

FOR IMMEDIATE RELEASE

March 2, 2021

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FJP Statement on Missouri Supreme Court Ruling in *Missouri vs. Lamar Johnson*

[Fair and Just Prosecution](#) Executive Director Miriam Krinsky issued the following statement in response to today's ruling by the Missouri Supreme Court denying Lamar Johnson's appeal of the lower court's order dismissing the motion for new trial by Mr. Johnson and Circuit Attorney Kim Gardner in the case of *Missouri v. Lamar Johnson* – a request based on serious concerns that misconduct resulted in Mr. Johnson's wrongful conviction:

“Today's decision from the Missouri Supreme Court is a disappointing result that perpetuates the grave injustices carried out against Lamar Johnson, a man with a credible claim of innocence who has already spent 26 years behind bars. By ruling that Mr. Johnson cannot appeal the lower court's order dismissing the motion for new trial, the Court is keeping an innocent man in prison and preventing CA Gardner – in her filing of the motion for new trial – from fulfilling her duty to pursue justice.

A prosecutor has a responsibility to ensure convictions are sound, not to defend them at all costs. That's why elected prosecutors from across the country repeatedly filed [amicus curiae briefs](#) supporting relief for Mr. Johnson – in the trial court, on appeal and in the Missouri State Supreme Court – urging Missouri courts to not only grant Mr. Johnson a new trial, but, more broadly, to respect the power and obligation of prosecutors to investigate and correct cases where wrongful convictions have occurred.

Conservatively, [one percent](#) of the US prison population – around 20,000 people – are falsely convicted. When uncovered, these tragic injustices should be corrected immediately, regardless of how long it has been since someone was convicted. By allowing for a 'time limit' on justice, the Court is setting a deeply dangerous precedent.

Three of the Court's seven justices agreed that there must be alternative mechanisms for revisiting and addressing a past injustice. As Chief Justice George W. Draper III wrote in his concurring opinion, 'One's sense of justice and belief that innocent people should not be imprisoned for crimes they did not commit requires there to be some mechanism for the state to redress an error it helped create.'

We applaud CA Gardner for her continued efforts to correct this injustice and hope that as she, the Midwest Innocence Project and others continue to address this wrong, the courts similarly concur that this conviction should no longer stand. Similarly, we hope that the Attorney General takes to heart the view of the Missouri Supreme Court justices that his

role is to ‘see that justice is done – not necessary to obtain or to sustain a conviction’ and that he will, as the concurring justices urged, ‘apply these principles when called upon to consider whether to oppose a petition for writ of habeas corpus or other pleading filed by Mr. Johnson or others.’ Only then will we start to rebuild and restore trust in our system of justice and chart a path that lives up to the North Star of ‘justice for all.’”

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Fair and Just Prosecution is a national network of elected prosecutors working towards common-sense, compassionate criminal justice reforms. To learn more about FJP’s work, visit our [website](#) and follow us on [Facebook](#) and [Twitter](#).