

**Head of Barket Epstein Kearon Aldea & LoTurco's Appellate and Post-Conviction
Litigation Group, Donna Aldea, Featured in New True Crime Series,
"Exhibit A," Streaming on Netflix June 28**

New York—June 2019 – Barket Epstein Kearon Aldea & LoTurco, LLP, a boutique criminal defense and civil rights firm with offices in New York City and on Long Island, today announced that the partner heading its appellate and post-conviction litigation group, Donna Aldea, will be featured in the latest Netflix true crime original series, "Exhibit A." Ms. Aldea is recognized as one of the top appellate attorneys in New York State.

The four-part series, directed by Kelly Loudenberg, launches June 28.

The new Netflix Originals documentary series, "Exhibit A," is an exploration into the American criminal justice system through the uncertainties of forensic science. Each episode in this four-part series delves into a particular forensic discipline, from scent-detecting dogs to bloodstain pattern to video surveillance to touch DNA and reveals how often flawed or misapplied science can lead to wrongful convictions. It examines the dangerous grey areas of scientific interpretation and how evidence can be not only distorted through the bias of investigators, but fundamentally misunderstood by all actors in the criminal justice system.

Ms. Aldea, and the high-profile case she won on appeal by challenging the validity of the prosecution's DNA evidence, is featured in the fourth episode. It tells the story of the brutal assault of a young man in Williamsburg, Brooklyn, and reveals the tensions of race and politics in the community, which led prosecutors to charge and try a man based solely on controversial analysis of "touch DNA" from the victim's sneaker, while ignoring strong evidence implicating other suspects.

Ms. Aldea said, "This case highlights the extreme dangers of misuse -- and misunderstanding -- of DNA evidence, which has become so prevalent in our criminal justice system. Not only did the abuse of this science lead to the conviction of an innocent man, but it also thereby allowed the people who were actually guilty of this crime to remain uninvestigated and uncharged, depriving the victim and his family of any semblance of justice. By understanding, explaining, and unveiling the weaknesses of the DNA analysis used here to the appellate court, we were fortunate to have been able to overturn this unjust conviction. But the remedy does little to make amends to the defendant, whose life was ruined by this prosecution and conviction for the past five years, and to the victim, whose assailants remain unapprehended because of law enforcement's dogged pursuit of the wrong man on the basis of junk science rather than hard evidence. Further checks and balances against such abuses and greater accountability is needed to prevent such results in the future."

"Exhibit A" is the follow-up to the first series created by Kelly Loudenberg, the critically-acclaimed "The Confession Tapes", which examines the psychology of false or coerced

confessions, and which has its [season two premiering on Netflix June 21](#). Both programs were produced by a small team of primarily female filmmakers, in collaboration with A24 Films.

Barket Epstein Kearon Aldea & LoTurco, LLP is a boutique criminal defense, civil rights and appellate law firm with offices in Manhattan, Garden City and Huntington, New York.

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EXHIBIT A – Fact Sheet

Forensic science on trial

Premiering June 28 on Netflix

<https://www.netflix.com/title/80245117>

THE SERIES

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THE EPISODES

101: Video Analysis

Logline: Surveillance video is used to convict a man of a convenience store robbery - despite the fact he is a foot taller than the man on the tape.

Synopsis:

In the summer of 2008, a man disguised in a baseball cap and sunglasses commits a string of bumbling convenience store robberies in Killeen, Texas. The police quickly target George Powell III, an aspiring rap artist who has been a thorn in their side for selling his homemade CD’s on the street. However, all the eyewitnesses describe the robber as 5’6”, and George

Powell is 6'3" - so a crime-scene reconstructionist from Florida uses questionable forensic video analysis to prove George could be the culprit. Ten years into his prison sentence, George meets a woman who believes in his innocence and becomes his advocate - and fiancé. A new height analysis by a respected expert shows how video evidence can be misinterpreted just like any other - the camera doesn't always tell the truth.

102: Blood Spatter

Logline: A mild-mannered Texan grandmother is convicted of a decades-old murder based on one tiny, controversial spot of blood.

