

Great North Innocence Project client acquitted of all charges after retrial

Robert Kaiser spent over seven years incarcerated after being wrongfully convicted of murder

(Saint Cloud, MN) – Late Friday, the Great North Innocence Project (GNIP) announced that their client, Robert Kaiser, was acquitted of all charges after being retried for murder in Stearns County. In 2014, a jury convicted Mr. Kaiser of second-degree murder for the death of his infant son, William Kaiser. However, following post-conviction proceedings in 2021, Stearns County District Court Judge Laura Moehrle found that Mr. Kaiser's conviction was tainted by false evidence as well as ineffective assistance of defense counsel, and vacated his conviction. Mr. Kaiser was subsequently released from incarceration on May 16, 2022. In 2024, the Minnesota Supreme Court affirmed the lower courts' decisions in 2023 setting aside the conviction. However, the Stearns County Attorney's Office opted to retry him.

GNIP's staff attorney Baylea Kannmacher led Mr. Kaiser's trial team which also included GNIP Legal Director Jim Mayer, GNIP Staff Attorney Anna McGinn, pro bono attorney Mark Bradford, and pro bono attorney Kevin Riach.

About the decision, Ms. Kannmacher said, "We are thrilled with the result. We have always believed in Robert's innocence. Now, he can finally grieve the loss of his son and move on with his life."

Numerous medical experts testified on behalf of the defense to explain that what led to the death of William Kaiser was a combination of a blood clotting disorder called cerebral venous thrombosis, and complications from both necrotizing enterocolitis and a perforated bowel after receiving a breathing tube. The defense experts also testified that the medical evidence belied the State's allegation that Robert Kaiser assaulted his infant.

For more on Mr. Kaiser's story, [watch this profile](#).

A tragic, medically complex case

In 2014, Mr. Kaiser's infant son William was taken to the hospital because of seizures. Imaging revealed bleeding around his brain and retinas. Some doctors jumped to the conclusion that William's neurological decline was the result of abusive head trauma (AHT). While hospitalized, William developed necrotizing enterocolitis (NEC), an often-fatal condition involving the disintegration of intestinal tissue, ultimately resulting in his death.

Mr. Kaiser was arrested within days of his son's death. Given the lack of any bruising, laceration, or other sign of impact to the infant's head, the State theorized that Mr. Kaiser must have violently shaken William or slammed him into a soft surface the day of his hospitalization. At trial, the State's medical witnesses relied heavily on medical imaging, insisting to the jury that there was no other explanation for the William's neurological presentation other than AHT. They also claimed that the abuse must have occurred immediately before the seizures began, while William was in his father's care. Mr. Kaiser's defense team argued that NEC was the actual cause of death, but they did not consult with or retain any expert qualified to review and interpret the CT and MRI scans. On that evidence, Mr. Kaiser was convicted and sentenced to 20 years in prison.

GNIP's investigation illuminates errors in original medical diagnosis, finds alternative cause of death

In 2020, GNIP began investigating Mr. Kaiser's case, collecting the medical records and consulting with a team of experts, including a pathologist, radiologist, neuroradiologist, neurologist, pediatrician, and ophthalmologist. The experts not only concluded that the medical evidence did not support the State's AHT diagnosis, but they identified a non-traumatic medical cause for William's condition: blood clots in his brain veins, known as cerebral venous thrombosis (CVT). CVT is a serious medical condition that causes many of the same symptoms often attributed to AHT, including those afflicting William. The jury that convicted Robert Kaiser never heard about CVT.

A team of volunteer lawyers from Carlson Caspers and Bradford Andresen Norris & Camaratto, along with GNIP Legal Director Jim Mayer, presented this evidence and more over the course of a two-week hearing in October 2021.

Court finds that Mr. Kaiser is entitled to a new trial

Following extensive post-trial briefing, Stearns County District Court Judge Laura Moehrle issued a 90-page ruling on April 28, 2022. The Court held that Mr. Kaiser's conviction rested on false evidence, namely the testimony that certain medical symptoms could only be explained by abuse. The Court further held that Mr. Kaiser did not receive effective assistance of counsel due to counsel's failure to reasonably investigate the facts that the State alleged resulted in William's death. Significantly, the Court held that without the false evidence, and with effective counsel, there is a reasonable probability that the outcome of Mr. Kaiser's trial would have been different, and that he therefore met his burden entitling him to a new trial.

The decision was later affirmed by the Minnesota Court of Appeals on February 13, 2023, and then by the Minnesota Supreme Court on March 13, 2024. Rather than dismiss the case, the Stearns County District Attorney's Office chose to try the case against Ms. Kaiser a second time.

Numerous convictions involving AHT or “shaken baby syndrome” are drawing a second look

Mr. Kaiser's case is one of the many convictions related to AHT drawing scrutiny by attorneys and medical experts as possible wrongful convictions. Shaken baby syndrome (SBS), now often referred to as abusive head trauma (AHT) is a hypothesis asserting that after an infant is violently shaken, a triad of symptoms will result very soon after the abuse—subdural hemorrhage, retinal bleeding, and hypoxic encephalopathy—and that these symptoms can only be the result of AHT. However, the hypothesis ignores the many other causal, non-abusive explanations that can lead to such symptoms. When medical experts testify that AHT is the only cause of these symptoms and juries are not presented with alternative, non-abusive causes, they often conclude the most recent caregiver of the deceased infant must have caused the death by violently shaking the child. A search on the [National Registry of Exonerations](#) for “shaken baby” lists 39 cases in which a person was exonerated after being found guilty of murdering a child by violently shaking them and the Innocence Network has filed [numerous amicus briefs](#) citing issues with AHT diagnosis leading to convictions.

Medical examiner Dr. Michael McGee, who testified as to William's cause of death in Mr. Kaiser's trial and testified on behalf of the State in this retrial, was [found to have given false medical evidence](#) in the 2006 conviction of GNIP's client [Michael Hansen](#) for the murder of his infant daughter. Dr. McGee's work is currently the subject of [investigations](#) by the Ramsey County Attorney's Office and the Minnesota Attorney General's Office. In addition to the Hansen case, problems with Dr. McGee's testimony have been cited by courts in setting aside convictions or sentences in Minnesota, Wisconsin, and North Dakota.

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. The Great North Innocence Project, a founding member of the Innocence Network, has screened and investigated individuals' credible claims of actual innocence and represented wrongfully convicted people for 24 years. The Great North Innocence Project also educates attorneys and other criminal legal 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.

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