



SHAUN RODRIGUES

Other Hawaii Cases



On July 8, 2000, a man with a pistol invaded a home in Manoa, Hawaii and forced 24-year-old Dawn Sugihara and her 53-year-old mother, Dianne, to lie face down on the floor where he tied them up and put clothing over their heads. The robber ransacked the home and forced Dianne to hand over her ring by threatening to cut off her finger.

The women described the gunman as having dark skin and possibly having a mustache. They said he was armed with a silver pistol. However, both said they were afraid and face down for much of the incident. Dianne said she was not wearing her contact lenses.

Dianne told police, "I did not have my contacts on and could not clearly see the suspect...I did not look up when he was in the house as I was very scared...I don't think I would recognize him again." Dawn told police she believed she could identify the robber even though when she called 911, she told the operator: "I didn't really see him...I saw his feet a lot...I didn't think to look at him until I was tied up. He made us put clothes over our head."

Two days later, a police detective learned that the family had contracted to have an alarm system installed in their home a month earlier. The detective determined that the installer was 20-year-old Shaun Rodrigues, who had joined the alarm company after graduating with an associate's degree in electronic technology from a business trade school.

The detective digitally created a photograph of Rodrigues from state driver's license records and put it in a photographic lineup. After some initial hesitation, both women selected Rodrigues, a fair-skinned man whose photograph was distinguishable by its sharper and glossier appearance. Neither woman realized until later that Rodrigues had been in their home a month earlier to install the alarm.

Rodrigues was arrested on July 10, 2000 and charged with kidnapping and first-degree robbery. A search of his home failed to turn up anything related to the crime. Rodrigues told police that he was home sleeping at the time of the crime. He posted bond and in August 2001, went to trial before a judge who heard the evidence without a jury.

Both women identified him as the robber. Dianne testified that at first she could not believe that the man she identified in

State:	Hawaii
County:	Hawaii
Most Serious Crime:	Kidnapping
Additional Convictions:	Robbery
Reported Crime Date:	2000
Convicted:	2002
Exonerated:	2014
Sentence:	20 years
Race:	Other
Sex:	Male
Age:	20
Contributing Factors:	Mistaken Witness ID
Did DNA evidence contribute to the exoneration?:	No

the photographic lineup was the same man who installed the alarm. The man had come to her home twice, she said, and on one occasion, she offered him a Coke in her kitchen.

Rodrigues and family members testified that he was home sleeping at the time of the crime.

Although the trial was concluded in August 2001, Judge Virginia Crandall did not make a decision until March 1, 2002 when she convicted Rodrigues of kidnapping and first-degree robbery. Rodrigues remained free on bond until September 2004 when Crandall sentenced him to 20 years in prison.

That same year, lawyers for Rodrigues at the Hawaii Innocence Project filed a motion for a new trial. The motion claimed that they had taken a statement from a prison inmate who said that a man he knew had tried to enlist him to help commit a robbery of the Sugihara home sometime in the summer of 2000.

The inmate said the man was a drug addict who had a silver pellet handgun and who was working on a construction job two blocks from the Sugihara home in July 2000. On the day of the crime, the man did not come to work.

Rodrigues took and passed a polygraph examination.

However, the motion was denied.

After his conviction was upheld on appeal, Rodrigues sought parole, but was denied until December 13, 2011 when the state parole board granted his request and released him—even though Rodrigues steadfastly refused to admit guilt.

Rodrigues' lawyer, William Harrison filed a 600-page petition with Hawaii Governor Neil Abercrombie detailing the evidence of Rodrigues' innocence. On December 1, 2014, Abercrombie—one hour before he was to leave office, signed an order commuting Rodrigues' sentence and issued a pardon for both crimes.

– *Maurice Possley*

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Posting Date: 12/17/2014

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