



## Mark Schand

Shortly after 11 p.m. on September 2, 1986, Charles Stokes and his brother, David Stokes, attempted to sell some cocaine to Anthony Cooke and Michael Hosten outside of the After Five Lounge in Springfield, Massachusetts. Although the sale was not consummated, Cooke and Hosten were still nearby when several other young men approached and inquired about buying drugs.

As Charles Stokes was showing his drugs, one of the men grabbed at either the cocaine or a gold chain on David Stokes' neck. Cooke grabbed the man, who then pulled a pistol and shot Cooke in the shoulder. Cooke, Hosten, and the Stokes brothers fled and the man kept firing. Charles Stokes tripped and fell and the gunman stood over him and robbed him of half a gram of cocaine, \$40 and his cigarettes. The gunman then fled.

One of the gunman's bullets struck and killed a bystander, 25-year-old Victoria Seymour, who had been at the Lounge with friends. She was shot in the back and died hours later.

At least one witness said the shooter was with a group of men who fled in a blue and grey van with distinctive custom made windows on the sides of the vehicle. The van had Connecticut license plates.

The day after the shooting, 16-year-old Lavon Dixon told police that he had been in a Pizza King restaurant with a friend, 15-year-old Al Chase, when six men came in, inquiring about a gold chain that one of the men claimed had been stolen from him at a Run DMC concert two days earlier. Four of the men left in the blue and grey van and two of them left in a separate car, Dixon said.

Three weeks later, on September 24, 1986, Springfield police showed Dixon a large number of booking photographs obtained from police in Hartford, Connecticut, located about a half hour drive south of Springfield. Dixon pointed to the photograph of 21-year-old Mark Schand of Hartford and said he was 50 percent sure Schand was the man he saw in the Pizza King. Dixon pointed to a photograph of Schand's brother, Roger, and said he was 40 percent sure Roger Schand was in the Pizza King.

Mark Schand was arrested October 29, 1986 and charged with first degree murder, robbery and assault.

By the time he went on trial in Hampden County Superior Court in November 1987, the prosecution had six witnesses who said they saw Schand shoot Cooke, rob Charles Stokes and fire the shot that killed Victoria Seymour.

Cooke, the Stokes brothers, as well as Hosten, all identified Mark Schand as the gunman. Two other men who were at the scene, Willie Darko and Michael Bernard, also identified Mark Schand, though they gave accounts that conflicted with the testimony of Cooke, the Stokes

**State:** Massachusetts

**County:** Hampden

**Most Serious Crime:** Murder

**Additional Convictions:** Robbery, Assault

**Reported Crime Date:** 1986

**Convicted:** 1987

**Exonerated:** 2013

**Sentence:** Life without parole

**Race:** Black

**Sex:** Male

**Age:** 21

**Contributing Factors:** Mistaken Witness ID, Perjury or False Accusation, Official Misconduct

**Did DNA evidence contribute to the exoneration?:** No

brothers and Hosten.

Dixon and Chase testified that they saw Schand at the Pizza King prior to the shooting. Another witness, Kenneth Whitted, was called to testify that he had seen Schand in Springfield in prior occasions to rebut an alleged statement that Mark Schand made when he was arrested that he had only been to Springfield one time.

Schand did not testify, but the defense presented seven witnesses who said Schand was in Hartford, 27 miles away, between 11 p.m. and midnight, on the night of the shooting.

On November 20, 1987, Schand was convicted of all charges and sentenced to life in prison without parole.

In 1990, Mark Schand's brother, Roger Schand was charged with being one of the men involved in the shooting. Prosecutors disclosed evidence to Roger Schand's attorneys that had not been disclosed to Mark Schand's attorneys. The evidence consisted of police reports that detailed how a Hartford man named Randy Weaver, who owned a blue and grey van and looked remarkably similar to Mark Schand, had been suspected of being the man who was in the Pizza King restaurant asking about a stolen gold chain.

The police reports said that Weaver was a suspect in the shooting at the After Five Lounge and that he had been questioned, but not charged.

A mistrial was declared in the trial of Roger Schand in 1991 after Charles and David Stokes, whom prosecutors said had identified Roger as being with Mark at the shooting, refused to testify. Charles Stokes originally received a suspended 18- to 20-year sentence for robbing an elderly man in 1987 as part of a plea bargaining agreement that resulted from his testimony at Mark Schand's trial. But by the time he came to Roger Schand's trial, Charles Stokes had been ordered to serve the term because he was found to have violated the terms of his probation by beating another man within a month after he received the suspended sentence. After the mistrial, the charges against Roger Schand were dismissed.

