

News Release

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

Hearing Concludes Without Finding of Innocence

Innocence Inquiry Commission conducts closed hearing in Wake County case

RALEIGH, NC – The North Carolina Innocence Inquiry convened on Friday to conduct a closed hearing in the case of State. v. Terry Lee McNeil. Terry McNeil was convicted in 2001 of Armed Robbery and Second Degree Kidnapping for robbing a dry-cleaners in Apex at gunpoint. Mr. McNeil has always maintained his innocence, claiming that he was misidentified by the victim in a photographic lineup.

The Commission unanimously voted against referring the case to a three-judge panel for a final exoneration hearing. At the close of the hearing, the Commission made eleven findings of fact, including findings that there was significant DNA and other evidence presented, but it did not provide sufficient evidence of factual innocence to merit judicial review.

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. The Commission does not represent convicted people, but evaluates new evidence of innocence. Since 2007, the Commission has received over 300 applications and has accepted five of those cases for investigation.

Wade Smith, a member of the Commission and a prominent Raleigh attorney, commented: “This was a remarkable effort by the North Carolina Innocence Inquiry Commission and especially by the Commission’s staff. The work was very thorough, and the presentations were very impressive. I am proud of this Commission and its work. North Carolina is fortunate that so many people are dedicated to trying to ensure that truly innocent people are not in North Carolina’s prisons. The Commission is made up of many points of view, including law enforcement, victim’s advocates, and defense counsel; all of whom ensure that every point of view is represented.”

Commission member Retired Sheriff Barbara Pickens noted that the Commission, “spent a year and a half evaluating, investigating, conducting scientific tests, and interviewing

numerous witnesses for this case.” Commission Chairman, Senior Resident Superior Court Judge, Quentin T. Sumner praised the Commission staff for doing an “outstanding job investigating this case.”

For more information, please contact the Commission’s Executive Director, Kendra Montgomery-Blinn, at (919) 890-1580. Ms. Montgomery-Blinn is unable to comment on the facts of the case, but will be happy to discuss Commission procedures and statistics. More information about the Commission is available at: www.innocencecommission-nc.gov.