

## Ex-inmates seek to clear names after co-defendants exonerated

Convicted in 1992 double murders and released in 2007, men file petitions so they can move on with their lives

January 27, 2014 | By Steve Mills, Tribune reporter

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Since his release from prison in 2007, Paul Phillips says, he has lost more than one job after his conviction for a controversial double murder eventually surfaces. At 38, he is unemployed, living with relatives in suburban Melrose Park and increasingly discouraged.

Lewis Gardner has similarly struggled since he was set free the same year. While he has a job at a Pizza Hut, he cannot work the cash register or become a store manager, something he aspires to do. At 36, he lives with his girlfriend and their children at his girlfriend's mother's home in Lake County because his conviction for the same double murder makes renting apartments difficult.



(http://www.trbimg.com/img-52e707c2/turbine/ct-double-murder-petitions-met-20140128-001/001/001/001/001)

Lewis Gardner, left, and Paul Phillips, who are seeking to have co...

Phillips and Gardner have long hoped to prove their innocence, especially since co-defendant Daniel Taylor had such powerful evidence of his innocence: that he was being held in a police lockup when the murders took place. Now, with Taylor and another co-defendant, Deon Patrick, exonerated and set free, attorneys for Phillips and Gardner filed petitions Monday in Cook County Circuit Court asking that their convictions be thrown out.

While many inmates serve their time and try to move on, their criminal record often remains just one more obstacle for them. Others who return to the outside world continue trying to prove that they were wrongly convicted. Terrill Swift served 15 years for the 1994 rape and murder of a woman in Englewood but continued his quest to prove his innocence until his conviction was set aside in 2012. Alejandro Dominguez, who served four years in prison after he was convicted of a 1989 rape in Lake County, fought for nearly a decade until a judge set aside his conviction.

"A murder conviction is a big weight to carry when you're trying to get work," said Flint Taylor, one of the attorneys representing Phillips and Gardner. "If they get exonerated, it'll be a major step to putting their lives back together."

Phillips, Gardner, Daniel Taylor, Patrick and four others were arrested for the November 1992 murders of Sharon Haugabook and Jeffrey Lassiter in an apartment near Clarendon Park on Chicago's North Side. According to Chicago police and Cook County prosecutors, Taylor, Patrick and two others went inside the apartment while Phillips, Gardner and two others remained outside as lookouts. All eight confessed to taking part in the murders and implicated each other, meaning the cases were inextricably tied together.

After he confessed, Taylor told police that he believed he had been in custody on the night of the murders. Police found records from the lockup at the old Town Hall station at Halsted and Addison streets that indeed showed that Taylor had been arrested about two hours before the murders occurred and then released more than an hour afterward. Still, prosecutors took Taylor to trial and won a conviction. He and Patrick were sentenced to life in prison without parole.

Phillips and Gardner, both then teens, were also convicted and sentenced to 30 years in prison each because of their lesser roles in the crime. Both were released after serving about 15 years in prison.

Taylor and Patrick languished in prison longer, serving about two decades each before their releases — Taylor in June and Patrick this month.

In Monday's court filings, Phillips and Gardner allege — as Taylor and Patrick did before them — that police and prosecutors hid evidence of their innocence. They also argue that the collapse of Taylor's and Patrick's cases mean their convictions no longer can stand with confidence.

Prosecutors had pledged to examine the convictions of Phillips and Gardner after they reviewed Patrick's case, saying at the time that his was more urgent because he was still in prison. That review appears to be underway, since Phillips and Gardner both say they have been interviewed by prosecutors.

"(Prosecutors) were able to ask any and all questions they wanted to ask of them," attorney Taylor, no relation to Daniel Taylor, said of Phillips and Gardner. "And they denied they were involved in any way, and that's been shown to be true as the evidence has come out. Now it's time to make the final chapter happen."

A spokeswoman for the state's attorney's office could not be reached Monday for comment.

Phillips said he has tried to find steady work since his release but often is turned away for jobs when he acknowledges his conviction. When he does not and lands a job, he said he often loses it when the conviction is later discovered — no matter how much he tries to explain that he was wrongly convicted.

"All they look at is the felony I have," he said in an interview.

Phillips finds the predicament all the more frustrating because he worked hard in prison to learn a trade and prepare himself for the day when he would be released. He said he studied business management, computer technology and culinary arts.

"I want to move on and have a better life," Phillips said. "I could at least get a decent job if I didn't have this felony on my record."

Gardner said he would like to make more than the approximately \$8 an hour he earns now, possibly managing a restaurant. He also thinks about returning to school, since his arrest at 15 ended his education. His goal, he said, is to move with his family into their own apartment.

"I can't move forward," he said.

If their convictions are thrown out, Phillips and Gardner would be cleared to file for compensation from the state and sue Chicago police for the years they lost in prison.

"I told them everything," Gardner said of his interview with prosecutors. "I told them the truth. We didn't have nothing to do with this."

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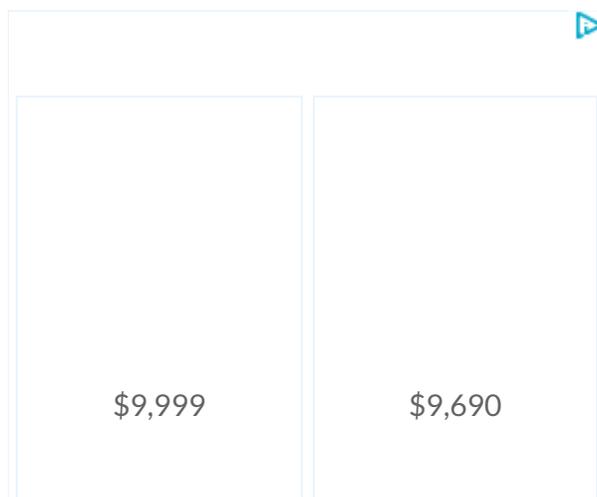
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