Also in 1991, Mark Schand's attorneys, John and Linda Thompson, filed a motion for new trial claiming that the Weaver police reports were evidence of an alternate suspect that the prosecution had improperly failed to disclose to Schand's trial attorney. The motion also alleged that Charles Stokes had recanted his identification of Mark Schand. Additionally, the motion alleged that Springfield police had withheld reports that showed that the identification of Mark Schand by the Stokes brothers, Cooke and others was flawed and improper. For example, Charles Stokes later testified that when he identified Mark Schand in a lineup, he actually knew everyone in the lineup (some were police officers who had arrested him in the past, two were men in the lockup that he knew from the street) except for Schand.

At a hearing was in February 1992 Stokes repeated his recantation and testified that he had falsely identified Schand to get a deal on unrelated charges. The motion for new trial was denied and the Massachusetts Court of Appeals upheld the decision in 1995. The appeals court found that the withheld evidence would not have changed the outcome of Mark Schand's trial, and that Charles Stokes' recantation was "completely false."

Over the years, Mark Schand's family hired numerous private investigators to look into the case, remaining steadfast in their belief in Schand's innocence. Schand's wife, Mia, visited Schand every weekend.

In 2010, Centurion Ministries, a Princeton, New Jersey-based

organization that investigates wrongful convictions, began investigating the evidence in the case. By that time, Charles Stokes had previously recanted and Michael Hosten had given a death bed recantation in 2006. As Centurion investigated, Anthony Cooke recanted as well. All said they had falsely identified Schand to obtain leniency on charges that were pending against them at the time. Moreover, Kenneth Whitted recanted his testimony that he had seen Schand in Springfield.

Centurion Ministries investigators, including its founder, James McCloskey, also uncovered evidence that on the night of the crime, Weaver and three others drove to Springfield to try to find a gold chain that had been stolen from Weaver at a Run DMC concert in Springfield two days before the shooting. Weaver and the others all recall leaving the Pizza King and driving to the After Five Lounge and being there when the shooting occurred. All four told Centurion Ministries that they knew Mark Schand and that he was not present at any time on the day of the shooting.

The investigators also determined that one of two other men who was seen at the Pizza King just prior to the shooting and seen leaving in a separate car, was named Tracy Fisher. In interviews with the investigators, Fisher said that he had followed Weaver and the others in the hope of obtaining cocaine. He admitted that he was the one who had grabbed at the cocaine—the action which precipitated the shooting of Cooke and Seymour.

Fisher, who was interviewed in prison where he was serving a 50-year sentence for a 1987 murder in Hartford, denied that he was the gunman. However, police reports subsequently obtained by Centurion showed that initial descriptions of the gunman said the shooter was about 30 years old and had bad or “rotten” teeth. At the time of the shooting, Mark Schand was 21 and had a distinctive gold tooth in the front of his mouth. Fisher was 28 years old and previously had suffered serious damage to his teeth when he was shot by a police officer.

In 2013, Mark Schand's attorneys, John and Linda Thompson, and the Centurion Ministries, filed a motion for a new trial based on the newly discovered evidence. They claimed that all six of the prosecution's witnesses who identified Schand as the gunman knew each other and had collaborated to frame Schand so they could get favorable deals on charges pending against them. They also claimed that the police had orchestrated lineups so that Schand would be selected and that the prosecution hid evidence showing the lineups were corrupted.

In August and September, 2013, Hampden Superior Court Judge C. Jeffrey Kinder heard testimony over several days. On October 4, 2013, Hampden District Attorney Mark G. Mastroianni filed a document saying he did not oppose Schand's motion for a new trial, and Judge Kinder granted Schand's motion for a new trial on the basis of newly discovered evidence.

Schand was released on October 4, 2013, and the prosecution dismissed the charges on October 16.

– *Maurice Possley*

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**Report an error or add more information about this case.**

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Our Case Files: These amazing people each endured an average of 20 years imprisoned for a crime they did not commit. Only a handful of them have received compensation for the injustice they have survived. Read their compelling stories.

# Mark Schand

## Springfield, MA

With Hampden County District Attorney Mark Mastroianni assenting, Superior Court Judge C. Jeffrey Kinder granted a petition for a new trial in Mark Schand's 1986 murder conviction as well as a motion for Schand's immediate unconditional release.

Mark, who will celebrate his 49th birthday this coming Thanksgiving Day, was freed at noon Friday, October 4th into the waiting arms of dozens of family and friends. The first to hug him was his wife Mia who faithfully visited him every Tuesday for the entire 27 years of his false imprisonment and his 76 year old mother Trudy. His three grown sons Mark Jr., Quinton and Kiele were next in line to embrace their father.

