

Brothers released after 25 years in prison for rape, murder they didn't commit

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SOURCE: <https://www.detroitnews.com/story/news/local/oakland-county/2022/03/22/dejesus-brothers-exonerated-rape-murder-conviction-1995-margaret-midkiff-brandon-gohagen/7037165001/>

Pontiac — In a case long decried by innocence advocates, a judge on Tuesday vacated the life sentences of two brothers who spent 25 years in prison for the 1995 rape and murder of a woman in her Pontiac basement.

Melvin and George DeJesus were convicted of the July 11, 1995, murder and rape of Margaret Midkiff, despite there being no DNA evidence linking them to the scene and witnesses who testified that the brothers were elsewhere when the attack occurred.

The brothers, who'd been friends with Midkiff and her family, were convicted solely on the testimony of convicted rapist Brandon Gohagen, 50, whose DNA was found at the crime scene.

Gohagen claimed the DeJesus brothers had forced him to rape Midkiff, who was 43, but that he didn't kill her. A jury believed him, and in 1997 the brothers were convicted of first-degree murder.

Guys, a question for you to ponder:
What if the brothers had been sentenced to death, instead of life imprisonment?

Robyn Frankel of the Michigan Attorney General's Conviction Integrity Unit told Oakland County Circuit Court Judge Martha Anderson Tuesday that new evidence shows Gohagen was solely responsible for Midkiff's killing, along with 12 other sexual assaults in Pontiac from the 1990s.

"On behalf of the state of Michigan, I offer you our deepest apologies for all the years that have been taken from you," Frankel told the brothers during the live-streamed hearing. "We'd like to change what happened, but we can't."

George DeJesus, 44, said: "I'm thankful that the truth is finally realized. I realize that justice for us opens up old wounds for the Midkiff family. I just hope one day our families can all heal and we can have a relationship."

Melvin DeJesus, 48, told Midkiff's relatives, who monitored the Zoom hearing but did not make statements: "I hold no animosity. I knew you guys since I was 8 years old. You guys are like my second family. I hope and pray one day we will open the lines of communication."

Frankel asked Anderson to vacate the brothers' sentences based on new evidence that was uncovered during investigations by the AG's office, the University of Michigan Innocence Clinic and the Western Michigan University-Cooley Law School Innocence Project.

"It was him," Frankel said of Gohagen's culpability in the Midkiff killing. "It was him alone."

Midkiff was found in the basement of her home with a pillowcase over her head. An autopsy showed she had been kicked to death.

Police matched DNA from semen found on Midkiff to Gohagen, who skipped town after Midkiff was killed. Police arrested him in Florida, and faced with the DNA evidence, Gohagen admitted to raping Midkiff but insisted the DeJesus brothers had done the killing.

In exchange for his testimony against the DeJesus brothers, Gohagen was convicted of second-degree murder and first-degree sexual assault and was sentenced to a maximum of 35 years.

During Tuesday's hearing, Frankel said the new evidence against Gohagen includes DNA that surfaced in 2016 from the Aug. 29, 1994 murder and rape of Pontiac resident Rosalia Brantley, 22. Her body was shrouded in a window curtain and dumped in the city's Hawthorne Park.

In 2017, Gohagen was convicted of first-degree murder in connection with Brantley's death and he was sentenced to life in prison.

"As we pulled at the thread, we discovered that during the 1990s, before and after the two murders, Brandon had been terrorizing women in his neighborhood," Frankel said. "We've identified 12 women who were violently assaulted by Brandon. Several of those cases resulted in DNA confirmation."

Frankel said witness statements also surfaced that weren't available during the trial.

"In the intervening 25 years, Melvin and George have sat in a cage for a crime they did not commit," Frankel said. "Friends and family have moved on. Children were born. Little kids grew up and they were not a part of it."

Anderson agreed to vacate the brothers' sentences after Beth Greenberg Morrow, who heads the Oakland County Prosecutor's Office's Conviction Integrity Unit, said prosecutors would defer to the Attorney General's findings.

David Moran of UM's Innocence Clinic said law students interviewed dozens of women in Pontiac about Gohagen.

"A lot of students spent a lot of time tracking down the work of Brandon Gohagen," Moran said. "We spoke to some of the victims; it was a horrifying crime spree."

The statute of limitations on sexual assault in Michigan is 15 years, so Gohagen cannot be charged in those cases.

Because Gohagen already is serving life in prison for the Brantley murder and was convicted of second-degree murder and sexual assault in the Midkiff case, he likely won't face additional charges, Moran said.

An email to the Oakland County Prosecutor's Office was not returned Tuesday.

Wolfgang Mueller, a Novi attorney who represents several wrongfully-convicted clients in civil suits, said exonerations are bittersweet.

"It's a great day for justice when this happens, but think about the victim's family, who have held onto a wrong belief for a quarter-century. That's got to be gut-wrenching for them, to have to open up all those wounds after they thought they had closure."

Tracey Brame, director of the Western Michigan University-Cooley Innocence Project, which represented George DeJesus, said in a statement: "We are grateful to Attorney General Dana Nessel and the Conviction Integrity Unit team for their willingness to listen to the brothers and reinvestigate the case. Today, George and his brother, Melvin, have finally received justice."

Following their release, the DeJesus brothers embraced during a reunion at Lansing area restaurant One North Kitchen, according to a live stream on clickondetroit.com.

"We made it," one of the brothers said during the embrace. They wore matching black hoodies emblazoned with the word "Innocent" across the chest, and black ballcaps bearing the same message.
