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**QUEENS DISTRICT ATTORNEY MELINDA KATZ**  
**FILES JOINT MOTION WITH DEFENSE TO VACATE MURDER CONVICTION**  
**AND RELEASE A MAN INCARCERATED FOR NEARLY 26 YEARS**

*Defendant Convicted at Trial in Stabbing of 70-Year-Old Woman in Ravenswood Houses in 1995*

Queens District Attorney Melinda Katz announced today that she has filed a joint motion with the defense to vacate the murder conviction of Ernest “Jaythan” Kendrick, who has been incarcerated for nearly 26 years. This motion is based on newly discovered witnesses and the results of agreed-upon DNA analysis, which contradict significant aspects of the evidence used during trial testimony to convict Mr. Kendrick. The new DNA testing - which was not available in 1995 - revealed that the victim’s DNA was not found on or inside a black purse that was recovered in the defendant’s apartment and believed to have belonged to the victim.

“Mr. Kendrick’s case was submitted earlier this year to the Conviction Integrity Unit that I created at the start of my term,” DA Katz said. “This case is a prime example of why the CIU exists. We can’t stand idly by when new evidence is presented that undermines confidence in an original jury verdict.

“Submitted for review by the Innocence Project and the WilmerHale Law Firm, the CIU began a thorough re-investigation,” the DA continued. “In addition to DNA testing, the CIU’s investigation included interviews of new witnesses and multiple crime scene visits by me and my team that demonstrated several trial witnesses were not reliable. Therefore, I have recommended Mr. Kendrick’s conviction be set aside and he immediately be released from prison.”

According to Court records, on November 30, 1994, a 70-year-old woman was stabbed twice in the back by someone trying to steal her purse on the grounds of the Ravenswood Houses in Long Island City. Witnesses heard the victim, Josephine Sanchez, scream and looked out their windows. A 10-year-old witness provided a description of the assailant - his clothing and his direction of flight to the police.

The DA said Mr. Kendrick was detained by police several hours after the murder because he loosely fit the description provided by the 10-year-old child. This youngster initially identified someone else when he viewed a live lineup which included Mr. Kendrick. However, after leaving the viewing room, and under disputed circumstances, the 10-year-old changed his selection to Mr. Kendrick.

Continuing, according to Court records, Mr. Kendrick was interrogated by the police over the course of several days. He consistently maintained his innocence but made several statements which detectives found suspicious. Additionally, during their canvas, police obtained a statement from a second witness who told police that he saw Mr. Kendrick fleeing the murder scene with a black purse under his arm.

Absent physical evidence tying Mr. Kendrick to the crime, the defendant was convicted based largely on the following:

- The 10-year-old's identification of Mr. Kendrick as the assailant and testimony that the black purse recovered from the defendant's apartment appeared similar to what he saw taken from the victim.
- The second witness' testimony that he saw Mr. Kendrick running past him with a black purse under his arm.

According to the motion filed today, the jury that convicted Mr. Kendrick did not hear the following evidence that would have changed the outcome of the trial:

- Forensic DNA test results, which excluded the victim from DNA detected on or inside the recovered black purse. This handbag was connected to the victim at trial by the 10-year-old eyewitness, who testified that it looked like the stolen purse. The forensic DNA test results contradict this testimony.
- Four new witnesses who undermine the credibility of the second witness' testimony that he saw Mr. Kendrick run past him with a black purse:
  - A neighbor who lived directly below the 10-year-old's apartment saw the assailant flee in the opposite direction from where the second witness claimed to have seen Mr. Kendrick run.
  - Two witnesses who were the first to approach the victim and render aid contradict the second witness' account of seeing the victim alone.
  - A new witness - whose apartment the second witness claimed to have been visiting - told the CIU that she was not at home at the time the second witness stated that he was with her.

Taken together, DA Katz said, these new witnesses and the exculpatory DNA results create a reasonable probability that the jury would have acquitted Mr. Kendrick. Under the standard articulated in C.P.L. §§ 440.10 (1) (g) & (g-1), this new evidence requires that Mr. Kendrick's conviction be vacated. Since the trial testimony has been severely undermined, the CIU has recommended the indictment be dismissed following vacatur of the conviction.

The Conviction Integrity Unit's Investigation was conducted by Senior Assistant District Attorney Alexis Celestin, under the supervision of Bryce Benjet, Bureau Chief.

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