The D.A. indicated at the hearing last Friday that he would dismiss the charge against Mark at a pro forma hearing on October 17, this will conclude CM's five year effort to free and vindicate him.

Mark Schand's murder conviction was based on six eyewitnesses, all of whom were career criminals using and selling drugs. Half of these eyewitnesses recanted their testimony acknowledging that they falsely implicated Schand in order to save themselves from long prison sentences. Centurion Ministries discovered and interviewed a separate group of six men from Hartford who revealed that they were present during the fatal shooting. Three of these men testified at recent hearings that Schand was not with them in Springfield that night and had nothing to do with the crime. Two others privately told CM and D.A. investigators that although they were present, Mark was not.

On the day of the murder Schand underwent a major dental operation, the type of which would have kept him in severe pain for days. Schand also had six alibi witnesses who placed him in Hartford, Conn, 30 miles south of Springfield, at the time of the crime.

"It's been a long, hard road for Mark Schand to prove his innocence," said Centurion Ministries executive director James McCloskey. "We at Centurion Ministries feel gratified that, after 27 years, we were able to help him secure his freedom."

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*The Republican*  
October 4, 2013

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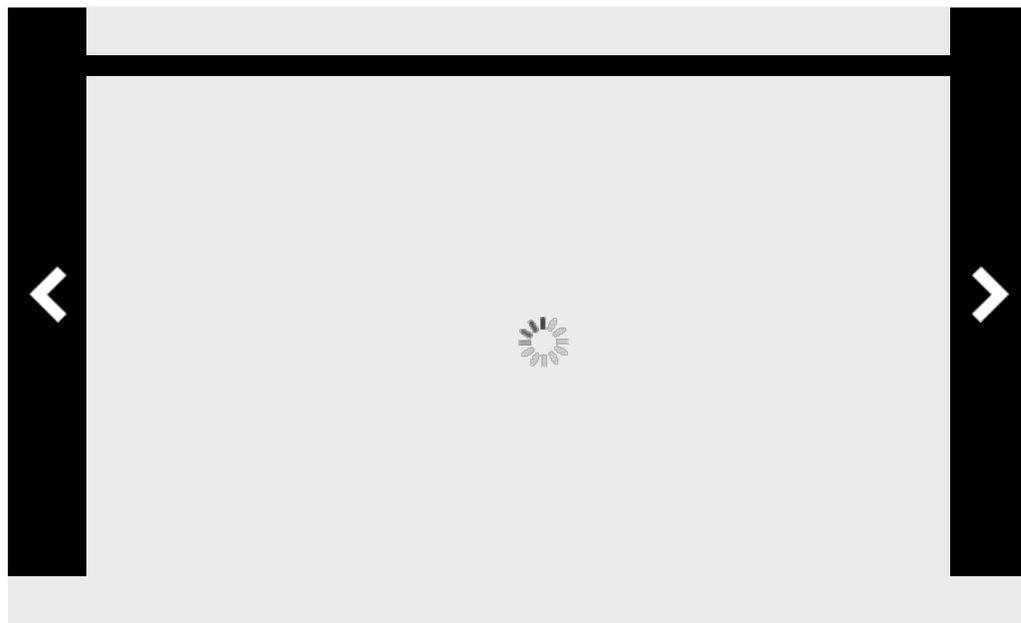
# New trial for Mark Schand, man convicted of 1986 murder

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## Will be freed on bond pending new trial

By Mark Wiernasz

Updated: Friday, October 4, 2013, 2:52 PM EDT  
Published: Friday, October 4, 2013, 11:42 AM EDT



(1/5)A Connecticut man who has served over 20 years in jail for a Springfield murder has been released as he awaits a possible new trial.

SPRINGFIELD, Mass. (WWLP) - A Connecticut man who has served over 20 years in jail for a Springfield murder has been released as he awaits a new trial.

Judge Jeffrey Kinder granted a new trial in the case of **Mark Schand** Friday morning in Hampden County Superior Court in Springfield.

Schand had been convicted in 1987 of the shooting death of **Victoria Seymour** outside a Springfield club in September of 1986. Another man was shot during what the Hampden County District Attorney's office described as a robbery of a Springfield drug dealer by some people from Connecticut.

The DA's office said that Seymour was an innocent bystander when shots were fired.

A number of new witnesses have come forward disputing Schand's original guilty verdict.

The District Attorney's Office has not decided if they will try Mark Schand for a second time.

