Resolution commending attorneys Elliot Peters, Ethan Balogh, Dan Purcell, and Stacey Wexler for their tireless efforts to ensure that the wrongful conviction of John "J.J." Tennison was overturned.

WHEREAS, John "J.J" Tennison was wrongfully convicted of murder and sentenced to 25 years to life in prison in 1990; and

WHEREAS, At Tennison's trial, the prosecution withheld from Tennison and his trial counsel significant evidence that could have exonerated Tennison and shown his factual innocence before trial, and in so doing, denied Tennison a fair trial; and

WHEREAS, The evidence withheld from Tennison and his counsel included the withdrawal by the prosecution of payments for witnesses from a "Secret Witness Fund," a polygraph exam given to a prosecution witness in order to coerce her to retract a recantation that showed the entire prosecution was based on false testimony, the suppression of a videotaped interview of a witness showing that the prosecution possessed critical information that undermined the entire case against Tennison, additional eyewitness testimony that would have shown Tennison's innocence, and a confession of another individual to the crime that exonerated Tennison; and

WHEREAS, The United States Supreme Court has ruled that the prosecution is constitutionally obligated to provide to an accused and his counsel evidence that may potentially exculpate him; and

WHEREAS, United States District Judge Claudia Wilken found that Tennison's right to a fair trial had been violated, and overturned the conviction on August 26, 2003; and
WHEREAS, Judge Wilken found the case against Tennison to be weak and that the prosecution withheld key evidence from the defense; and

WHEREAS, Judge Wilken concluded that regarding the only two witnesses for the prosecution—young girls aged 11 and 14—one was improperly coached by the prosecution and the other’s credibility was suspect; and

WHEREAS, Judge Wilken concluded that the prosecution withheld from Tennison and his counsel evidence that it had sought and received $2500 from a “Secret Witness Fund” within the San Francisco Police Department to pay a witness in this case, and that one of the prosecution’s two witnesses recanted her identification of Tennison as being at the scene of the crime and informed the prosecution that she was coerced by the other young girl to testify falsely against Tennison, and

WHEREAS, The conviction of John “J.J” Tennison in 1990 was an egregious miscarriage of justice; and

WHEREAS, Tennison has been imprisoned since 1990 for a crime for which he was innocent; and

WHEREAS, Attorneys Elliot Peters, Ethan Balogh, Dan Purcell, and Stacey Wexler of the San Francisco law firm Keker & Van Nest, LLP took Tennison’s case on a pro bono basis in 2001; and

WHEREAS, these attorneys won a court order in 2001 permitting them to depose key members of the prosecution team, through which they uncovered significant evidence previously withheld by the prosecution which demonstrated Tennison’s innocence; and

WHEREAS, These attorneys donated more than 1200 hours of their time to Tennison’s case, ultimately resulting in Tennison’s conviction being overturned and vacated; and
WHEREAS, Subsequent to the work of the Keker & Van Nest attorneys, Tennison’s
codefendant Antoine Goff was likewise exonerated; now, therefore, be it
RESOLVED, That the San Francisco Board of Supervisors commends Attorneys Elliot
Peters, Ethan Balogh, Dan Purcell, and Stacey Wexler for their tireless efforts to ensure that
justice finally be done for John "J.J." Tennison; and be it
FURTHER RESOLVED, That the San Francisco Board of Supervisors commends the
work of Diana Samuelson and Nancy Yamahiro for their work to obtain the release of Antoine
Goff.
Resolution commending attorneys Elliot Peters, Ethan Balogh, Dan Purcell, and Stacey Wexler for their tireless efforts to ensure that the wrongful conviction of John “J.J.” Tennison was overturned.

September 30, 2003 Board of Supervisors — ADOPTED
Ayes: 9 - Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 2 - Ammiano, Ma

I hereby certify that the foregoing Resolution was ADOPTED on September 30, 2003 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

Mayor Willie L. Brown Jr.