The Oklahoma Innocence Project at Work

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By Laurie W. Jones

On Aug. 15, 2011, Oklahoma City University School of Law launched the Oklahoma Innocence Project, the only freestanding enterprise of its kind in the state dedicated to identifying and remedying cases of wrongful convictions. In five months, the OIP’s case count has risen to 455. Many of those cases are new and awaiting review, 113 are in review, 30 have been reviewed, and 11 are in progress, which means that they are on the clinic “floor,” being actively worked by students under the supervision of the OIP director, with ongoing investigation and supplemental records collection underway.

Shortly before it opened, the program changed its name from the Oklahoma Innocence Clinic to the Oklahoma Innocence Project to represent its more comprehensive mission. The clinic is the class itself, and the project refers to “the scope of activity that will take place outside of the class, including investigation, litigation and other work,” states Professor Tiffany Murphy, Oklahoma Innocence Project director. OIP pursues cases in which there is credible evidence of actual innocence.

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Nine students are currently enrolled in the clinic, and five students were enrolled in the inaugural semester this past fall after completing a prerequisite course, “Wrongful Convictions.” One of those students was Jill Swank, who learned the following skills in the clinic: how to use the state court records systems and PACER, how to request records, how to navigate a court clerk’s office, how to call attorneys and track down witnesses, how to interview clients and how to evaluate case files. She values not only the acquisition of these skills, but also the education she received about the criminal justice system.

“I see the Oklahoma Innocence Project and Clinic as more than a microcosm of the law school with its function limited to working cases,” Ms. Swank said. “I see it as the catalyst for educating our community and for participating in the larger, nationwide discussion about the problem of wrongful convictions. The OIP has sparked a dialogue that extends beyond the borders of the campus and across the state about the causes of wrongful convictions and the means for remedying and preventing them. It is awareness and dialogue that enable the exchange of information, which is the essence of education. It allows those individuals and entities who work within the criminal justice system or whose work is relied on for obtaining criminal convictions to examine the system and make it better.”

OIP is part of the Innocence Network, an affiliation of similar projects throughout the nation. Network members are committed to using significant resources to secure exonerations of wrongful convictions. Until OIP, Oklahoma was one of only a handful of states without a standing organization to evaluate post-conviction claims of innocence.
Hundreds of inmates have been exonerated in the United States, including 18 in Oklahoma.

Generous donors from across the nation have made OIP a reality. OCU Law alumni Carly Maderer and her husband, Jason Maderer, are two of those donors. They note that, “The Oklahoma Innocence Project not only gives a voice to the wrongly accused and their families, it helps improve our justice system and law enforcement. And now … students in Oklahoma have hands-on experience with real cases and the opportunity to make a difference. We are grateful to be able to contribute to such a worthy cause that touches so many lives.” The strong commitment to the integrity of our system of justice and respect for the rule of law demonstrated by these donors, and all the individuals, companies and nonprofit organizations that have contributed to OIP, have improved access to justice in Oklahoma, and we are all grateful for that.

Ms. Jones is an OBA Access to Justice Committee member. She serves as interim associate dean for Academic Affairs at OCU School of Law.