

Innocent Georgia Man Exonerated of Rape, Kidnapping and Robbery After 17 Years Imprisonment

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In 1987 Clarence Harrison was convicted and sentenced to life in prison for the October 25, 1986 kidnapping, rape and robbery of a 25 year-old-woman waiting at a bus stop in Decatur, Georgia, who was also robbed of her watch and money. Clarence was 27 years old. Although she was attacked at 6am, before dawn, the jury relied on the woman's identification of Clarence out of a photo lineup and her courtroom ID of him during his trial. Testing of the seminal fluid collected from the victim was only able to narrow her attacker to 88% of the male population. The police initially fingered Clarence as a suspect because he lived in the area of the attack, and he had served five years in prison after being convicted at 19 of armed robbery.

Determined to prove his innocence, Clarence at first spent all his spare time in prison diligently working on his case. As he recently said, "I worked on my case so much I got migraine headaches." ¹ However after encountering the setbacks of having his direct appeal denied, and having a private lab determine in 1988 that the attacker's semen sample was unsuitable for DNA testing, Clarence began to despair: "After a year or so, you get burned out and you fall off into the system and you lose faith and your hope and you begin to believe you'll never get out. And that happened to me." ²

Denied parole, and unlikely to be granted it without accepting responsibility for a heinous crime he didn't commit, Clarence languished in prison. A turning point came in 1997 when a young fellow prisoner talking to his girlfriend on the telephone, unexpectedly handed Clarence the phone: On the other end was the young woman's mother, Yvonne Zellers. Yvonne offered to write Clarence, but he resisted because at that point it appeared he would die in prison. Clarence finally agreed she could write him about what she learned from the Bible, and she soon began to visit him. A year later he asked Yvonne if she would marry him if he was ever released from prison. She said yes, and Clarence had a renewed reason to fight for his exoneration.

After years of pursuing various leads, on February 10, 2003 Clarence wrote a letter to the newly formed Georgia Innocence Project (GIP) that began: "My name is Clarence Harrison. I am presently being held falsely accused of crimes I could not have committed."

The lawyer who handled Clarence's direct appeal in 1988 was on the GIP's board, and in part due to the lawyer's knowledge of Clarence's case and personnel belief in his innocence, the project accepted his case. The DeKalb County District Attorney's office told the GIP that all the

evidence from Clarence's case had been destroyed. However the persistence of its student interns paid off when they found a slide of the rapist's semen from the victim's rape kit.

On August 24, 2004, the semen's testing by a private laboratory in California, Forensic Science Associates, excluded Clarence as the women's attacker. A week later, on August 31st, Judge Cynthia Becker granted Clarence's motion for a new trial and then dismissed the charges. Clarence was immediately released from custody. On the DeKalb County courthouse steps, the same courthouse where 17 years earlier he had wrongly been found guilty and sentenced to life in prison, Clarence Harrison credited his fiancé Yvonne with giving him the renewed hope that led to his exoneration. He also said he hopes to work with the GIP to help free the many innocent men that he believes he left behind in prison. Clarence also mention Yvonne and he would marry as soon as could afford to buy a ring. Within days, strangers stepped forward and donated such things as rings, a cake, and a singer for their wedding. Several business owners also called to offer Clarence a job.

Although it is unknown how much the victim was influenced by the Decatur police and DeKalb County's D.A. to wrongly identify Clarence as her attacker during the initial photo line-up, and then at his trial, he holds no enmity towards her. After his release he said, "I never held any anger toward her. I just thought she made a mistake." ³

I'm still in a daze," was Clarence Harrison's response to how he felt, two days after his release from 17 years of wrongful imprisonment, as he sat in the office of the Georgia Innocence Project that had successfully worked to prove his innocence.

Sources:

An Innocent Man: Clarence Harrison had nearly given up – then a phone call changed his life, David Simpson, *Atlanta Journal-Constitution*, September 2, 2004.

Wrongly Accused Inmate Freed: Legal Advocacy Group Championed Man's Cause, WSBTV.com, August 31, 2004.

Endnotes:

1. An Innocent Man: Clarence Harrison had nearly given up – then a phone call changed his life, David Simpson, *Atlanta Journal-Constitution*, September 2, 2004.

2. *Id.*

3. *Id.*