

SETON HALL | LAW

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An Innocence-Centered View of New Jersey's Post-Conviction Jurisprudence
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Lesley C. Risinger

Director, The Last Resort Exoneration Project

Seton Hall University School of Law

Panel: 1, 2, & 3

Lesley C. Risinger became involved in the plight of the convicted innocent in 1991 when she assisted her mother, Priscilla Read Chenoweth, a New Jersey attorney, in obtaining the exoneration of Luis Kevin Rojas, who was convicted in 1991 and served 4 ½ years for a murder he did not commit. Mr. Rojas was later found to be actually innocent, and awarded compensation, by the New York Court of Claims.

This experience, more or less, inevitably led Ms. Risinger toward law school, and she graduated *magna cum laude* from Seton Hall Law in 2003. Soon thereafter, she undertook the representation of Fernando Bermudez. Over the next four years, Ms. Risinger reinvestigated Mr. Bermudez's case, marshaled the case for innocence, and assembled a team that won Mr. Bermudez's complete exoneration in November of 2009. At this time, she also began reinvestigating the case of Sheldon Thomas. In February of 2011, she became the founder and director of the Last Resort Exoneration Project at Seton Hall Law. Since the Project was founded, Ms. Risinger has reviewed the cases of hundreds of prisoners who have filed the onerous application required by the Project, and she was the principal lawyer whose work led to the exonerations of Kevin Baker and Sean Washington in 2021. In addition, she worked for years with co-counsel William Kastin, in cooperation with the Brooklyn District Attorney's Conviction Review Unit, of which process resulted in the exoneration of Sheldon Thomas in 2023.

She is the co-author, with her husband, Professor D. Michael Risinger, of several articles and a book chapter on the concept of actual innocence and the special role of the innocence lawyer. Ms. Risinger has acted as a consultant to the New York Attorney General's Office on the effect of post-conviction rules on the convicted innocent. In 2019-2020, she served on the New Jersey Supreme Court Working Group on the Duty of Confidentiality and Wrongful Convictions, and in 2021-2022, she served on the New Jersey Supreme Court Committee of the Judicial Conference on Jury Selection. She has taught a course in Exonerations at Seton Hall Law School and has lectured at Yale Law School on the difficulties involved in obtaining exonerations.