

News Release

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From the North Carolina Innocence Inquiry Commission
Kendra Montgomery-Blinn, Executive Director

Man's Conviction upheld in Innocence Hearing

Innocence Inquiry Commission Three-Judge Panel makes legal history

GREENVILLE, NC - Legal history was made in Greenville, North Carolina Wednesday when an Innocence Inquiry Commission hearing drew to a close. Three judges ruled that a 2001 conviction against Henry Archie Reeves III would remain untouched. This hearing was the first of its kind in the United States. The North Carolina Innocence Inquiry Commission began investigation of the case in 2007 and last December voted to refer the case to a three-judge panel for a final hearing.

In 2001, Henry Reeves was convicted of taking indecent liberties with his six year-old daughter. Reeves lost his job as a police officer and was incarcerated for 20 months following the trial. He was released in 2003, but is now back in custody accused of failing to update his sex offender registry in Georgia.

The three-judge panel convened last week in Greenville and listened to testimony that the jury never heard at trial. In making their ruling, Judge Robert Hobgood from Franklin County, Judge D. Jack Hooks from Bladen County, and Judge Yvonne Mimms Evans from Mecklenburg County ruled that the conviction would stand. While issuing the panel's opinion, Judge Hobgood stated, "The panel unanimously concludes that the convicted person, Henry Archie Reeves, III, has failed to prove by clear and convincing evidence that he is innocent of the charge" The Court's ruling may not be appealed.

Mr. Reeves was represented by Ernest L. Conner, Jr., a Greenville attorney who has worked on other high profile innocence cases. The defense presented evidence that the abuse never happened and that the victim was coached by her grandmother to make up the allegations. The victim, who is now 15 years-old, took the stand to declare that her father never molested her and that her grandmother made her lie about it years ago. The victim's three brothers also testified that they heard the grandmother prepping the child in 1999. Other witnesses testified about the poor

legal representation that Mr. Reeves had at trial and problems with the DSS investigation. Mr. Reeves ultimately took the stand and proclaimed his innocence.

The state was represented by District Attorney Clark Everett and Assistant District Attorney Kimberly Robb. The state presented evidence that the victim had made consistent disclosures of abuse from 1999-2001. They also focused evidence on the fact that Mr. Reeves had practiced bigamy by being married to two women at the same time.

The Innocence Inquiry Commission's Executive Director, Kendra Montgomery-Blinn commented, "The parties should be commended for the way they handled this case. They made sure the judges heard every piece of evidence and not a single objection was made during the entire hearing. It was a pleasure working with Mr. Everett, Ms. Robb, and Mr. Conner."

The Innocence Inquiry Commission was established in 2006 by the General Assembly as a means to investigate post-conviction claims of actual innocence. The Commission consists of eight members, all of whom were appointed by either the Chief Justice of the North Carolina Supreme Court or the Chief Judge of the Court of Appeals. The Commission members include Judge Quentin T. Sumner (Superior Court Judge), William Kenerly (District Attorney), Wade Smith (Defense Attorney), Mel Laura Chilton (Victim's Advocate), Barbara Pickens (Retired Sheriff), Jacqueline Greenlee (Public Member), Charles Becton (Attorney), and Heath Jenkins (Police Chief).

North Carolina is the first state to create this type of Innocence Inquiry Commission, although other states have proposed similar legislation. A three-judge panel is the final phase of Commission proceedings. Montgomery-Blinn said, "This is one for the history books. The Commission is proud of the work they have done and this hearing has been fair and thorough." The Innocence Inquiry Commission does not represent convicted people, but evaluates new evidence of innocence. Since 2007, the Commission has received over 300 applications and has accepted only five of those cases for investigation. This case was the first to make it to the final hearing phase.

For more information, please contact the Commission's Executive Director, Kendra Montgomery-Blinn, at (919) 890-1580. More information about the Commission is available at: www.innocencecommission-nc.gov

Ms. Montgomery-Blinn is unable to comment on the facts of the case, but all of the documents that the Commission used to reach their decision are available to the media. This hearing was held in open court and the media may order a copy of the transcript.