



CRAIG WATKINS
CRIMINAL DISTRICT ATTORNEY
DALLAS COUNTY, TEXAS

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Contact: Jamille Bradfield
214-653-3612 office
214-546-0132 mobile
jbradfield@dallascounty.org

District Attorney's Office Reaffirms Guilt of Convicted Sex Offenders Victor Jackson and Larry Drake through Post-Conviction DNA Testing

(DALLAS – January 14, 2008) – Today the Dallas County District Attorney's Office announces that the post-conviction DNA test results in the cases of the *State of Texas vs. Victor Dwyane Jackson* and the *State of Texas vs. Larry Charles Drake* reaffirm their guilt in unrelated aggravated sexual assault cases. Jackson was convicted by a jury in 1990 for sexually assaulting the maternal grandmother of his son. He received a life sentence and a \$10,000 fine. In an unrelated case, Drake was convicted by a jury in 2000 for sexually assaulting the then 13-year-old daughter of his girlfriend. He received a nine-year sentence.

"Misidentification was never a factor in either of these cases because the victims knew their attackers personally prior to the assault in both instances," said Dallas County District Attorney Craig Watkins. "The post-conviction DNA test results simply reaffirm the juries' verdicts in both of these cases and emphasize the fact that we absolutely have the right person incarcerated for these crimes."

Jackson originally filed a Chapter 64 motion for post-conviction DNA testing on May 30, 2001, and that motion was denied on March 5, 2002. The biological material available for testing was from a vaginal swab collected as part of the sexual assault kit taken at the time of the offense.

Drake originally filed a Chapter 64 motion for post-conviction DNA testing on June 9, 2005, and was denied on December 12, 2005. It was later determined that the only evidence still in existence related to this case that was amenable to forensic DNA testing were the vaginal swab, the slide made from the vaginal swab, the vaginal smear, and blood samples from the victim and Drake.

Both Jackson and Drake were granted post-conviction DNA tests as a result of an agreement between the Dallas County District Attorney's Office and the Innocence Project of Texas. Their cases are

- MORE -

Jackson and Drake DNA Tests Reaffirm Guilt
page two

among more than 400 cases under review by the Innocence Project of Texas where an inmate has filed for a motion for post-conviction DNA testing under article 64.02(2) of the Texas Code of Criminal Procedure. All costs associated with the DNA tests were paid for by the Innocence Project of Texas.

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