



North Carolina Center on Actual Innocence

Identify, Investigate, and Advance Toward Justice

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FOR IMMEDIATE RELEASE

Robert Bragg, who was convicted of the 1994 murder of Marvin “Coy” Hartley in Boone, N.C., has proclaimed his innocence for 23 years. The N.C. Center on Actual Innocence (Center), which investigates credible claims of innocence on behalf of North Carolina inmates, has represented Mr. Bragg for years.

The Center conducted extensive investigation in the case and interviewed many witnesses before referring the case to the Innocence Inquiry Commission in 2010 so it could use its statutory authority to access additional information and witnesses. In September 2016, the evidence from its investigation was presented to an eight-member panel in a 3-day hearing. The evidence included the full recantation of a key witness at the time of the murder, Jeffrey Nelson, who was 10 at the time of his testimony. Additionally, DNA testing identified the victim’s blood on co-defendant Kenneth Coffey’s clothing. The Commission panel found “sufficient evidence of innocence” to recommend a full evidentiary hearing before a 3-judge panel.

The hearing the week of July 24th before the Honorable Joseph Crosswhite, Gale M. Adams, and Marvin K. Blount, who were tasked with determining, by unanimous vote, whether Mr. Bragg had proven by clear and convincing evidence, an extremely high evidentiary standard, that he is innocent of the crime for which he was convicted. While the panel did not ultimately determine that Mr. Bragg met this high burden, Mr. Bragg continues to maintain his innocence.

“The 1994 investigation of the murder of Coy Hartley was plagued by bias and tunnel vision within hours after the murder. Many of the causation issues that can lead to wrongful conviction were cornerstones of Mr. Bragg’s conviction – ignoring evidence that pointed away from Mr. Bragg, including his alibi; interrogations filled with leading questions; and incentivized witnesses. The three-judge panel is focused on evidence of innocence, not the lack of evidence of guilt. Based on the new evidence identified through recent investigations, and the district attorney’s own statement that Mr. Bragg’s case could not be won if he was tried today, we will continue to fight for him through all available options,” Center Director Chris Mumma said.

The North Carolina Center on Actual Innocence would like to thank its private donors and the foundations that make its non-profit work possible: A.J. Fletcher Foundation, NC Bar Association Foundation, NC IOLTA, Park Foundation, and Z. Smith Reynolds Foundation. For more information on the work of the Center, please visit our website at www.nccai.org.