



The People's Commission for Integrity in Criminal Justice

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**Procedural Posture of Post-Conviction Wrongful Conviction Proceedings –
Paul Denham**

In 1998, Mr. Denham, a British citizen, was convicted of murder and attempted murder in Long Beach, CA. Since he was charged in the underlying case, Mr. Denham has actively pursued access to the evidence and the courts in order to prove the nature of his wrongful prosecution and conviction, as well as his actual innocence. Despite his active pursuit for justice since his arrest, Mr. Denham has faced numerous legal and political impasses which have prevented his access to the evidence and courts. Over the objections and opposition from the prosecution, Mr. Denham received discovery in this case beginning in 2014 (additional discovery and review of evidence has occurred as recently as 2023).

- In **2014**, Mr. Denham was first given access to the documents from his trial. Among these documents was a handwritten note, with the words and telephone numbers of two airlines, written on note paper from a Las Vegas hotel. Officer McMahon relied upon this evidence to counter the fact that Mr. Denham was 400 miles away, in San Francisco, CA at the time of the murder in Long Beach, CA. The hotel notepaper was from a hotel that Mr. Denham had stayed when he drove to San Francisco from Los Angeles.
- At trial, Long Beach Police officers testified to the jury that the document was discovered in Mr. Denham's belongings and served as evidence to counter the physical proof that he was 400 miles away at the time of the murder. This evidence was not properly introduced as an exhibit in his trial, so it was suppressed from Mr. Denham, and he did not see it until 2014.
- In January of **2015**, Russell R. Bradford, A Handwriting Examination and Identification Expert with over 24 years with the Long Beach Police Department as a forensic handwriting examiner (from 1961-1985), identified the author of the

“airline” document as Officer Bryan McMahon, one of the two investigative officers assigned to the case.

- In **2016**, Mr. Denham filed official complaints against Officers McMahon and Estella Martinez for misconduct. Mr. Denham’s complaint cited Officer McMahon for his role forging the document, committing perjury in his testimony to the jury depicting the document as Denham’s note discovered during a search of his property. The complaint cited Officer Martinez for her perjury in corroborating McMahon’s testimony that he found the document when searching Denham’s belongings.
- On March 9, **2016**, Officer Robert Woods of the Long Beach Police Department filed a police report detailing the “lost” evidence in this case. Per the report, McMahon breached the evidence locker on 3/13/2014, and took the “airline” document from evidence. There is no record regarding the purpose for this breach, nor is there any lawful purpose noted. At the time of the breach in 2014, McMahon no longer worked for the Long Beach Police Department. After requesting a return of the evidence, McMahon returned the evidence.
- On **March 20, 2018**, Mr. Denham filed a *pro se* habeas petition, setting forth the new evidence of his innocence which includes the fraudulent document and perjury that the government employed to secure his conviction, as well as the suppression of exculpatory evidence and other claims. California law provides for a **60-day** review period for a habeas petition filed in superior court.
- On **September 25, 2019**, the Long Beach Superior Court “**suspended**” its review of Mr. Denham’s habeas petition. There is no law that provides for this suspension, and Mr. Denham has sought court orders at all levels of the California courts, seeking review. The petition remains “suspended.”
- The foregoing new evidence of government forgery and fraudulent evidence in this case provides grounds for review of all of the evidence in the case. It must be considered in the context of the procedure for police misconduct review and corruption in Long Beach as set forth in the record of the Police Oversight Committee Whistleblower’s Case - .
- The discovery of the foregoing government forgery and subsequent cover-up in this case provides a basis for additional discoveries related to Mr. Denham’s claim for wrongful conviction. With pro bono counsel, Mr. Denham was recently able to get access to the other forensic evidence for testing and review.
- The People’s Commission, in combination with contributions from Mr. Denham’s friends and family, have retained 5 separate expert witnesses (over the course of the past 2 years) who have reviewed the evidence in the case in light of the recent discovery of fraud and misconduct related to the “airline” document and other evidence presented by the government. The reports will be finalized and filed with the Court in the next month. It is hoped that the amendments to the habeas petition will catalyze the court’s review, and remove it from the current specious “suspended” status.

The People’s Commission is seeking the basic human rights protections for Mr. Denham that he would receive under British law, with access to The Criminal Cases Review Commission (CCRC). In the UK, the CCRC would appoint counsel for Mr. Denham and

review his case based upon the discovery of the forged police documents alone. In the U.S., Mr. Denham has repeatedly been denied appointment of counsel and access to justice over the past 26 years. The People's Commission is seeking to finally get access to justice for Mr. Denham and return him safely to his home in the UK. Please consider assisting us in this cause in assuring his access to fair and impartial review of the evidence of police misconduct in this case.

Please let me know if you have any questions regarding any of the above, or if I can provide additional information. Thank you in advance for your time and consideration

Kind Regards,



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Integrity in Criminal Justice

