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**MEDIA RELEASE: Dallas County DA John Creuzot Announces Exoneration of Tyrone Day for 1990 Sexual Assault Conviction**

(DALLAS) - The Dallas County District Attorney's Office announces the exoneration of Tyrone Day for his 1990 sexual assault conviction after an extensive re-investigation by the Dallas County District Attorney's Office Conviction Integrity Unit (CIU) and DNA testing which concluded that Mr. Day is actually innocent.

"We are pleased to be able to right this wrong, and while we know Mr. Day can't get back the years lost, we hope he finds some solace in seeing that justice has finally been done today," said Dallas County Criminal District Attorney John Creuzot.

In 1990, Tyrone Day was convicted of the sexual assault of a young woman in the Fair Park area of Dallas, Texas. Despite maintaining his innocence, Mr. Day nonetheless pled guilty and was sentenced to 40 years in prison. While Mr. Day was released on parole after serving almost 26 years in the penitentiary, he was still required to register as a sex offender for life in accordance with the terms of his sentence.

Amidst Mr. Day's continued protests of innocence, the CIU, through collaborative efforts with Day's attorneys at the Innocence Project, agreed to extensive DNA testing as part of their re-investigation. Several rounds of DNA testing, technology that was unavailable at the time of the incident, excluded Mr. Day as a genetic contributor to the evidence collected at the time of the original investigation. Just as important as the exclusion of Mr. Day was the new information this forensic science tool has revealed in this case – specifically the identity of two separate individuals further corroborating Mr. Day's innocence claims.

During its re-investigation, the CIU also learned, among other things, that the complainant's identification of Mr. Day was not reliable. Specifically, her identification of him as the perpetrator was not based on any remarkable physical characteristics, but rather at a distance and only by a generic item of clothing – Mr. Day wore a similar hat as the individual she came into sexual contact with. Further, the complainant was not shown a photo lineup, nor did she identify Mr. Day in any other way.

Upon completion of the CIU'S re-investigation, the parties submitted briefs and the Court signed and submitted agreed findings to the Court of Criminal Appeals, who granted relief and remanded the case back for disposition.

Armed with corroborating information of Mr. Day's innocence, Dallas County Criminal District Attorney John Creuzot moved to dismiss Mr. Day's case, proclaiming his actual innocence. The Court so ordered his case dismissed on March 24, 2023. The men identified through DNA testing cannot be prosecuted because the statute of limitations has long expired. However, based on information developed during the State's re-investigation – specifically the complainant's memory of the night in question, it remains doubtful that the men could or would be prosecuted today.

“This exoneration would not have been possible without advancements in forensic science, specifically DNA testing, but I am most proud of the dedication our CIU and other attorneys involved have had to see this case through until the end,” said DA Creuzot.

Indeed, it was only through the collaborative efforts of the Dallas County Conviction Integrity Unit, the Innocence Project, attorneys at Weil, Gotshal and Manges, LLP, and Gary Udashen of the Innocence Project of Texas, that this terrible injustice was rectified.

This marks the 44<sup>th</sup> overall exoneration (cases of actual innocence) for Dallas County since 2001 when the post-conviction DNA statute went into effect.