



Ninth Circuit Court's Reversal Of 47 Claims Assures Justice for California Death Row Inmate Kenneth Clair, Reports C.J. Ford

C. J. Ford Private Investigations to prepare a report for the Federal Court that will prove police and prosecutorial misconduct

For Immediate Release

SANTA ANA, Calif./EWORLDWIRE/June 29, 2009 --- According to C.J. Ford, justice has worked slowly for death row inmate Kenneth Clair, but now it finally caught up with the Orange County District Attorney's efforts to prevent it. The tables have turned on the Orange County D.A. and the Santa Ana Police Department, in the State of California vs. Kenneth Clair. The 9th Circuit Court will now allow previously disputed evidence along with DNA results that clearly show that someone else committed the crime Clair has been serving over 22 years on death row for.

The 9th Circuit completely overturned now-retired Judge Taylor's District Court ruling, and it applied Federal (COA) Certificate of Appealability of all 47 claims which the Court is now willing to hear. Newly discovered crime scene evidence by C. J. Ford that Ford asserts had been hidden by the Santa Ana Police Department and the Orange County District Attorney in 2005 was rejected by Taylor, but the evidence will now play an important part in Kenneth Clair's case.

After an unrelenting search, Ford discovered the evidence was still in the custody of the Santa Ana Police department. For 15 years, the Orange County District Attorney and the Santa Ana Police Department lied to federal public defenders' attorneys, and investigators claimed that the crime scene evidence was destroyed. Ford did not believe it had been destroyed and discovered the crime scene evidence was still in the custody of the Santa Ana Police Department. After the discovery, a viewing was arranged, and Ford personally inspected these items in the presence of the Federal Public Defender's attorney, the District Attorney and his investigator, and SAPD's investigator. When Ford determined that it was possible to have DNA testing done on these items, he reported this information to Clair, who requested the evidence be DNA-tested to prove he was wrongfully convicted. Clair's attorneys never made the request.

Later, by means of the evidence identification tags, Ford discovered that the District Attorney was secretly testing the evidence. When Ford initially viewed the evidence, each package was properly sealed and each tag was properly dated. Later Ford discovered that this evidence had been opened and tested prior to another evidence inspection conducted by the defense in 2007.

Ford has recently received full discovery of all documents from Clair's defense attorney and is preparing a full investigative report for submission to the Federal Court which will prove his allegations that the District Attorney and the Santa Ana Police department conspired to destroy, manipulate and lose critical exculpatory evidence to build a supercilious case around Kenneth Clair.

Clair was convicted of a crime with no physical evidence that placed him at the crime scene. The only thing that attempted to place Clair in the vicinity was an former girlfriend's testimony, which was later discovered to have been coerced by the District Attorney. Ford's investigation revealed that the former girlfriend had suffered a concussion during that period of time, which resulted in memory loss of the events of that week. She was under a doctor's care and could not even walk on her own the night of the murder. Ford obtained declarations from the former girlfriend, recanting her testimony. These declarations were submitted to the Federal Court and were included in the evidence that was submitted to Judge Taylor.

The Santa Ana Police department wired Clair's former girlfriend, who tried to trick Clair into a confession. Two attempts were made; both were unsuccessful. Even the District Attorney admitted that these two recordings fell short of a confession but argued that Clair sounded guilty.

Ford's report will also show how the Orange County District Attorney and the Santa Ana Police Department (SAPD) conspired to avoid hearing damaging testimony of the eyewitness who was a child at the time the crime was committed. Even the lead detective admitted that the boy had to have seen the crime, because he gave a detailed description that matched with the wounds, placement of the underwear, and items used to commit the crime. This child's testimony was never entered into the case or heard by the jury, because an arrangement was made between Clair's own attorney, the District Attorney, and the Santa Ana Police Department. This arrangement ensured that the child's testimony would never be entered by the Santa Ana Police detective. The lead detective knew the boy saw the crime and told three different SAPD offices that a white man committed the crime. Clair is an African American. When tested by SAPD, the child proved he could differentiate between races. Conveniently, the child was relocated during the trial as assurance by Clair's attorney, the DA, and SAPD that he would not take the stand to testify to enter any of this damaging evidence.

Ford is writing a detailed report for the Federal Court exposing the authorities who conspired to manipulate and destroy exculpatory evidence in the case and continue to do so in their efforts to keep Clair in custody. Ford's report to the Federal Court will also be forwarded to the Federal Attorney General's office along with Ford's recommendation that these individuals are prosecuted to the fullest extent of the law for their intentional misconduct building and maintaining this supercilious case.

Elizabeth Clair, founder and chairperson of the Kenneth Clair Campaign for Freedom, was ecstatic about the news. Mrs. Clair has organized an online petition for her husband's freedom accessible online at CJFordPI.com ('<http://www.cjfordpi.com>'). Mrs. Clair hopes that the Orange County District Attorney will do the right thing and is calling for the immediate release of her husband. She is also asking that everyone in support of Kenneth Clair read and sign the petition.

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SOURCE: C. J. Ford Private Investigations