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## **FOR IMMEDIATE RELEASE**

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# **The Great North Innocence Project celebrates client's release from prison after Minnesota Conviction Review Unit's investigation**

*The CRU cites a Brady violation and new medical evidence for decision*

**(Moose Lake, MN)** – The Great North Innocence Project announced today that their client Thomas Rhodes will be released from Moose Lake Correctional Center after spending nearly 25 years in prison. His release is the result of a comprehensive review of his case by the Minnesota Conviction Review Unit, a partnership between the Great North Innocence Project and the Minnesota Attorney General's Office. The CRU ultimately found that a miscarriage of justice occurred in Mr. Rhodes' case.

After learning about the CRU's findings Mr. Rhodes said, "I look forward to hugging my sons Eric and Jason, being a good grandfather to my six wonderful grandkids, and having time to create new memories with family and friends."

GN-IP has represented Mr. Rhodes since 2013. Former GN-IP legal director Julie Jonas led Mr. Rhodes' legal team which included pro bono attorneys Alexandra Olson and Samuel Lockner of Carlson Caspers law firm, Mark Bradford of Bradford Andresen Norrie & Camaratto law firm, former pro bono attorney David Schultz of Maslon LLP, Great North staff attorney Jim Mayer, Great North legal fellow Anna McGinn, and countless students from the University of Minnesota and Mitchell Hamline law schools. Former GN-IP staff attorney Sara Martin contributed significant early work on the case, as well.

Mr. Rhodes said of his supporters, "I want to express my tireless gratitude for the professional legal representation by the Great North Innocence Project and my pro bono attorney Julie Jonas. I offer my deepest thanks to my family, especially my sons Eric and Jason, for all the years of love, support, and the gift of six grandchildren. I am also thankful for friends on the outside and inside who have been there for me."

About the decision, Ms. Jonas said, "I have always believed deeply in Thomas's innocence, and I am so happy for him to be reunited with his family. Over the years, at least eight attorneys and dozens of law students have worked on his case having full faith in his innocence. Although he had strong proof of actual innocence and filed numerous petitions in court, procedural technicalities prevented him from getting any relief. His release would not be possible without the work of the CRU."

Mr. Rhodes' sons Eric and Jason, who were fourteen and nine at the time of their mother's passing, have always supported their father and never believed that Mrs. Rhodes' death was anything other than a terrible accident.

"I am so glad for the work of the Great North Innocence Project. Without them, my dad would be in prison for many more years. We are so thankful to have him back in our lives," said Eric after learning that his father would be released.

### **A tragic accident**

Mr. Rhodes was found guilty on July 29, 1998, of first-degree premeditated murder and second-degree intentional murder of his wife Jane Rhodes and was sentenced to the mandatory term of life imprisonment on the first-degree murder charge.

On August 2, 1996, Mrs. Rhodes fell overboard and ultimately drowned during a nighttime boat ride with her husband on Green Lake in Spicer, Minnesota. Upon seeing his wife fall into the water, Mr. Rhodes turned the boat around in attempt to save his wife. In the darkness, he was unable to see her from the boat and so he jumped into the water. Ultimately, he was unable to find her and rushed back to shore and called 9-1-1.

Authorities arrived shortly thereafter and unsuccessfully attempted to locate Mrs. Rhodes in the water. The next morning, fishermen found Mrs. Rhodes' body about 9/10 of a mile from where Mr. Rhodes said she fell overboard and called police.

While Mr. Rhodes has always maintained that his wife's death was a tragic accident and that he attempted every effort to save her, authorities concluded that Mr. Rhodes killed his wife by striking her in the neck, pushing her overboard, and running over her body at least twice with his boat.

### **A conviction based on erroneous and incomplete evidence**

Investigations by the Great North team and the CRU found significant issues with testimony that was key to the state's case against Mr. Rhodes. Nine forensic pathologists reviewed the state's case and Mrs. Rhodes' autopsy and all determined that the state's medical examiner, Dr. Michael McGee, was incorrect in his assessment of Mrs. Rhodes' injuries. The CRU also retained and consulted its own independent medical examiner who disagreed with Dr. McGee's assessment. The state has never brought another medical examiner forward who agreed with Dr. McGee's testimony. The Great North investigation also uncovered factual inaccuracies in the testimony of Captain William Chandler, who testified that he believed Mr. Rhodes misled investigators when searching for his wife's body. However, his conclusions were based on the inaccurate claim that the lake water was nearly thirty degrees colder than it actually was on the day of Mrs. Rhodes' death.

The state argued that, based on Dr. McGee's testimony and autopsy report, Mr. Rhodes intentionally grabbed his wife by the neck, pushed her overboard, and ran her over multiple times. However, the nine other forensic pathologists plus the CRU's hired medical examiner agree that Mrs. Rhodes' injuries were explained by a single blow to her head, possibly from falling out of the boat or from a single unintentional strike by the boat as Mr. Rhodes searched the water; postmortem dragging along the bottom of the lake; aquatic animals feeding on the face; and postmortem injuries sustained to the body during recovery and transport. None would have called her death a murder.

The CRU investigation also discovered that the prosecutor's office withheld evidence from the defense that would have benefited Mr. Rhodes at trial. This evidence, an interview transcript between Dr. McGee and then Kandiyohi County Attorney Boyd Beccue, includes Dr. McGee expressing uncertainty as to whether Mrs. Rhodes was struck by the boat just once or multiple times after going overboard. However, during trial, Dr. McGee testified that Mr. Rhodes struck Mrs. Rhodes multiple times with his boat, suggesting intent. The prosecutor amplified that unfounded testimony in his closing argument by saying that the multiple boat strikes proved premeditated murder.

Since his testimony in Mr. Rhodes' case, Dr. McGee has faced increasing scrutiny, with courts finding several problems with his work over the last two decades. In the recent [decision](#) *United States v. Alfonso Rodriguez Jr.*, a federal judge noted that Dr. McGee "has a well-documented history of providing false or inaccurate testimony in court," and that his testimony in the case was "so unmoored from a scientific basis that it should not have been received at all." Dr. McGee was also found to have given false medical evidence in the 2006 conviction of Great North client [Michael Hansen](#) for the murder of his infant daughter. Mr. Hansen was eventually exonerated and compensated by the state after spending nearly seven years in prison for a crime he did not commit.

### **A watershed moment for the Minnesota Conviction Review Unit**

Mr. Rhodes is the first person who will be freed from incarceration because of an investigation and case review by Minnesota's CRU. With agreement from the prosecutor, the state district court will vacate Mr. Rhodes' first and second degree murder convictions. However, Mr. Rhodes will have a second degree manslaughter conviction on his record for driving his boat in a negligent manner. The guideline sentence for that charge would have required him to serve about two and a half years in prison. He has already served nearly 10 times that.

Minnesota's CRU is only the fourth in the United States to operate statewide as a partnership with the state Attorney General's Office, rather than with an individual county prosecutor's office. To date nationwide, CRUs have helped initiate the exoneration of 666 people.

### **About the Great North Innocence Project**

The mission of the Great North Innocence Project is to free the wrongfully convicted and prevent future wrongful convictions from occurring in Minnesota, North Dakota, and South Dakota. GN-IP has screened and investigated individuals' credible claims of actual innocence and represented wrongfully convicted people for over 20 years. GN-IP also educates attorneys and other criminal justice professionals on best practices and works to reform the criminal legal system to prevent innocent people from going to prison. For more, visit [greatnorthinnocenceproject.org](http://greatnorthinnocenceproject.org).