

News & Insights

Michigan Court Overturns 2008 Murder Conviction of Detroit Teenager Davontae Sanford

Dykema Pro Bono Client Released Today; Wayne County Prosecutor Will Not Retry; In 2008, Professional Hit Man Confessed to Crimes

June 7, 2016

Wayne County Judge Brian Sullivan today vacated the 2008 convictions and sentences of Davontae Sanford who had been serving a 37- to 90-year sentence for a quadruple homicide. Dykema Gossett PLLC, as pro bono Lead Counsel, represents Sanford in coordination with the Michigan Innocence Clinic, the Northwestern Center for the Wrongful Convictions of Youth and the Michigan State Appellate Defender Office. Wayne County Prosecutor Kym Worthy has also agreed to file a motion to dismiss all charges and not to re-try Sanford for these crimes. As such, Sanford will soon be released from custody after nearly nine years of wrongful incarceration.

“Today, justice finally arrives for the Sanford family. No one can give Davontae Sanford and his family back the nine years he has spent in jail for a crime he did not commit, but the Court’s decision today corrects a grave injustice. The entire legal team is thrilled that he will not spend another day in prison for a crime he did not commit” said Heidi Naasko, pro bono counsel for Dykema.

After interrogations by the Detroit Police, Sanford, who was 14 years old in September 2007, gave an inaccurate confession to a hit man-style quadruple homicide on Detroit’s Runyon Street. He later pled guilty to four counts of second degree homicide on the advice of an attorney, who is now suspended from the practice of law. In April 2008, two weeks after Sanford’s sentencing, a professional hit man, Vincent Smothers, confessed to the Runyon Street killings and eight additional murders.

The State Appellate Defender Office appealed the conviction on Davontae’s behalf. Based on that appeal, in 2014 the Michigan Supreme Court remanded the case for hearings before Judge Sullivan. In April 2015, the Innocence Clinics filed an extensive Motion to Set Aside the Judgment highlighting the detailed Smothers confession to the Runyon Street murders and significant inaccuracies in Davontae’s 2007 confession. As a result, the Michigan State Police reinvestigated the murders. Dykema was thereafter brought in as lead counsel to handle the hearing on the Motion. On May 20, 2016, the Michigan State Police provided the report to the Wayne County Prosecutor’s office. The Office subsequently contacted Dykema with an agreement to release Davontae Sanford and not re-charge him.

The legal team leading Davontae’s release are Samuel Damren, Jonathan Feld, and Heidi Naasko of Dykema. This result was secured because of the excellent work and perseverance of co-counsel David Moran, Co-Founder of the Michigan Innocence Clinic, Megan Crane of the Northwestern Center for the Wrongful Convictions of Youth and Valerie Newman of the State Appellate Defender’s Office.

“We are extremely grateful for the meticulous work of the Michigan State Police, which was instrumental in obtaining Davontae’s release. And we thank Kym Worthy and the entire Wayne County Prosecutor’s Office for taking decisive action to correct this injustice,” said Dykema member Samuel Damren. “The outcome would also not have been possible without a team of stellar appellate defenders including tireless work and investigation by the Michigan Innocence Clinic, Northwestern Center on the Wrongful Convictions of Youth, and especially David Moran and Megan Crane. Valerie Newman of the State Appellate Defender’s Office has been the continual driving force to ensure Davontae’s release in all aspects of this case from the inception of his appeal.”

“Dykema is exceptionally proud that it was able to play a part in Davontae’s exoneration and release. We believe that lawyers have a duty to respond to calls for justice, and there was no louder call than what we saw in this case,” added Dykema Chairman and Chief Executive Officer Peter Kellett.

Michigan Court Overturns 2008 Murder Conviction of Detroit Teenager Davontae Sanford (Cont.)

Attorneys

Jonathan S. Feld

Heidi A. Naasko