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MEDIA RELEASE: Dallas County DA John Creuzot Announces the Exoneration of Martin Santillan and the Arrest of Living Suspect after Collaborative Multi-State Investigation

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(DALLAS) - The Dallas County District Attorney's Office announces the exoneration of Martin Santillan for his 1998 capital murder conviction after an exhaustive re-investigation initiated by Centurion Ministries, Inc., a Princeton, New Jersey-based innocence organization, and conducted by the Dallas County DA's Office's Conviction Integrity Unit (CIU), which concluded that Mr. Santillan is actually innocent.

"It remains our job to correct past wrongs, which is what the CIU team in my office worked tirelessly to do" said Dallas County Criminal District Attorney John Creuzot. "We owe it to Mr. Santillan to clear his name fully and completely. I sincerely apologize to Mr. Santillan and his family for this miscarriage of justice and I am proud to say that today justice has been done for him. Also, let's not forget the victim, Damond Wittman, and his family. This office is committed to work to hold accountable who we feel to be the actual perpetrator of this heinous crime."

On July 14, 1997, around 1:30 in the morning, Damond Wittman, was shot and killed outside of a nightclub in Deep Ellum. Wittman was standing in the parking lot smoking with friends when a Hispanic male approached them and asked for a cigarette. Wittman gave the perpetrator a cigarette who turned back and produced a gun and demanded money. In an attempt to fight off the gunman, Wittman was shot multiple times and the perpetrator ran from the scene. Wittman was later pronounced dead at Baylor hospital.

A few blocks from the scene, Dallas Police recovered a bloody Dallas Stars jersey that matched the description of what the perpetrator was wearing. A lone witness identified Mr. Santillan as the shooter in a photo lineup, but none of the other three eyewitnesses who viewed the photo lineup made an identification. The then-23-year-old Mr. Santillan was subsequently arrested and charged with capital murder. At trial, Mr. Santillan presented an alibi and insisted on his innocence, but the jury rejected his alibi, and on March 5, 1998, he was convicted of capital murder and sentenced to life in prison.

"Thankfully, the District Attorney's Office was willing to listen and take action on what we presented to them," said Paul Casteleiro of Centurion, who represented Mr. Santillan with the assistance of Dallas attorney Gary Udashen. "Mr. Santillan should never have been convicted. He had no connection to the Dallas Stars jersey, a truthful alibi based on the testimony of five witnesses, and the State's case was based on a lone eyewitness's identification."

Mr. Santillan challenged his case on direct appeal and a previous writ of habeas corpus, both of which were denied. Mr. Santillan also sought post-conviction DNA testing, which was also denied.

In 2008, the case was brought to the attention of the Dallas County DA's Office's CIU by Centurion. At that time and again in 2014, DNA testing was done on a cigarette butt and the Dallas Stars jersey found at the scene, but in each instance, forensic limitations prevented any new conclusions from being made.

Finally, in 2021, the CIU was again asked to review Mr. Santillan's case and agreed to submit the jersey for testing using a newer, more sensitive DNA testing kit. DNA technology finally yielded results and biological deposits found on the cuffs of the jersey sleeves revealed DNA profiles of two unknown individuals. A CODIS hit identified one of the individuals who gave information leading to the possible identity of the actual perpetrator, and a joint investigation between the CIU and the Dallas Police Department ensued. This investigation led to the identification of the suspect in this case. The CIU and Dallas Police Department engaged the assistance of the Colorado Springs Police Department which, at the DA's Office's request, obtained a DNA sample that helped lead the investigation forward, culminating in the arrest of the suspect.

"The Colorado Springs Police Department believes it's an essential responsibility of all law enforcement to investigate when new evidence is discovered to ensure the right person is held accountable for the crime. It is crucial to ensure justice and fairness for everyone involved," said a spokesperson for the Colorado Springs Police Department. "Those who have been wrongfully convicted deserve to have their names cleared and the correct person brought to trial, regardless of where that person now lives. We worked to fulfill this responsibility to Mr. Santillan while striving to assist in finding justice for Mr. Wittman and his family."

The CIU of the Dallas County District Attorney's Office joined Centurion, agreeing that Santillan was actually innocent of the capital murder of Damond Wittman. The parties proposed Agreed Findings of Fact on the basis of newly obtained scientific evidence and Santillan's proven actual innocence, which were signed by District Judge Audra Riley, sitting by assignment, and forwarded to the Court of Criminal Appeals.

"I am both grateful and proud to be part of an office that values the idea of fairness and justice in every sense of the word," CIU Chief Cynthia Garza reflected. "Those very values are what drove our CIU team's efforts to not only exonerate Mr. Santillan but to partner with other agencies to bring the person who we believe to be the true perpetrator to justice."

The Court of Criminal Appeals agreed that Santillan is actually innocent and granted him a new trial on February 22, 2023, and remanded the case to Dallas County for a final resolution. Today, the District Attorney's Office, through the CIU, moves to dismiss the capital murder case against Martin Santillan because he is actually innocent.

This momentous day would not be possible without Mr. Santillan's persistence and strength in never giving up on himself, and the collaborative efforts of the Dallas County DA's Office, Centurion, the Dallas Police Department, and the Colorado Springs Police Department.

Chief Eddie Garcia said, "What happened to Mr. Santillan 25 years ago was a terrible injustice. I am grateful for the hard work and dedication of our partners involved to clear this man's name and make sure the true person responsible for this heinous crime is behind bars. This exoneration, and the arrest of the person responsible is the justice Mr. Santillan deserves, while providing true justice for Mr. Wittman and his loved ones."

This marks the 43rd overall exoneration (cases of actual innocence) for Dallas County since 2001 when the post-conviction DNA statute went into effect. Mr. Santillan's exoneration represents the 70th individual Centurion has freed.

The suspect cannot be publicly identified at this time because they were a juvenile when the crime occurred. As the suspect's case moves through the criminal justice system, it is expected more details will be released at a later date regarding their identity.

A portion of DNA testing, as well as DA's Office's CIU grant team personnel, was paid for by the Dallas County District Attorney's Office's CIU's post-conviction DNA testing grant funds from the Bureau of Justice Assistance.