Rejecting the innocent

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Approximately one year ago, our client Anthony Murray walked out of the Illinois Department of Corrections a free man. In 1999, Murray had been convicted of murder in a downstate county, despite substantial evidence that another man had committed the crime. Murray’s prison sentence would have kept him incarcerated until 2043. A post-conviction investigation revealed evidence indicating Murray’s actual innocence, and other flaws in the conviction, and a new trial was ordered.

The prosecutor offered to immediately release Murray in exchange for a plea of guilty to a lesser offense, while allowing him to officially maintain his innocence before the court. Murray reluctantly agreed to this arrangement, due to the risk of another trial under less than favorable demographic circumstances, and his need to be back with his family as soon as possible.

Upon Murray’s release, an immediate goal was to obtain employment to provide for his family. However, one year later, despite Murray’s extensive efforts, employment has not come his way. Prospective employers have repeatedly cited his conviction from the plea offer in denying his many applications for employment.

The paradox in all of this is apparent: society properly demands that those who are released from prison attempt to do something positive with their lives, i.e., seek employment in some form; yet people like Murray are denied jobs because of their record of conviction. In Murray’s case, the paradox is even deeper; he has been told numerous times that his conviction is too “recent” to merit employment, even though it was “recent” only because of the 2012 plea arrangement.

In an attempt to address this situation, State Senator Patricia Van Pelt, D-Chicago, has proposed, sponsored and helped to pass a bill, Public Act 95-0165, which increases tax credits from $600 to $1500 to employers who hire those who have been released from the Department of Corrections, among other provisions to encourage such hiring. Senator Van Pelt is to be commended for addressing this issue, although it does not provide any guarantee of employment for any released person.

Indeed, with or without the passage of this legislation, the onus is on employers to not automatically reject a person because of a prior conviction. Anthony Murray is a wonderful, trustworthy man who was wrongfully convicted, and who continues to seek employment; what chance do men in his position have to provide for their families unless that policy of automatic rejection comes to an end?

— John J. Hanlon, Executive Director, Illinois Innocence Project