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*****MEDIA ADVISORY*****

Legal Aid, Pro Bono Counsel Move to Vacate Wrongful Conviction Against Steven Ruffin, Client Who Served Nearly 14 Years of Incarceration for a 1996 Manslaughter Conviction

Exoneration Hearing Scheduled for Today at 2:30 PM in Brooklyn

(NEW YORK, NY) - The Legal Aid Society and Garrett Ordower, pro bono counsel in this case, announced the vacatur hearing of Steven Ruffin, who was incarcerated for nearly 14 years after he was wrongly convicted in 1996 of manslaughter. The hearing will take place today at 2:30 PM in Brooklyn.

The crime for which Ruffin was convicted was committed by another person, as will be further detailed at the hearing. The perpetrator was identified at the time by numerous witnesses, but was never questioned by law enforcement, even though police knew he had the purported murder weapon in his possession. Ruffin has consistently maintained his innocence.

No physical evidence tied Ruffin, a 17-year-old high school student, to the crime. He was convicted based solely on the testimony of a single eyewitness, whose identification was irrevocably tainted, and a false confession – which he immediately recanted – that was procured by New York City Police Department (NYPD) Detective Louis Scarcella, with the aid of Ruffin’s estranged father. Scarcella has been involved in 17 previous cases that have resulted in exonerations.

Ruffin’s vacatur will be considered on the grounds of newly discovered evidence which, if received at the trial, would have led to a more favorable verdict; ineffective assistance of trial counsel, for failing to bring out exculpatory evidence that was available at the time of trial; and actual innocence.

WHAT: Vacatur hearing of Steven Ruffin and post-hearing press availability

WHERE: 320 Jay Street, 15th floor - Brooklyn, New York before Brooklyn Supreme Court Justice Matthew D’Emic.

WHEN: Today, Thursday, January 18th, 2024 at 2:30 PM

“I lost 14 years of my life for a crime I didn’t commit, and today will help me to move on from that chapter of my life, cleared of any wrongdoing,” said **Steven Ruffin**. “I want to thank my family for their unwavering support and for helping me to build back my life after prison. I also want to thank my legal team - Garrett Ordower and The Legal Aid Society’s Ted Hausman - for believing in my innocence and for never giving up, and District Attorney Gonzalez for helping to exonerate me.”

“While today will never fully compensate Mr. Ruffin for the years he spent confined to a prison cell for a crime he never committed, we hope that it brings him some solace and much needed closure,” said **Lawrence T. Hausman, Supervising Attorney in the Criminal Appeals Bureau at The Legal Aid Society**. “We thank Kings County District Attorney Eric Gonzalez for reviewing Mr. Ruffin’s application and consenting to this deserved vacatur.”

“Nearly three decades after our client Steven Ruffin’s wrongful conviction, he has today finally seen some vindication for his treatment by the criminal justice system,” said **Garrett Ordower**. “Steven has faced this injustice with extraordinary grace and dignity and I am honored to have been able to help him clear his name. I want to thank all those who supported this effort, and especially DA Gonzalez and CRU Chief Charlie Linehan and ADA Bruce Alderman, who approached this case with an open mind and a willingness to start making things right.”

Background:

In 1996, Steven Ruffin was a 17-year-old high school student, living with his family in Crown Heights. On the night of February 6, 1996, his sister Diane, a college freshman, was mugged on her way home. She told her brother, their family, and her then-boyfriend about the incident, and all of them set out to canvas the neighborhood. Several members of the group encountered the victim, James Deligney, and his sister a few blocks from the Ruffin family home. A confrontation ensued and Deligney was killed.

Ruffin has always maintained that he was not part of the group that shot Deligney; that he was with his sister, trailing the main group, when he heard shots. Other witnesses identified his sister’s boyfriend as the shooter at trial. However, the police investigation began to focus on Ruffin after allegedly receiving an anonymous telephone tip that he was the shooter. In a truly shocking breach of investigative protocol, five days after the shooting, several detectives arranged for the victim’s sister to sit outside Ruffin’s home and observe him to see if she could identify him. Then, when she could not identify him, detectives handcuffed Ruffin, threw him to the ground, and exhibited him to the victim’s sister. Only then did she “identify” him.

Following up on this outrageously suggestive “identification,” Detective Scarcella then took the lead in interrogating the 17-year-old Ruffin at the local station house. Scarcella used a variety of high-pressure tactics known to create the risk of a false confession, which included bringing Ruffin’s estranged father, a community police officer, into the interrogation room to encourage him to confess. These tactics produced a confession, which Ruffin immediately recanted.

At trial, Ruffin took the stand in his own defense, testifying that he was with his sister when the shooting took place, and that Detective Scarcella and his estranged father pressured him into making a false confession. Two of the young men who were part of the fatal encounter also testified that Ruffin’s sister’s boyfriend, not Ruffin, was the shooter.

Ordower and Legal Aid’s investigation has revealed significant new evidence of innocence, including sworn statements from several witnesses relaying contemporaneous statements by the perpetrator admitting his guilt, and recounting contemporaneous actions by the perpetrator that evinced consciousness of guilt, such as finding counsel in order to turn himself in, but then not doing so after he discovered that he was not being actively investigated. The Brooklyn DA’s Conviction Review Unit’s investigation has confirmed these details and identified additional evidence implicating the actual perpetrator, and excluding Ruffin as the shooter.

The CRU investigation also revealed numerous errors by Ruffin's defense counsel that would probably have had an impact on the verdict, as well as a pattern of tunnel vision and confirmation bias by police and prosecutors that led them to focus only on Ruffin and to ignore evidence that someone else committed the crime.

Ruffin was paroled in 2010. He later moved to the Atlanta area and has built a new life for himself.

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