. And with freedom comes another set of challenges, all just as daunting. ¶ After exhausting his appeals, a guiltless prisoner typically has no legal right to an attorney if new evidence emerges down the road. That means unless he can afford a lawyer, or convince one to work pro bono, he must go it alone. In cases that involve DNA evidence, prisoners often have to pay for their own tests, which can cost as much as \$20,000, an amount beyond the means of most inmates and their families; if there's no forensic evidence at all, an appeal can languish indefinitely. The few who manage to surmount those obstacles and earn exoneration are released into a void. Having spent years behind bars, they can be set free with no job training, no rehabilitation, not even \$20 for a hotel room. Paroled felons are treated better. ¶ At the end of 2004, then Lieutenant Governor Kerry Healey signed a law giving the wrongfully imprisoned up to \$500,000 in compensation, along with half-price tuition to state universities. It sounds like a jackpot, but it's not. The money could be doled out in small monthly payments, enough to cover the cost of food, say, or part of a month's rent. And in order to get the first check, they must prove their innocence a second time in a civil trial. That can take a long time. Compensation suits filed when Healey signed the bill are winding their way through the legal system, and loopholes and gaps in the law are still being hashed out in court. ¶ Regardless of whether an innocent man receives recompense for his incarceration, he does not pick up his life where it left off. What has been missed—marriage, kids, buying a home, starting a career—is priceless, is life itself. To hear the stories of these six men is to know that no sum is enough to buy that back.

↑ Lawyer Johnson

Johnson was convicted of murder in 1972 and sentenced to die in the electric chair. Ten years later, a woman came forward and said she knew the true killer: the prosecution's key witness. After a decade on death row, Johnson had a hard time readjusting. He wound up homeless, and, hoping to return to jail, resorted to shoplifting and other petty crimes. He was charged with drug possession in the late '90s and spent another six months in jail.

Today, at 55, Johnson is sober and regularly attends AA meetings while living in a halfway house. He has been active in the ACLU, and, in 2001, spoke out against the death penalty on Beacon Hill when the legislature was debating whether to reinstate it. "I'm learning how not to become my own worst enemy," he says. "I'm trying to break that wall and get along with my life."

Sympathetic lawmakers tried twice, in 1983 and 1999, to pass a bill granting Johnson the modest sum of \$75,000, but both attempts died in the legislature. He's now suing under the new law, and his case is moving forward. If he wins, he plans to use the money to buy his own place to live.



→ Bobby Joe Leaster

In 1970, Leaster was standing on a South End street corner with his buddies when a police car approached. Ninety minutes earlier, a man had been shot in a convenience store.

"They found nothing on me," says Leaster, now 57. "No fingerprints, no money in my wallet, no gun. But my clothes fit the description." Leaster, who had no previous criminal record, was sentenced to life in prison. He was released in 1986 when a new witness emerged and testified that Leaster had not been involved in the crime.

The legislature granted Leaster a \$500,000 annuity as compensation after the father-son legal team of Robert and Christopher Muse (the latter is now a Superior Court justice) spent nine years proving his innocence. Leaster's case would eventually become a model for the 2004 compensation law.

"It's a slap in the face," Leaster says. "It's a disgrace and it disrespects me. How does that cover 15 years? A million dollars a year still wouldn't have been enough." He now works for the city, helping teens, ex-cons, and former gang members stay off the streets. He is a neighborhood celebrity, recognized with handshakes and pats on the back. "I'm not doing this to give back to the city," he says. "I do it because I want to. The state should be giving to me—for the rest of my life."





Dennis Maher

On successive nights in November 1983, one woman was raped and another was assaulted in the same Lowell neighborhood. Maher happened to fit the descriptions they gave to police, which would be the main evidence used to convict him of both attacks, as well as another in Ayer a few months before. He was sentenced to life in prison.

Maher's lawyer was later disbarred for malpractice. It was 10 years before the Innocence Project eventually signed on to his case, and nearly another decade before it uncovered the DNA samples that cleared him. That evidence turned up in the Middlesex County Courthouse and the Ayer police station. (Ed Davis, now Boston police commissioner, was one of the detectives on the case.) After 19 years behind bars, Maher was set free in 2003.

Maher's father helped him get his driver's license and a \$900 Oldsmobile, and he landed a job as a mechanic. Looking for companionship, he searched personal ads on the Internet. Most women were scared off when he told them about his past, but Melissa Valcourt took a chance and agreed to meet him at a Dunkin' Donuts. They married in 2005, and now have two children, Joshua Elijah and Aliza Karin Lucy, named in part for the Innocence Project attorney and law student who helped win Maher's freedom.

