

For Immediate Release
Feb. 22, 2019

**LOYOLA LAW SCHOOL'S PROJECT FOR THE INNOCENT
SECURES REVERSAL OF CLIENT'S MURDER CONVICTION AFTER
REPEAL OF FELONY MURDER RULE**

LOS ANGELES – The Loyola Project for the Innocent (LPI) at LMU's Loyola Law School, Los Angeles has secured the release of its client Michael Tirpak, who has spent 25 years in prison for a 1994 crime he did not commit, in what is believed to be the first such case relying on new California legislation over use of the so-called "felony murder rule." He is expected to be released today, Friday, Feb. 22, 2019 from the inmate reception area at the Twin Towers Correctional Facility in downtown L.A.

After overruling the Los Angeles County District Attorney's challenge to the constitutionality of California Senate Bill 1437, Los Angeles Superior Court Judge Curtis Rappe vacated Tirpak's murder conviction and ordered his immediate release from prison. Tirpak is the first person in Los Angeles County to receive the retroactive relief provided for in Senate Bill 1437.

Tirpak was convicted of first degree murder in 1996 for his alleged role as a "getaway driver" in an attempted robbery that tragically ended with the death of David Falconer. "Since the time of his arrest, Michael has maintained that he had nothing to do with the crime. He didn't plan it, he didn't have knowledge it was going to take place, and he didn't know the guys he was with that night were armed," said LPI Staff Attorney Seth Hancock '17. "In fact, evidence presented at trial showed that Mr. Tirpak was using a payphone down the street at the time the attempted robbery took place."

"We are delighted that Michael's conviction has been vacated and he can now come home to be with his family," said Paula Mitchell, '02 LPI's legal director. "He was convicted under California's felony murder rule, which until recently permitted the state to sentence individuals to life without parole, even in murder cases where that person played no actual role in the crime. He was only 18 years old when he was sentenced to die in prison for a crime he had nothing to do with."

"We began investigating Mr. Tirpak's case in 2015, looking for credible new evidence that would affirmatively prove his innocence. But while LPI investigated the case, several laws went into effect that helped bring Michael home sooner, without requiring prolonged litigation as to his innocence," LPI Program Director Adam Grant '10 explained.

Elaborating, Grant said: “First, the California Supreme Court decided *People v. Banks*, and that permitted Mr. Tirpak to be resentenced to a parole eligible sentence of 25 years to life, since there was no evidence he was a *major participant* in the crime. And then the legislature enacted a new law that took effect on Jan. 1, 2019, that permitted Mr. Tirpak to have his murder conviction vacated entirely, given the lack of evidence that he played a role in the murder.”

Tirpak maintains his innocence of *any* involvement in the crimes for which he was convicted. Tirpak is grateful for the passage of SB 1437, which ended a decades-long legal rule that justified some of the harshest treatment to even the most minor offenders.

“Slowly, but surely, California is adopting legal reforms that can create real change in our criminal justice system,” said LPI Founding Director Laurie Levenson. “Michael’s case is important – not just for him, but for everyone who believes in a fairer, more just, process. After more than two decades in state prison, Mr. Tirpak looks forward to re-joining his family and friends in the community.”

The inmate reception area at Twin Towers Correctional Facility is located at 450 Bauchet St., Los Angeles, CA 90012. Journalists seeking more information on the timing of the release or to arrange an interview with a LPI representative may contact Brian Costello, interim director of marketing & communications, at brian.costello@lils.edu, 213-736-1444 (o) or 310-902-9560 (c).

About Loyola’s Project for the Innocent

The Project for the Innocent (LPI) pursues claims of actual innocence on behalf of those wrongfully convicted of crimes. Students work under the supervision of founder Laurie Levenson, David W. Burcham Professor of Ethical Advocacy; Legal Director Paula Mitchell; Program Director Adam Grant and other supervising attorneys. Since 2011, the LPI has secured the release of seven other clients seeking justice after wrongful convictions. They include Maria Mendez (release after 11 years in prison); Jaime Ponce (2017 release after 19 years in prison); Marco Contreras (2017 release after 20 years in prison); Andrew Leander Wilson (2017 release after 32 years in prison), Kash Delano Register (2013 release after 34 years in prison), and Obie Anthony (2011 release after 17 years in prison). Learn more at www.lils.edu/ProjectfortheInnocent.

About Loyola Law School, Los Angeles

Located on an award-winning Frank Gehry-designed campus in downtown Los Angeles, Loyola Law School is home to prominent faculty, dedicated students and cutting-edge programs. The Law School strives to instill in students the knowledge they need to excel on their chosen paths. It dedicates itself to preparing students for the rigors of practice with an extensive portfolio of practical-training opportunities, an 18,000-strong alumni network and a focus on social justice. Learn more at www.lils.edu.

###

Media contact:

Brian Costello
Interim Director, Marketing & Communications

Loyola Law School, Los Angeles
Brian.Costello@lls.edu
Tel. 213-736-1444 (o), 310-902-9560 (c)