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2 IN THE CIRCUIT COURT OF THE STATE OF OREGON
3 FOR THE COUNTY OF MARION, THIRD JUDICIAL DISTRICT
4

5 JESSE LEE JOHNSON,

6 Petitioner,

7 v.

8 STATE OF OREGON,

9 Respondent.
10

No.: 25CV48248

PETITION FOR COMPENSATION
FOR WRONGFUL CONVICTION,
ORS 30.657

Not subject to mandatory arbitration

Jury Trial Requested
11
12

13 COMES NOW Petitioner Jesse Lee Johnson, by and through his attorneys,
14 and alleges and claims as follows against Defendant State of Oregon:

15 **I. INTRODUCTION**

16 1. Petitioner Jesse Lee Johnson spent over 25 years incarcerated,
17 including 17 years on death row, for the 1998 murder of Harriet Thompson.
18 Johnson is wholly innocent of, and had nothing to do with, Ms. Thompson’s Murder.

19 2. In criminal proceedings, Johnson categorically denied the allegations,
20 and he maintained his innocence. Johnson was punished for maintaining the truth:
21 he was sentenced to death row and deemed incapable of rehabilitation because
22 professed his innocence.

23 3. Johnson was arrested 1998 and continuously confined by the State of
24 Oregon until he was released and after the Marion County District Attorney’s Office
25 unilaterally dismissed the charges against him in 2023.
26

1 none was linked to Johnson.

2 16. The police investigation quickly turned to Johnson, one of the few
3 black people in the town.

4 17. For example, a witness said he saw a black person near Ms.
5 Thompson's home at some unknown point after the stabbing the morning of March
6 20, 1998. This witness did not have any evidence that the black person was actually
7 associated with the Thompson murder; just a black man walking on the street.
8 Nonetheless, the police investigation used this as evidence that Johnson was
9 involved.

10 18. Johnson was arrested, without a warrant, interrogated and truthfully
11 denied killing Ms. Thompson.

12 19. Nonetheless, Johnson was indicted and the case against him moved
13 forward largely based upon (1) a false claim Johnson had essentially "confessed" by
14 saying he "offed the bitch [Ms. Thompson]" to rob her" and (2) the untrue and
15 misleading contention that Johnson confirmed this false "confession" during police
16 interrogation.

17 20. Before trial, Johnson rejected an offer to plead guilty to manslaughter
18 and robbery in exchange for a 15-year sentence.

19 21. The case proceeded to trial where Johnson was (wrongfully) convicted.

20 22. Johnson was then sentenced to death.

21 23. Unbeknownst to Johnson at the time of the trial, and unbeknownst to
22 the trier of fact but known to police investigators, a witness who lived across the
23 street from Ms. Thompson was on her porch at the time of the murder.

24 24. This witness, Patricia Hubbard, saw a white man arrive at Ms.
25 Thompson's home, heard a loud commotion and screams associated with
26 Thompson's death, and then saw this white man flee the scene. Unlike Johnson,

1 this white man was familiar to Ms. Hubbard and had been at Ms. Thompson’s home
2 a number of times.

3 25. Hubbard also saw the unrelated Black man casually walk by the area,
4 but that was after the murder and after the white man was long gone.

5 26. Hubbard also described evidence of racial bias within the
6 investigation, as she reported information that implicated the white man as a
7 perpetrator, but it was rejected by officers who, instead, indicated—in terms
8 invoking racial slurs—that they were going to focus on arresting a Black suspect as
9 a result of the death of a Black woman.

10 27. In addition to Hubbard offering evidence of innocence, the informant
11 that police relied on later revealed that his claims, Johnson offered some sort of
12 confession that he “offed the bitch”, was false.

13 28. Additional evidence of Johnson’s innocence—including DNA testing
14 results unavailable in the 1990s and early 2000s—now exists that further
15 corroborates Johnson’s innocence.

16 29. In 2021, the Court of Appeals of Oregon vacated Johnson’s conviction
17 and ordered a new trial.

18 30. Johnson nonetheless remained confined by the State of Oregon, facing
19 retrial.

