

## FOR IMMEDIATE RELEASE

# Crowell & Moring Client Walter Lomax Compensated \$3 Million for 39 Years of Wrongful Incarceration

**Washington – October 31, 2019** – Walter Lomax spent nearly four decades in prison for a murder he did not commit before being released in 2006. With the help of Crowell & Moring, Mr. Lomax’s conviction was overturned in 2014 and he finally won public exoneration for that murder. Yesterday, the Maryland Board of Public Works granted the compensation petition that Crowell & Moring presented on Mr. Lomax’s behalf and awarded Mr. Lomax over \$3 million in compensation for his wrongful incarceration--the highest amount ever awarded to a wrongfully convicted person in the state’s history.

Mr. Lomax and four other wrongfully convicted men received a public apology from Maryland State Treasurer Nancy K. Kopp and the Board of Public Works awarded a total of \$9 million for the 120 years they collectively spent behind bars for crimes they were ultimately exonerated of committing. This marks the first time in 15 years that Maryland has approved such compensation.

“Walter Lomax suffered an unfathomable injustice at the hands of government, and yesterday he received a small measure of justice from the State of Maryland,” said Philip T. Inglima, chair of Crowell & Moring, who led Lomax’s pro bono defense team together with retired Crowell & Moring partner Peter B. Work and Kevin S. O’Keeffe of Baltimore. “We were proud to achieve the writ of actual innocence for Walter in 2014, and this award is the only fair product of that determination for this innocent man. No amount of money could compensate Walter for the time that was taken from him, but this decision is a meaningful gesture.”

On December 2, 1967, Robert Brewer was murdered at the Giles Street Market. Within days, Baltimore police arrested Mr. Lomax, then 20, and charged him with murder and multiple unrelated offenses, even though at the time of the arrest he was physically incapable of having committed these offenses and no reliable evidence connected him to the charged crimes. The state’s evidence relied entirely on cross-racial identifications from only a few of the numerous witnesses to the crime; no physical or scientific evidence implicated Mr. Lomax; and no murder weapon was ever recovered. State prosecutors ignored Mr. Lomax’s medically supported alibi and withheld from the defense extensive exculpatory evidence that impeached and contradicted the flawed witness testimony. He was sentenced to life in prison and two lesser concurrent terms.

Mr. Lomax’s reprieve came in December 2006, when Baltimore City Circuit Court Judge Gale Rasin granted a defense motion to reopen the case, granting Mr. Lomax post-conviction relief and releasing him on probation. At the time, Judge Rasin expressed deep skepticism about Mr. Lomax’s conviction. In May 2007, she terminated the probation, and later supported his application for a full pardon.

In 2013, Mr. Lomax’s legal team marshalled substantial evidence of the unsupportable conviction and requested that then-Baltimore City State’s Attorney Gregg L. Bernstein consider the Lomax case further. Bernstein directed Antonio Gioia, the chief of the conviction integrity unit, to personally investigate Lomax’s case. Gioia found that state prosecutors had withheld additional evidence from Mr. Lomax and had committed other constitutional violations in connection with the trial. He also deemed compelling the medical alibi evidence that was given little attention in the charging decision and at trial.

On February 26, 2014, the defense team filed a Petition for Writ of Actual Innocence in the Baltimore City Circuit Court, seeking a new trial. On March 21, 2014, the state answered the Lomax Innocence Petition by concurring in the request, finding that conclusive evidence supported the writ.

On April 2, 2014, the parties appeared before Baltimore City Circuit Judge Charles Peters. Gioia provided the exculpatory evidence that was withheld or suppressed from discovery, and stressed the abnormalities and constitutional violations associated with the Lomax trial. Judge Peters found that there was “certainly newly discovered evidence” and that the evidence met the legal threshold for the petition. Peters granted the writ and ordered a new trial, and asked how the State wished to proceed. The State then directed the Clerk of Court to *nolle prosequi* the three cases charged against Walter Lomax in connection with the Brewer murder, terminating the cases entirely.

During his 39 years of wrongful incarceration, Mr. Lomax was a model prisoner, obtained his GED and then an Associate’s Degree from Essex Community College. He published poetry, taught and advocated for other prisoners, and prepared himself for the day he would regain his rightful place in the community. Since his release in 2006, Mr. Lomax has established himself as a highly regarded member of the Baltimore community and a published author. He has committed himself to the service of others, leading the Maryland Restorative Justice Initiative, an organization that advocates for humane treatment of prisoners and reintegration in society of former inmates.

In 2015, Mr. Lomax’s legal team prepared and filed an Application for Pardon from the Governor of Maryland, with written support from State’s Attorney Marilyn J. Mosby and Judge Gale Rasin, among many other prominent Marylanders. The Application remains pending, and its grant would be the final measure of justice possible for this innocent man.

Mr. Lomax expressed no vindictiveness for the 39 years that were taken from him and his family through his wrongful imprisonment. Instead, he cited the inspirational words of Dr. Martin Luther King Jr, who said: “the arc of the moral universe is long, but it bends towards justice.”

#### **About Crowell & Moring LLP**

Crowell & Moring LLP is an international law firm with approximately 550 lawyers representing clients in litigation and arbitration, regulatory, and transactional matters. The firm is internationally recognized for its representation of Fortune 500 companies in high-stakes litigation, as well as its ongoing commitment to *pro bono* service and diversity. The firm has offices in Washington, D.C., New York, Los Angeles, San Francisco, Orange County, London, and Brussels.

**Contact:**     **Rebecca Carr**  
Director of PR, Media and Communication  
+1 202.508.8835  
[rcarr@crowell.com](mailto:rcarr@crowell.com)