

CASE SUMMARY

CATEGORY: Exoneration

DEFENDANT'S NAME: Carl Earl Lawson

JURISDICTION: St. Clair County, Illinois

RESEARCHED BY: Rob Warden
Executive Director
Center on Wrongful Convictions

DATE LAST REVISED: January 30, 2001

FACTS

Date of crime:	July 27, 1989
Convicted of:	Murder. (Lawson was tried three times. He was convicted and sentenced to death at the first trial. After the Illinois Supreme Court reversed and remanded the case, the second trial ended in a hung jury. The third trial ended in his acquittal.)
Death-qualifying factor:	Murder of a child
Date sentenced:	October 3, 1990
Date released:	December 12, 1996
Months lapsed sentence to release:	74
Defendant's age at time of crime:	23 — born December 23, 1965
Defendant's sex:	Male
Defendant's race:	African American
Victim(s):	Terrance Jones (known as T.J.)
Age of victim(s):	8 years
Sex of victim(s):	Male
Race of victim(s):	African American

Relationship of victim(s) to defendant:	Victim was the son of Lawson's former girlfriend, Pam Burts, with whom he continued to live even after they ended their romantic relationship two months before the murder.
Trial judge:	Michael O'Malley
Defense attorney(s):	Walter L. Brandon, assistant public defender
Defendant's plea:	Not guilty
Was guilt phase bench or jury?	Jury
Was sentencing bench or jury?	Bench
Summary of state's theory of case at trial:	Lawson killed the child because he and the child's mother had ended a romantic relationship.
Summary of defense:	Insufficient evidence
Did the defendant confess or make an inculpatory statement?	Lawson did not confess but did make a statement that was admitted into evidence. The prosecution argued that the statement corroborated elements of its case: Most importantly, Lawson stated that he had washed his clothes, including his pair of Pro Wing gym shoes, at about the time the murder was believed to have occurred. Bloody shoe-prints at the crime scene were made by Pro Wing gym shoes.
Did the defendant testify?	No
Was there eyewitness testimony?	There was none linking Lawson directly to the crime, several witnesses testified that they saw Lawson with the victim around the time of the crime. Each account changed from the time of Lawson's arrest to the time of the trial; some became more certain, some less certain.
Was there serological evidence?	There was no detectable blood on Lawson's gym shoes.
Was there hair or fiber evidence?	No
Was there other physical evidence?	Yes. A pair of Pro Wing gym shoes owned by Lawson were admitted into evidence. A state expert testified that the shoes were consistent with having made five of twelve bloody shoe-prints found at the scene of the crime. The shoes were of a popular type worn by young men in the neighborhood where the crime occurred.
Was there informant testimony?	No

Did the informant(s) receive anything of value for testifying?	Not applicable
Was there accomplice testimony?	No
Was anything given in return for the accomplice testimony?	Not applicable
Was there a <i>Batson</i> issue?	No
Was there a <i>Brady</i> issue?	No
Was there evidence of mental illness, retardation, or neurological damage?	No
Principal exculpatory evidence at trial:	The mother of the victim testified that Lawson played with her children and never threatened them.
Was there any indication of bias on the part of the trial judge?	Judge O'Malley denied Lawson's <i>pro se</i> request for funds to hire independent shoe-print and fingerprint experts. In remanding the case for a new trial, the Illinois held this to have been error. The denial was not the basis for the reversal, however, as explained above.
Defendant's criminal history:	Lawson had been convicted of aggravated battery in St. Clair County and sentenced to two years in prison in 1987.
Other major issues on appeal:	Trial counsel's conflict of interest: Before becoming an assistant public defender, William Brandon had been an assistant state's attorney and appeared as such at Lawson's arraignment on November 3, 1989. It was on this issue that the Illinois Supreme Court reversed Lawson's conviction, saying: "[W]e find that under the circumstances here, where defendant's court-appointed defense counsel also previously served in the same criminal proceeding as the prosecuting assistant State's Attorney, a possible conflict of interests existed."
How did exoneration come about?	After the Illinois Supreme Court reversed and remanded the case, Lawson was acquitted at his third trial based on the revelation that the blood had been wet when the child's body was found and that the shoe-prints could have been made by someone in the crowd that gathered at the scene before police arrived. Lawson was one of many persons from the neighborhood who gathered at the scene.

Was anyone else charged in the crime?	No
If others were charged, briefly describe outcome:	Not applicable
Appellate counsel:	Steven L. Clark, Office of the State Appellate Defender
Summary of appeals:	Reversed and remanded — <i>People v. Lawson</i> , 163 Ill. 2d 187 (Dec.1, 1994)