20 31. In this time, Johnson was also offered “time served” if he agreed to
21 plead no contest to having murdered Ms. Thompson. Because he is innocent, and
22 despite the fact that doing so would further prolong his wrongful confinement,
23 Johnson rejected the offer and refused to enter a plea that would implicate him in
24 Thompson’s murder.

25 32. On September 5, 2023, the Marion County District Attorney’s Office
26 unilaterally moved to dismiss the charges against Johnson, the motion was granted,

1 and Johnson was released the same day.

2 **IV. CLAIM FOR RELIEF**

3 (Statutory Compensation for Wrongful Conviction)

4 30. Johnson reiterates and incorporates fully herein, by this reference, the
5 allegations set forth above.

6 31. Johnson was wrongfully convicted of aggravated murder of Harriet
7 Thompson, a felony.

8 32. Johnson had nothing to do with Thompson's murder, and did not act as
9 an accomplice with those who committed the crime.

10 33. Johnson was arrested on March 27, 1998, and continuously confined by
11 the State of Oregon for 9,293 days, until September 5, 2023. That is a total of 25
12 years, 5 months, and 9 days.

13 34. Johnson's conviction was vacated by court order on October 6, 2021,
14 *Johnson v. Premo*, 315 Or. App. 1, 3, 499 P.3d 814, 815 (2021).

15 35. Johnson remained incarcerated and fully confined after this court
16 order awaiting retrial.

17 36. On September 5, 2023, the Marion County District Attorney,
18 representing the State of Oregon, unilaterally moved to dismiss the charges. The
19 motion was granted, the charges were dismissed, and Johnson was released the
20 same day.

21 37. As described more fully above, Johnson did not commit the crime for
22 which he was wrongfully convicted and was not an accessory or accomplice or
23 otherwise involved in the acts that were the basis of the conviction.

24 38. As described more fully above, Johnson did not commit perjury,
25 fabricate evidence, or by his own conduct cause or bring about the wrongful
26 conviction. In fact, at every juncture, Johnson professed his innocence and fought

1 the criminal prosecution.

2 39. As result of the wrongful conviction, Johnson is entitled to all relief
3 authorized pursuant to ORS 30.657.

4 **V. PRAYER FOR RELIEF**

5 Johnson respectfully requests that the Court provide the following relief:

- 6 a) All amounts of statutory compensation for 25.5 years of wrongful
7 imprisonment authorized pursuant to IRS 30.657(5), in one lump sum.
- 8 b) Reimbursement of all restitution, assessments, fees, court costs and
9 other sums pursuant to ORS 30.657(7)(b);
- 10 c) Access to existing state, local, or other programs that provide services
11 pursuant to ORS 30.657(7)(c);
- 12 d) Judgment in Johnson’s favor, specifically including a certificate of
13 innocence pursuant to ORS 30.657(12)(a);
- 14 e) Reimbursement for all restitution, assessments, fees, court costs,
15 attorneys’ fees, and all other sums paid by Petitioner as required by
16 any pretrial orders, incarceration, and the judgment and sentence in
17 any proceeding that gave rise to his conviction, the vacation of his
18 conviction, and the dismissal of charges against him relating to the
19 murder of Harriet Thompson;
- 20 f) All costs paid to make phone calls to or from Petitioner during his
21 period of wrongful incarceration;
- 22 g) That Johnson’s wrongful conviction and arrest records be set aside and
23 sealed pursuant to ORS 30.657(12)(b);
- 24 h) Wages not paid by the Oregon Department of Corrections for full time
25 labor in prison at a rate of \$15 per hour, the full amount to be
26 determined later;

- 1 i) An order directing the State to pay the U.S. Treasury for the
2 employer's unpaid contribution to Social Security for Petitioner's labor
3 in prison, at the amount of 6.2%, the full amount to be determined
4 later; and
5 j) Any further relief that this Court finds just and equitable.

6 DATED: September 2, 2025
7

8 Respectfully submitted,

9 **JESSE LEE JOHNSON**

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