Now 46, Maher was awarded compensation for his imprisonment, but remains unsatisfied. He claims in a lawsuit that Davis and others manipulated witnesses and altered evidence, and is seeking damages—which could amount to millions of dollars. For the past four years he's given speeches at local colleges about his experience, a process he says has helped him heal, a little. "I always want to put the word out that there are innocent people in prison. For the same crimes as me and under the same circumstances as me."

THE PRICE OF INNOCENCE



George Reissfelder

Reissfelder had already spent 15 years in prison for a 1966 South Station murder and robbery when his codefendant, dying of leukemia, confessed that Reissfelder was innocent, that he'd never seen him before their trial. Reissfelder's wife had divorced him while he was in prison, so he spent his first few hours of freedom with his children, his high-profile lawyers, and some reporters. When night fell and his bed didn't feel like the damp mattress in his cell, he was so lonely that he missed the clang of the cell bars. His brother, Richard, trying to put him at ease, asked, "Do you want me to bang some garbage cans together?"

The following week Reissfelder appeared on the *Today* show and on CNN. But at night, in his hotel room, he kept every light turned on. After the close quarters of prison, he feared solitude. Then, a year after being released, he met a woman named Janice. "They didn't leave the house for a month," his brother says. The couple married six months later and moved to New Hampshire. Things were looking up.

But Janice was young and wanted a life in a city, with crowds and nightlife. They separated. With no one to ease his loneliness, Reissfelder turned to friends he'd met in jail. "You can't spend 16 years in prison and expect him to hang out with choirboys," Richard says.

With those old friends came drugs and alcohol. In 1991, Richard received a call from the fire department. He rushed to Reissfelder's house to find the front door broken down and firemen standing over his brother. He'd died in his apartment, alone. A cocaine overdose. At the wake, says Richard (above, next to George's grave), Reissfelder's daughter Diane tried to climb into the casket to comfort the father she never knew.



Anthony Powell

If Powell could do anything, he'd build a luxury hotel, with restaurants and entertainment. But he wouldn't build it here. "I know there has to be better places than Boston," he says. "I am mad at Boston right now."

Like anyone with an interest in real estate, Powell knows it's all about location and timing. You don't want to be in the wrong place at the wrong time. Shortly after midnight on March 19, 1991, a woman waiting for a bus in Dorchester was kidnapped at knifepoint and raped. Her attacker then ordered her to meet him at a Roxbury skating rink the next evening. Powell happened to be at the rink near the appointed hour. He was arrested, and served nearly 13 years before being exonerated by DNA evidence.

After Powell's release, the state offered him no help securing a job or a place to live. "You don't want to stay with family," he says. "That's a burden. That's why I didn't want to tell anyone I was getting released. I just wanted to disappear." He eventually landed part-time jobs moving furniture and working construction, and later began a carpentry apprenticeship. But his employer hit a rough patch and let him go, leaving Powell to survive on temp jobs.

Powell won't say where he lives or works, and doesn't want to get into detail on his efforts to seek damages. That's the kind of information he says can only bring him more problems. "On the street," he says, "when people get the idea you are doing okay and getting compensation, they come after you."

THE PRICE OF INNOCENCE



Ulysses Rodriguez Charles

Charles emigrated from Trinidad as a teenager, joined the local ironworkers union in 1973, and wanted to one day run his own business. A night in 1980 changed everything. Three women were brutally raped in Brighton, and Charles was identified as the attacker. He was sentenced to 80 years in prison, and served 19, before DNA evidence proved him innocent in 2001. Six years before his release, his 24-year-old daughter, Denise, committed suicide.

After Charles was set free, he turned to his union buddies for assistance. Jay Hurley, now president of the Iron Workers District Council of New England, helped him find work two weeks later. Charles's first job was in the depths of the Big Dig. Ten hours a day, six days a week. The dark tunnels reminded him of his old cell. "I would get into this somber mood," he says, "and then just start crying for no reason at all."

Charles is seeking compensation through the new state law, and has also filed a federal civil rights suit that would award him additional damages. While he awaits the courts' judgments, the 56-year-old continues to try to rebuild his career. Colleagues he started out with in the union are now nearing retirement, and looking forward to it. He can't afford to join them. "I am extremely angry at my financial situation," he says. **B**

