

Wrongfully convicted: Milwaukee man released after serving 24 years in prison for sexual assault

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MILWAUKEE -- A Milwaukee man who has served 24 years in prison for sexual assault and burglary of [has been exonerated](#) -- and on Wednesday, October 5th, he walked out of prison.

"I did 24 and some odd years for something that I believe they knew I didn't do it. I came in mid-20s. I'm almost 50 now. My whole life has changed. They had old-school telephones back then. Now they've got computers. I don't know nothing about this!" Daryl Holloway said.

48-year-old Daryl Holloway had his 1993 convictions for sexual assault and armed burglary vacated with help from the Wisconsin Innocence Project. New DNA testing showed Holloway could not have committed the crimes -- so Milwaukee County prosecutors and the very judge who sentenced him to serve 120 years in prison back in 1993 agreed to set him free.

Holloway was released from the Green Bay Correctional Institution around 10:00 a.m. Wednesday. He met with reporters a short time later saying he was "kind of scared" because it's a "whole new world."

FOX6's AJ Bayatpour: "What`s the first thing you`re gonna do when you get back home?"

"We going out to eat! Steak -- gotta have steak," Holloway said.

Holloway was convicted of raping two women and committing two armed burglaries

The following charges were filed against Daryl Holloway in 1992:

- First degree sexual assault -- two counts
- Armed burglary -- two counts
- Burglary
- Habitual criminality

The criminal complaint references three victims in this case.

One woman stated that she woke up on September 2nd, 1992 in a home near Bremen and Wright -- and a black man, who she positively identified as Daryl Holloway, was holding a butcher knife, wearing a

scarf or handkerchief covering his face below his eyes. The woman stated the man held the butcher knife against the front of her neck, told her he had seen her children in the home, and told her to take her underwear off -- before sexually assaulting her.

A second woman stated that on September 26th, 1992, near Murray and Newberry, she was woken up by a black man, who she positively identified as Daryl Holloway, who placed a knife blade to her upper lip -- cutting her lip. As she raised her hand, the woman stated that she sustained a cut to her hand. The woman told investigators the man said: "Don't scream or I'll kill you" -- before sexually assaulting her.

A third woman told investigators that on September 28th, 1992 near Stratford and Prospect in Shorewood, she was confronted by a black man who grabbed her purse while she was entering a home in the area. When she entered the home, she noticed property belonging to her and her roommate was missing. A jewelry box and briefcase were recovered by police in the rear yard of the home. Latent fingerprints were recovered from the jewelry box -- and sent to the Wisconsin State Crime Laboratory. Those fingerprints were determined to belong to Daryl Holloway, according to the 1992 criminal complaint.

The complaint makes reference to a 1986 conviction for Holloway of second degree sexual assault.

Holloway wrote to the Wisconsin Innocence Project in Madison -- whose director said he was disturbed by the evidence -- or lack thereof. He said the prosecution build its entire case on the victims' stories.



Keith Findley, director of the Wisconsin Innocence Project

"Someone who was terribly wronged, truly victimized -- but that was essentially the case and we know eyewitness testimony is very unreliable, even in the most pristine circumstances and these were far from that," Keith Findley, director of the Wisconsin Innocence Project said.

"I needed somebody in my corner that believed in me when I'm telling them something," Holloway said.

Holloway said rock bottom came when he lost his greatest source of support.

"I almost gave up on it when my mother died. I felt everything was gone -- because that was my rock," Holloway said.

Holloway on Wednesday had this message for those watching his story:

"Make better choices before convicting people. Make sure you got the right evidence. Because when you do this, people lose. Everybody loses. The victims, me -- I've been victimized. Everybody's been victimized," Holloway said.

Holloway had this to say about the three women named in the 1992 complaint:

"I feel real bad for them...because whoever done this to them, they've been walking around for the longest," Holloway said.



Daryl Holloway

Attorney Ray Dall'osto told FOX6 News Holloway's family came to him several years ago, pursuing newer DNA testing which would eventually rule out Holloway as the suspect in this case. The testing was expensive, and the Wisconsin Innocence Project helped get the tests leading to Holloway's freedom.

"This test was rerun -- and run in a better, more advanced time and that's what the Innocence Project was able to get funding for. We got the test results a few weeks ago,

presented that to the DA and they made their consideration about the case, had an independent review and did the right thing," Dall'osto said.

Upon his release from prison, Holloway said he is hopeful for the future.

"I'm trying to get myself in order because I need to first see what jobs are available." - Darryl

Holloway"I'm trying to get myself in order because I need to first see what jobs are available. I can't even find a job. It's going to be hard," Holloway said. "You took almost a quarter century from me -- and I can't find a job. That's going to be a problem." Holloway indicated he's done some schooling while behind bars. He said he wanted to go into law -- and help those in need like himself. Holloway said in order for that to happen, he needs to be with positive people -- people who want to improve themselves.

Holloway told reporters he went through a divorce while he was incarcerated and hopes to build a relationship with his children.

There's another injustice Holloway now faces, according to those with the Wisconsin Innocence Project. They tell FOX6 News the state of Wisconsin is the "most miserly" in the country when it comes to paying wrongfully convicted people for the time they had to serve.

Under state law, the maximum payout is \$5,000 for each year in prison -- but it's capped at \$25,000 total. Those with the Wisconsin Innocence Project say efforts to lift the cap died in the Wisconsin Senate last session after passing the Assembly unanimously.

Below is a statement from Senate Majority Leader Scott Fitzgerald: "Last year's increased media attention on the subject of wrongful conviction compensation increased the controversy surrounding the legislation and it did not garner sufficient momentum to pass both

houses. We will certainly review any similar legislation introduced in the upcoming legislative session.”

The federal payout for those wrongfully convicted is \$50,000 per year in prison -- capped at \$1 million.

"We are a better people than that. We are more civilized than that. We owe it to people like Mr. Holloway and others, and all of us to fix that statute," Findley said.

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