

For Immediate Release

Feb. 22, 2019

LOYOLA'S JUVENILE INNOCENCE & FAIR SENTENCING CLINIC SECURES RELEASE OF MAN WRONGFULLY CONVICTED FOR MURDER AS YOUTH

LOS ANGELES – The Juvenile Innocence & Fair Sentencing (JIFS) Clinic at LMU's Loyola Law School, Los Angeles has secured the release of its client Reggie DeAndre Mallard, who was wrongfully convicted of murder and conspiracy in 2003 and sentenced to 26 years to life in prison. Mallard is expected to be released today, Friday, Feb. 22, 2019 from the inmate reception area at the Twin Towers Correctional Facility in downtown L.A.

During the course of their investigation and string of court filings, JIFS attorneys and student advocates uncovered evidence of several Brady violations, or instances of prosecutorial misconduct. These included failure to disclose that a DNA test of a ski mask related to the crime came up negative for Mallard and his co-defendants; as well as a confession from a defendant in another crime, who confessed to being the shooter in the murder and claimed Mallard was not present. This evidence was not turned over, despite multiple opportunities over many years and after many requests from JIFS advocates.

Meanwhile, JIFS faculty, students and volunteers investigated the case themselves. They interviewed the co-defendants and other members of the gang to which Mallard was believed to be a part of at the time of the 2001 shooting. Three of them stated that they were present at the crime and that Mallard was not involved. All of them told the same story: That the prosecution's chief informant was the prime mover behind the crime, railroaded the youngsters into committing it, and then turned on whomever he thought he could implicate.

"For five years, student investigators at the JIFS Clinic uncovered evidence that the police had either failed to discover or turn over," says Professor Chris Hawthorne '00, director of the JIFS Clinic. "It was difficult work. We knocked on a lot of doors and visited a lot of prisons. But the case didn't really take off until Public Interest Fellow Marisa Sacks '17 took charge of the habeas corpus petition and really started to litigate this case. For over three years – starting as a student - she has been the motor on this case, and Mr. Mallard's lifeline in prison."

In April 2017, the JIFS Clinic filed a habeas petition in Los Angeles Superior Court, alleging actual innocence. The District Attorney's Office, after a year of extensions, strongly resisted, filing hundreds of pages of pleadings and exhibits. The judge

disagreed and ordered a hearing set for March 2019. Those events prompted an offer of an 11-year flat sentence for voluntary manslaughter.

While Mallard has maintained his innocence since he went to prison, he accepted the plea deal, despite his innocence, to avoid spending six or more years in prison.

Mallard is grateful, but realistic. "There is nothing easy about what I've had to overcome. It's been a long, hard journey—one I couldn't have made it through alone. I'm just thankful for all the prayers, support and the team of great people at Loyola who stood by me and fought to get my life back."

"It's a great day because Reggie DeAndre Mallard is getting out of prison," adds Professor Hawthorne. "It's bittersweet, because he never should have been there in the first place. But it's inspiring to see law students do such impressive work on a complex and difficult case. They seized the wheels of injustice, and turned them back."

The inmate reception area at Twin Towers Correctional Facility is located at 450 Bauchet St., Los Angeles, CA 90012. Journalists seeking more information on the timing of the release or to arrange an interview with a JIFS representative may contact Brian Costello, interim director of marketing & communications, at brian.costello@lils.edu, 213-736-1444 (o) or 310-902-9560 (c).

About the Juvenile Innocence & Fair Sentencing Clinic

Students and attorneys in the Juvenile Innocence & Fair Sentencing Clinic represent people who have been convicted of offenses committed when they were under 18. Students are assigned cases at varying stages of the appellate process, and have the chance to conduct investigations, meet with clients, evaluate cases for innocence/sentencing claims, conduct evidentiary hearings in court, research and write appellate, habeas and amicus briefs, and if possible, conduct oral arguments in the court of appeal. Students also have the opportunity to work on legislation and policy work related to the clinic's goals. The JIFS Clinic is part of Loyola's Center for Juvenile Law & Policy. Learn more at www.lils.edu/cjlp.

About Loyola Law School, Los Angeles

Located on an award-winning Frank Gehry-designed campus in downtown Los Angeles, Loyola Law School is home to prominent faculty, dedicated students and cutting-edge programs. The Law School strives to instill in students the knowledge they need to excel on their chosen paths. It dedicates itself to preparing students for the rigors of practice with an extensive portfolio of practical-training opportunities, an 18,000-strong alumni network and a focus on social justice. Learn more at www.lils.edu.

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