

imagine

your brother

YOUR SON

your husband

your father

YOUR FRIEND

condemned to an 8x6 cell
for a crime he did not commit



WOULD YOU WALK AWAY?

The Paul Cortez Defense Fund, Inc. is a not-for-profit corporation formed under the laws of the State of New York to help fight the wrongful incarceration of Paul Cortez.

From a very young age, Paul worked tirelessly on his artistic and academic pursuits, in hopes of one day moving his family out of its impoverished neighborhood in the Bronx. In the 6th grade, he received a scholarship to the prestigious Buckley School. At age 15, he began formal training in jazz and ballet. Subsequently, he earned academic scholarships to Poly Prep Country Day School and Boston University, where he earned his BFA degree in Musical Theatre. During his junior year, Paul studied abroad at the London Academy of Music, Dance & Dramatic Arts. Some of Paul's favorite experiences on stage include playing the title roles in both *Amadeus* and *Ahknaten*, performed at Boston's Huntington Theatre and Schubert Theatre, respectively. Another favorite performance was in the popular holiday ballet, *The Nutcracker*, at the Minnesota State Theatre.

Shortly after his 2003 graduation from Boston University's Theatre Arts program, Paul returned to New York to pursue his musical and theatrical dreams. He continuously auditioned for Broadway and Off-Broadway shows, while supporting himself by working as a physical trainer and yoga instructor. His progressive rock band performed at many popular venues in New York City, and Paul was on the brink of the success for which he had worked so hard during his entire life.

On November 27th, 2005 a young, aspiring dancer was found murdered in her apartment in Manhattan's Upper East Side, one of the wealthiest and most prestigious neighborhoods in the world. With the media hungry to exploit a high profile tragedy, the *New York Post* and other tabloid media obsessed about and fabricated details of the murder, despite a lack of any relevant witnesses, surveillance videos, DNA, or other material evidence. Amidst a media frenzy and worldwide press, the police were under tremendous scrutiny and pressure to produce the killer. Three weeks following the victim's death, the police charged Paul Cortez, the victim's boyfriend, with murder, based on the following limited circumstantial evidence:

A pre-existing fingerprint was found covered with blood at the crime scene. The print, however, did NOT appear until the police applied chemicals to the entire wall of the victim's apartment on the third sweep. Nevertheless, the prosecutor incorrectly characterized the partial print as a "bloody fingerprint" left by Paul Cortez.

Paul's cell phone records placed him in the general vicinity at the time of the murder. However, this is consistent with Paul's past cell phone records, which show that he worked, socialized and spent the majority of his time within a few block radius of the victim's apartment on the Upper East Side.

Taken out of context, the prosecutors took a few lines from thousands of love poems, comic book sketches and deeply emotional prose found in Paul's 10+ years of personal journal to incorrectly paint a portrait of "violent thoughts."

At trial, an acquaintance of Paul's perjured himself stating that Paul wore a specific type of Skecher boot that matched a footprint at the murder scene. This testimony comes in direct contradiction to a statement he made six months earlier when he told CBS's *48 Hour Mystery* that he had absolutely no recollection of Paul's attire that evening.

Paul Cortez was represented by two low-budget attorneys who were held in contempt of court for missing the first three days of trial. After the trial, it was discovered that Paul's attorney was being prosecuted on drug smuggling charges by the same District Attorney who was prosecuting Paul.

Inexplicably, Paul's attorneys did not perform any DNA testing on numerous pieces of evidence, call a single forensic expert or hire a private investigator to explore the inconsistencies and questions in order to construct a basic and standard defense for Paul. A prime example being that despite the fact that Paul has dark brown hair and the murder victim had brown hair as well, Paul's attorneys did not request a DNA analysis on the blond hairs found intertwined between the victim's fingers.

Paul Cortez was sentenced to 25 years to life even though the prosecution produced no physical evidence, murder weapon, witnesses, or other concrete evidence. He has now served three years for a crime **he did not commit**.

Paul is currently serving his time at one of the most dangerous, maximum security prisons in the state of New York. He has developed infections from the unhygienic prison conditions and is visibly under-nourished. He now lives in a constant state of paranoia about being stabbed or attacked by another inmate.

Despite such harsh conditions, Paul continues to concentrate on writing poetry, song lyrics, meditating, practicing yoga and sketching; doing everything he can within a roach infested 8 foot x 6 foot cage, hopeful that one day, he may regain the life he worked so hard for and the freedom he once knew and deserves.

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PAUL CORTEZ DEFENSE FUND