

insights

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Booker Shaw Explores Innocence Claims on ‘St. Louis on the Air’

On a recent episode of the St. Louis Public Radio program “St. Louis on the Air,” Thompson Coburn partner and retired Judge [Booker Shaw](#) highlighted two prominent cases that have raised questions about Missouri’s criminal justice system. These developments come in the wake of 2021 legislative changes related to wrongful conviction claims.

While Chris Dunn was exonerated from his murder conviction due to recanted testimony, Marcellus Williams remains on death row despite his claims of innocence under similar legal provisions.

In Dunn’s case, the key evidence involved witness testimony. Williams’ claim of innocence relied on DNA testing of the murder weapon, but prosecutors revealed in court this month that the knife and DNA evidence had been mishandled.

“This is a new area of the law for judges to have to grapple with,” said Booker, who together with TC associates [Layla Husen](#) and [Rachael Moore](#) assisted with the St. Louis circuit attorney’s review and presentation of the successful Chris Dunn motion to vacate conviction.

“In the Chris Dunn case, it was the rare case where the only evidence was the recanted testimony of two kids who were 12 and 14 years old at the time,” he said. “Under those circumstances, it fit the Supreme Court precedent. I think it was an easier call. Where there is other evidence, then proof of actual innocence is going to be more difficult.”

The Legal Roundtable panel also included Bill Freivogel, an attorney and a professor of journalism at Southern Illinois University Carbondale, and Sarah Swatosh, a labor and employment attorney in private practice.

[Click here](#) to listen to the full roundtable interview.

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