

IN RE: CLEMENCY APPLICATION  
OF TYRA PATTERSON

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AFFIDAVIT OF JUNE ACKERMAN

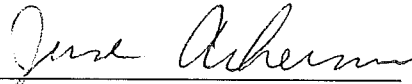
I, June Ackerman, under penalty of perjury and having sworn to tell the truth, state the following:

1. I'm a forty-nine year-old woman who lives in Montgomery County, Ohio.
2. I am of sound mind and have personal knowledge of the facts stated below.
3. In 1995 I served on the jury in *State v. Tyra Patterson*, 94-CR-2753. We convicted Tyra of aggravated robbery and aggravated murder stemming from the death of Michelle Lai.
4. At the time we reached our verdict I believed I had no other choice but to vote for conviction based on the evidence that was presented to us.
5. The most powerful evidence against Tyra was her videotaped confession. During that statement, Tyra admitted to grabbing a necklace from one of the victims.
6. Based on my recollection, the defense never addressed the confession. The defense did not provide us any reason to believe that Tyra's confession was coerced. Nor did the defense give us any basis to believe that people sometime confess to crimes they did not commit.
7. Additionally, the defense did not challenge the prosecution's assertion that Tyra was part of the group that robbed the girls in the Chevette.

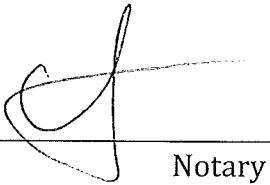
8. The defense also did not provide an innocent explanation for why Tyra was at the scene.
9. Although the prosecution's evidence was strong, I had some concerns about convicting Tyra. For example, I believed Tyra was telling the truth when she said in her videotaped statement that she tried to stop the robberies by telling LaShawna Keeney to leave the victims alone.
10. On May 17, 2013, I met with David A. Singleton, one of Tyra's lawyers, and Donna Spears, one of Mr. Singleton's colleagues at Chase College of Law. During our meeting, Mr. Singleton, played for me a tape of a 911 call Tyra made after the shooting. Before hearing the recording, I had no idea that Tyra had called 911. The defense did not play the tape at Tyra's trial.
11. The 911 tape was important evidence that I think the defense should have played. The fact that Ms. Patterson sought help for the shooting victim struck me as more consistent with innocence than guilt. The fact that Tyra tried to mislead the dispatcher by saying that she was not at the scene and had heard about the shooting from a friend would not have diminished the importance of this evidence. I can understand why Tyra would have been reluctant to admit that she was at the scene if, as Mr. Singleton explained, she walked away from the scene with a necklace that one of the robbers had thrown to the ground.
12. The fact that Tyra called 911 while LaShawna Keeney and the other robbers fled to a motel room, drives home to me that Tyra was not part of their group.

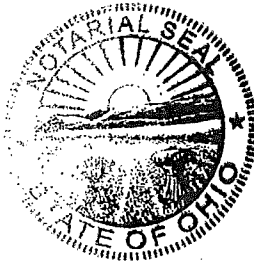
13. If I had heard the 911 call at trial, it would have likely given me a reason to vote not guilty.
14. Mr. Singleton also showed me a transcript from the trial of Kellie Johnson, one of the robbers whose trial happened almost one year before Tyra's. At that trial, Holly Lai testified that it was Kellie Johnson who ripped the necklace off the neck of one of the victims.
15. I don't recall the defense using this transcript at trial. If the defense used the transcript in its questioning of Holly Lai it was unclear to me that the defense was doing so. Holly Lai's testimony that Kellie Johnson grabbed the necklace from one of the victims should have stood out in my mind and would have been very important to me in light of the prosecution's assertion that it was Tyra who snatched the necklace.
16. Had I realized that Holly Lai had testified at Kellie Johnson's trial that Kellie had taken the necklace from one of the victims, I would have had another reason to doubt Tyra's guilt.
17. After all of these years I'm still troubled by our verdict. Although I believe we reached the right decision based on the evidence we had, I had nagging doubts about the case. Maybe those doubts came from my belief that Tyra was telling the truth about trying to stop the robbery.
18. I feel particularly bad about the amount of time that Tyra received. I didn't think her sentence was fair given what appeared to be her relatively minimal role in the crimes compared to the other participants like the shooter, LaShawna Keeney.

19. From time to time I pray for Tyra. I hope Governor Kasich grants her request for clemency.

  
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June Ackerman

Sworn to and subscribed in my presence this 17th day of June, 2013.

  
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Notary Public



David A. Singleton, Attorney At Law  
NOTARY PUBLIC - STATE OF OHIO  
My commission has no expiration date  
Sec. 147.03 R.C.