

## CASE SUMMARY

**CATEGORY:** Exoneration

**DEFENDANT'S NAME:** Ronald Jones

**JURISDICTION:** Cook County, Illinois

**RESEARCHED BY:** Rob Warden  
Executive Director  
Center on Wrongful Convictions

**DATE LAST REVISED:** February 5, 2001

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## FACTS

<b>Date of crime:</b>	March 10, 1985
<b>Convicted of:</b>	Murder and aggravated criminal sexual assault
<b>Death-qualifying factor:</b>	Felony murder
<b>Date sentenced:</b>	September 10, 1989
<b>Date released:</b>	Jones was released in Illinois on May 18, 1999, but sent to Tennessee, where he had walked away from a work-release program in 1980. (At the time he disappeared, he was serving a 5-year sentence for robbery. He was released in Tennessee on February 7, 2000.
<b>Months lapsed sentence to release:</b>	116 (sentencing until Illinois release)
<b>Defendant's age at time of crime:</b>	34 — born July 6, 1950
<b>Defendant's sex:</b>	Male
<b>Defendant's race:</b>	African American
<b>Victim(s):</b>	Debra Smith
<b>Age of victim(s):</b>	28
<b>Sex of victim(s):</b>	Female
<b>Race of victim(s):</b>	African American

<b>Relationship of victim(s) to defendant:</b>	None
<b>Trial judge:</b>	John E. Morrissey
<b>Defendant's plea:</b>	Not guilty
<b>Was guilt phase bench or jury?</b>	Jury
<b>Was sentencing bench or jury?</b>	Bench
<b>Summary of state's theory of case at trial:</b>	Jones and Smith had intercourse at the abandoned Crest Hotel, after which he stabbed her to death. Jones signed a statement saying that Smith had agreed to have sex with him for \$10, but after they had intercourse he refused to pay her. She pulled a knife out of her bra. They fought until Smith "apparently got stuck" because she lay still. Jones got scared, ran away, and later threw away his clothes.
<b>Summary of defense:</b>	Actual innocence — Police beat Jones to extract confession.
<b>Did the defendant confess or make an inculpatory statement?</b>	Yes. On October 4, 1985, Detectives Steven Hood and John Markham questioned Jones about the murder. He initially denied involvement, but claimed that Smith had agreed to have sex with him for \$10. They went to an abandoned hotel, where they engaged in sex. When he refused to pay her, she pulled a knife out of her bra. They fought until she "apparently got stuck." Frightened, Jones ran away.
<b>Did the defendant testify?</b>	Yes. He denied either having intercourse with or killing Smith. He said police had beaten him to coerce his false confession. As evidence of the beating, he provided photographs of a bump on his head that enlarged after his arrest. However, Dr. Mitra Kalelkar, a deputy medical examiner, testified as a prosecution witness that the bump in fact was "a textbook picture of a sebaceous cyst" caused by blockage of a sweat gland. Dr. Kalelkar said such a cyst naturally increases and decreases in size over time, but that a blow would not cause it to swell.
<b>Was there eyewitness testimony?</b>	No
<b>Was there serological evidence?</b>	Apparently none was presented at trial. However, in arguing against a motion to suppress Jones's arrest, prosecutors stated that in late August or early September 1985 police received vaginal swabs taken from another alleged Jones sexual assault victim and that Jones was included among persons who could have been the source of semen on those swabs.

<b>Was there hair or fiber evidence?</b>	No
<b>Was there other physical evidence?</b>	None linking Jones to the crime. The murder weapon was not recovered and police claimed that Jones told them he threw away his clothing.
<b>Was there informant testimony?</b>	No
<b>Did the informant(s) receive anything of value for testifying?</b>	Not applicable
<b>Was there accomplice testimony?</b>	No
<b>Was anything given in return for the accomplice testimony?</b>	Not applicable
<b>Was there a <i>Batson</i> issue?</b>	No
<b>Was there a <i>Brady</i> issue?</b>	No
<b>Was there evidence of mental illness, retardation, or neurological damage?</b>	No
<b>Principal exculpatory evidence at trial:</b>	None
<b>Evidence introduced in mitigation:</b>	Jones had no criminal background until age 27. He expressed remorse over Smith's death, even as he continued to deny responsibility. There was a possibility that he had been telling the truth about being an innocent victim of physical coercion by the police.
<b>Was there any indication of bias by the trial judge?</b>	Yes. During a 1994 hearing, Morrissey ridiculed Jones's lawyer, Richard Cunningham, for requesting DNA. Over the objection of the Cook County State's Attorney's Office, the Illinois Supreme Court ordered the tests, which exonerated Jones.
<b>Was police misconduct an issue on appeal?</b>	Yes. Jones alleged that Chicago police detectives had beaten him to extract his confession.

<b>Was prosecutorial misconduct an issue?</b>	Yes. Jones alleged that the state’s attorney made a number of improper comments to the jury. The Illinois Supreme Court found only one of the comments cited by Jones to have been improper — a description of the differences between “regular murder and felony murder.” The court said that instructing the jury on the law of the case was solely the province of the trial judge. However, because the description was accurate, the error was harmless.
<b>Other major issues on appeal:</b>	Jones argued that Morrissey erred in instructing the jury that it could consider evidence of the second rape committed as evidence of common design. The Illinois Supreme Court held the instruction erroneous but harmless because the evidence was properly admissible to show modus operandi. Jones also argued that the prosecution failed to prove the <i>corpus delicti</i> of sexual assault, which was the statutory aggravating circumstance making the crime eligible for the death penalty. The Supreme Court held, however, that there had been “ample evidence” to show that Smith had been raped — she was found naked below the waist, with her clothes strewn about the abandoned building, and with sperm present in her vagina.
<b>Evidence of actual innocence:</b>	DNA established that he could not have been the source of semen recovered from the victim.
<b>Was the conviction ever affirmed by an appellate court?</b>	Yes. The Illinois Supreme Court unanimously affirmed the conviction on direct appeal on June 17, 1993. <i>People v. Jones</i> , 156 Ill. 2d 225 (1993)
<b>Did any appellate judge ever raise doubt about guilt?</b>	No
<b>What was the status of the case at time of exoneration?</b>	The conviction and death sentence had been affirmed by the Illinois Supreme Court on direct appeal.
<b>How did exoneration come about?</b>	DNA testing, which, as explained supra, the prosecution opposed and the trial judge denied.
<b>Was anyone else charged in the crime?</b>	No
<b>Appellate counsel:</b>	Richard E. Cunningham and Lawrence C. Marshall
<b>Summary of appeals:</b>	Direct appeal — affirmed — <i>People v. Jones</i> , 156 Ill. 2d 225 (1993).