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August 19, 2009

PRESS RELEASE

Today the State files notice that it does not intend to appeal from the order of Judge Robert Kinney issued orally in open court on July 31, 2009, dismissing the case against Ralph Armstrong for the rape and murder of Charise Kamps on June 24, 1980, in Madison. The decision not to appeal, ending the criminal prosecution, was based on an assessment of the low prospects of the State prevailing at each stage of further appellate proceedings, followed by further trial proceedings, followed by further appellate proceedings. This decision was made after careful consideration and consultation with the Wisconsin Department of Justice.

The detailed evidence and arguments that have been presented by the State in this case--from its earliest stages in 1980 through the recent litigation before Judge Kinney--are all a matter of public record. That record demonstrates that prosecuting attorneys and their colleagues in the Madison Police Department pursued this case in good faith at every stage of the process, and that any errors that occurred during the course of the investigation and prosecution were the product of innocent mistake or oversight during a complex case that has spanned 29 years. Those 29 years have seen remarkable developments in the advancement of forensic sciences, which in itself presented significant challenges for the State.

Investigation and prosecution of crime is a human endeavor in which perfection is of course not possible. This is all the more reason that police and prosecutors must operate in good faith and within the ethical rules. This office believes that that occurred throughout the course of this case.

The focus of police and prosecution efforts from the earliest stages of this case have always been on collecting, analyzing, and then professionally presenting the evidence in an effort to see that justice was done for Charise Kamps and her family. That effort, which officially ends with the filing of today's notice, was done at each stage of the case honorably and with all of the resources then available to the State.

Ralph Armstrong will now be returned to the State of New Mexico. His custody status going forward will be governed by the laws of that state related to alleged parole violations following his conviction for crimes in that state.