Synopsis:

In 1987, Texan construction boss Ed Clark is shot and killed while sleeping at home. His murder goes unsolved, and though briefly suspected, his widow Norma Jean is never charged and goes on to live a quiet life with children and grandchildren. Over twenty years later, ambitious cold case detectives take another look at the nightgown Norma was wearing that night, and come to a surprising conclusion. A bloodstain pattern analyst examines the nightgown under a microscope and finds tiny stains that appear to be consistent with high impact blood spatter - the kind cast off by a close-range gunshot. Further testing shows that only one spot is actually blood, and it's not a DNA match to either Norma or Ed. Nevertheless, Norma is tried and convicted for Ed's murder, and a 70 year-old grandmother now sits in prison on the basis of a forensic field some have called "more art than science". As one expert who is trying to reform the BPA discipline reminds us, "one spot of blood does not a pattern make".

103: Cadaver Dogs

Logline: A father of a missing child is convicted of murder when cadaver dogs "alert" to the scent of a death in his car - but no dead body is ever found.

Synopsis:

Dogs are known for their powerful, almost supernatural sense of smell - about 200,000 times stronger than a human's. They've been used for centuries to aid in police investigations and track people down - living or dead. But when it comes to complex cases, how reliable is a dog's nose in proving a homicide? One winter morning in Detroit, baby Bianca disappears when her father D'Andre Lane is carjacked. Every parent's nightmare goes from bad to worse when police start to consider Bianca a murder victim instead of a kidnapped child... and focus on Lane as key suspect. Police fly in controversial British dog handler Martin Grime and his two cadaver dogs Morse and Keela, who alert at the "scent of death." Lane is convicted of her murder, even though Bianca's body is never found, and dog scent evidence is increasingly coming under scrutiny for error rates and handler bias. And Bianca's grieving mother, and one dedicated cop, have never given up their belief that she's still out there. From the streets of Detroit, to a university lab in

England, to the mountains of central Texas, we examine one of the oldest forensic disciplines -- where a bark can be just as fierce as a bite.

104: Touch DNA

Logline: The brutal assault of a young man in Williamsburg, Brooklyn reveals the tensions of race and politics in the community, while a controversial technique for analyzing “touch DNA” is used to convict a man despite stronger suspects.

Synopsis:

One winter night in Brooklyn, a 22 year-old African-American fashion student named Taj Patterson is brutally attacked by around twenty members of the Shomrim, a neighborhood watch group for the Hasidic community. The ringleader punches Patterson in the eye, leaving him blind, and pulls off his sneaker, throwing it onto a nearby rooftop. After mounting political pressure, the Shomrim leaders give the NYPD a list of five names - including Mayer Herskovic, a 24 year-old heating and AC repairman who claims he was at home asleep with his wife when the assault occurred. The city’s forensic lab uses their controversial new technology to compare his DNA with scant traces of “touch DNA” found on the recovered sneaker. It’s enough for the prosecution to convict Herskovic - despite the questionable science of this technique, and the other evidence that implicates prominent Shomrim suspects who have political clout. Herskovic awaits the result of his appeal as more scientists join the chorus calling for better regulation of DNA testing as it grows exponentially more powerful -- and more prone to misuse.

ABOUT THE DIRECTOR

Kelly Loudenberg is a filmmaker and artist who has been exploring the American justice system for more than a decade. Her documentary series *The Confession Tapes*, which looked at wrongful convictions based on false confessions, premiered on Netflix in fall 2017 to critical acclaim and huge audiences (it was one of the platform's top-10 most streamed series of 2017, and was nominated for Best Episodic Series by the International Documentary Association in 2018). Soon after, she began work on *The Confession Tapes Season 2*, as well as a new series called *Exhibit A* which explores the changing landscape of forensic science; both will premiere on Netflix in June 2019. These projects have grown out of her work profiling individuals, systems and the grey areas of culpability and coercion. Kelly has contributed to the *Atlantic*, the *New York Times*, the *New Yorker*, and *National Geographic*. Her work has been shown at the Venice Architecture Biennale, Monte Vista Projects, SXSW Film Festival, and the Guggenheim Labs. She has also been artist-in-residence at the Nevada Museum of Art, the Center for Land Use Interpretation and Casa Wabi in Puerto Escondido, Mexico.

More at <http://www.kellyloudenberg.com>.

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