



State Appellate Defender Office
3031 W. Grand Blvd. Ste. 450, Detroit, MI 48202
(Phone) 313.256.9833 (Client calls) 313.256.9822
(Fax) 313.263.0042 www.sado.org

Jonathan Sacks
Director

Marilena David
Deputy Director

Julianne Cuneo
Chief Investigator

Katherine Marcuz
Managing Attorney, Direct Appeals Unit

Tina Olson
Managing Attorney, Juvenile Lifer Unit

Jessica Zimbelman
Managing Attorney, Direct Appeals Unit

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Contact: Tabitha Harris, Special Assistant Defender, 313-256-9833

DNA exonerates SADO client Crystal Mulherin

DETROIT, MI – State Appellate Defender Office (SADO) client Crystal Mulherin was exonerated this week after new DNA evidence cleared her of a shooting in Flint.

Ms. Mulherin served close to 18 months of a minimum prison term of 17 years for assault with intent to murder and felony firearm. Genesee Circuit Judge David Newblatt apologized to Ms. Mulherin as he vacated her convictions on Monday.

The charges stemmed from a shooting in September 2021 that was captured on video. Surveillance footage showed the perpetrator ride to the scene on a bicycle and discard a cigarette shortly before the shooting. Flint police collected the cigarette butt and took swabs from the bicycle as evidence.

DNA testing prior to Ms. Mulherin’s trial excluded her as a possible contributor to the cigarette found at the scene. The DNA on the cigarette belonged to a male. The swab from the bicycle was not tested.

SADO worked with the Genesee County Prosecutor's Office to pursue post-conviction DNA testing of the bicycle. It was determined that the DNA on the bicycle and the cigarette belonged to the same person. The prosecutor’s office recently learned the identity of this man from a hit in the FBI’s Combined DNA Index System (CODIS). The Western Michigan University Cooley Law School Innocence Project also assisted in DNA analysis.

“I appreciate that the prosecutor’s office worked with us to exonerate Ms. Mulherin. Going forward, I would like to see more scrutiny by prosecutors of all the evidence available in cases they take to trial,” said SADO Special Assistant Defender Tabitha Harris. “Wrongful convictions harm communities, and it’s often easier to convict someone than it is to exonerate them. Fortunately, it didn’t take years to prove Ms. Mulherin’s innocence.”

Ms. Mulherin gave a statement to the police in custody. Her case is yet another example of an innocent person being wrongly convicted in Michigan due in part to a false confession stemming from factors like intoxication, coercion, and fear.

In addition to the DNA, SADO uncovered evidence that undermined the testimony by a woman who alleged that Ms. Mulherin confessed to her in jail.

Ms. Mulherin remains incarcerated for unrelated convictions. She is now eligible for parole.

SADO Assistant Defenders Adrienne Young and Ali Wright, and mitigation specialist Monique Dake represented Ms. Mulherin on appeal. Ms. Harris and Investigator Angie Jackson of the Wrongful Conviction Unit assisted in investigating Ms. Mulherin's innocence. This is the Wrongful Conviction Unit's second exoneration since its inception in 2021.

Michigan's State Appellate Defender Office is the oldest and largest public defender office in the state. Enacted by statute in 1979, SADO provides zealous representation to indigent individuals appealing their felony convictions. To learn more, visit <https://www.sado.org/>