

Timeline of Conviction Review Unit Case

1983

Barbara Grams is found sexually battered and murdered behind a dental office at 3911 N. Boulevard in Tampa in the early morning hours of August 19.

Medical Examiner's Office performs autopsy and collects semen samples using a rape kit. *Because DNA science is not sufficiently advanced in 1983 to test the collected samples, samples from the rape kit are made into laboratory slides and stored at the Medical Examiner's Office.*

Robert DuBoise is arrested and accused of the crime on October 22, beginning nearly 37 years of incarceration.

1984

Jailhouse informant meets with detectives in early 1984.

Informant had been in jail with Robert DuBoise and claims DuBoise confessed his role in the murder to the informant. Informant is facing charges of armed kidnapping and robbery, each of which carry a potential life sentence. Informant is given a plea deal in May that reduces his potential multiple life sentences to a single five-year sentence.

1985

Dubose is tried for murder and sexual battery, beginning on February 25.

The prosecution based its case entirely on two elements: a supposed bitemark found on the victim that an expert claims matches DuBoise and a jailhouse informant, who testified DuBoise told him that three men had taken turns raping the victim, then two of those men murdered her while DuBoise was raping her (those men were never prosecuted for the murder).

DuBoise is convicted of one count of Murder in the First Degree and one count of Attempted Sexual Battery on March 7.

The jury unanimously recommends a life sentence, but the judge overrides the jury verdict and sentences DuBoise to death. The death sentence is converted to a life sentence by the Florida Supreme Court in February 1988. Ultimately, DuBoise is serving a life sentence for count one and a 15-year sentence for count two (sentences to run consecutively).

DuBoise's prison term begins on March 12.

Jailhouse informant's sentence is reduced, and he is released from prison in July.

Informant's sentence is modified, and he ultimately serves approximately 16 months of his five-year sentence.

1990

The evidence that had been stored from the trial is destroyed.

Unbeknownst to attorneys and investigators, rape kit samples remained at the Medical Examiner's Office and were not destroyed.

2007

DuBoise files "3.853 motion" to have DNA evidence from rape kit tested.

Investigators at the time believe all known samples were destroyed in 1990, so testing cannot be done.

2018

State Attorney Andrew Warren establishes Conviction Review Unit (CRU) on November 13.

The CRU works to identify, investigate, and remedy wrongful convictions based on plausible claims of innocence. Its goal is to ensure that innocent citizens are not punished for crimes they did not commit while actual perpetrators remain free. In creating one of the first conviction review units in a Florida prosecutor's office, Warren acted on the belief that a prosecutor's job is to seek justice, and that obligation to seek justice never ends.

2019

The Innocence Project files a petition with Hillsborough's CRU on behalf of Robert DuBoise on September 26, requesting a review of his case.

Extensive work by the Innocence Project shows the "bitemark" evidence is invalid and outlines many problems with the jailhouse informant's questionable testimony.

"Bitemark" evidence is invalidated.

The Innocence Project asks Dr. Adam Freeman, American Forensic Board of Odontologists past president, to review the "bitemark" evidence and he concludes the injury on the victim's face was not, in fact, a bitemark. Dr. Freeman also attests that the expert's testimony would not have been allowed under modern standards. In addition, bitemark evidence is now deemed unreliable in identifying perpetrators in criminal cases such as this. Also, the bite mark expert used at the trial has since recanted his testimony in other cases where he definitively identified who bit a victim.

2020

Rape kit samples are located at Hillsborough Medical Examiner's Office.

During an unrelated conversation with CRU Supervising Attorney Teresa Hall, a detective suggests the Medical Examiner's Office may have kept rape kit slides from the early 1980's. Hall follows this potential lead and discovers in August that the samples had been kept from this case. The CRU and Innocence Project send the samples for DNA testing.

DNA testing of the rape kit samples finds semen from two individuals—neither of which are DuBoise.

On August 20, Robert DuBoise is excluded as the source of the DNA found in the sample. Further, the DNA results refute the jailhouse informant's testimony; the DNA does not match any of the three men the informant said were involved in the rape and murder of Barbara Grams.

CRU's Independent Review Panel of impartial legal experts reviews the case.

The IRP is composed of former Florida Supreme Court Justice Peggy A. Quince, former State Attorney and Appellate Judge E.J. Salcines, and former Second District Court of Appeal Judge Chris Altenbernd. On August 22, the IRP recommends seeking DuBoise's prompt release from prison and moving to reverse his conviction in court.

State Attorney Andrew Warren reviews the findings and agrees with the Independent Review Panel's recommendation.

State Attorney Warren instructs the CRU to continue compiling the motion and supporting documentation needed to seek DuBoise's prompt release, with plans to then work with the Innocence Project to ultimately reverse his conviction.

The State Attorney's Office files joint motion with DuBoise's counsel asking for his prompt release from prison.

On August 26, the Hillsborough State Attorney's Office and counsel for Robert DuBoise are filing a joint "3.800 motion," asking the 13th Judicial Circuit (which handles felony cases in Hillsborough County) to reduce DuBoise's sentence to time served. This will allow him to be promptly released from prison. After he has been released, the Innocence Project and CRU will pursue a more complex "3.850 motion" asking the court to completely reverse his conviction and fully exonerate him in the coming weeks.