Wearing a tee shirt with the phrase "I didn't do it," Schand was freed on bond Friday afternoon, pending that

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possible second trial. He celebrated his release with family and friends at the Hall of Justice. *Play the video to see their reaction.*

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truffle · a month ago

was there others charged with the murder, rest in peace Victoria ; (

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cee · a month ago

Blessings to Mark Schand and his Family... God is Good.. Its sad that his life was taken away for a crime he did not do! There are so many people who are in jail for a crime they did not do!

Hope they find the person who really did this crime for the sake the family of the person who died.

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michaelannb · a month ago

NOW the DA's office says he was an innocent bystander! Never said that about Charles Wilhite, but at his new trial, he was also found not guilty. It is actually scary how many innocent people do go to prison.

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Robert Joseph Underwood >michaelannb · a month ago

More than people care to admit. Even more get arrested. This also means that the guilty party did not get convicted. This may not be an accident.

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### Wife Still With Man Released From Prison After 25 Years!



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48,529 views

Published on October 4, 2013

Mark Schand has been in prison for more than 25 years. On Friday, he was released on bond and has been granted a new trial. A trial that may never see a court room. -wwlp-

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Petition

This is in regards to Mark Schand. He is serving a life sentence without the possibility of parole in Norfolk, MA.

Most inmates claim they are innocent, however, in this particular case it's true. Mark Schand has been incarcerated since 1985 for murder, and was told he can not go back to court without new evidence. Please know that Mr. Schand has this, and has had it for some time.

Mark will never get the chance to prove his innocence as long as he has to deal with the court system that incarcerated him. The people who help put him there just to "solve" a crime, does not want to be proved that a great injustice was committed to an innocent man. What makes it such a miscarriage of justice is that from the start it has been known Mr. Schand was not involved, but yet he has sat in prison for 20 years.

It's very frustrating to keep coming across people who ignore this. I mean what's the point right? He's already been in prison 20 years, what's the rest of his life going to matter? My point is, here is a man with a wife and 3 now grown children, who sits day after day in a prison knowing that the real criminal is walking the streets. Here is some of the evidence I have.

1. Police report stating the difference between Mr. Schand and the actual shooter.
2. Proof the eye witness made a deal for a suspended sentence for his testimony
3. Polygraph test that Mr. Schand passed

4. An interview of a surviving victim stating that he had never seen Mr. Schand before and said that he was not the man who shot him.

5. A statement from the main eye witness saying that when he went to the police line up he, the witness, had just been arrested on drug charges. The only person in the line up the witness did not know was Mr. Schand. The other people in the line up were the officers who had just arrested the eye witness.

Please help set an innocent man free.

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**valentine65**

12-13-2005, 11:58 AM

I have written a petition to help an innocent man go home after sitting in prison for 20 years for a crime he didn't commit. He was told he could go to court if he had new evidence and we have it, but still the courts keep denying him justice. Here is the URL to the petition.

Thanks

<http://www.petitiononline.com/w44229/petition.html>

**valentine65**

12-13-2005, 08:27 PM

Here is what the petition reads. If you want to sign, please click the link below... Thanks

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Please help set an innocent man free.

<http://www.petitiononline.com/w44229/petition.html>

**babygirl350**

12-21-2005, 08:31 PM

I signed this and I want to wish you the best of luck with it. It is always so disheartening to see an innocent person incarcerated. I am hoping for the very best and hopefully a new trial will be granted. It should be with the new evidence.

All of my best to you both.

**usmama**

12-22-2005, 03:41 AM

I signed it, I hope you see some justice after all of these years, I am thinking of you, your family and you cause ...

**sharonno1**

12-22-2005, 05:10 AM

ive signed good luck

**valentine65**

12-22-2005, 02:42 PM

It's good to know that I'm able to count on the family at PTO to help out. You have no idea how much I appreciate the support you've shown so far. I told my boyfriend about it when I went to visit. He said we're really getting bonus points on our resumes for heaven for trying to help out Mark.

**Krys**

12-22-2005, 02:45 PM

I signed, all my best wishes and luck

**Tell the GOP:  
Stop the  
Obstructionism**

**Least  
Productive  
Congress  
Ever**  
- Washington Post

**SIGN THE  
PETITION**

**SCM32** 12-22-2005, 02:50 PM

signed. Good luck : thumbsup:

**venicespirit** 12-22-2005, 02:55 PM

I signed. Is Mr. Schand working with the Innocence Project or any other proactive group. Just curious. This scenario is all too normal these days. Good luck to him.

**valentine65** 12-22-2005, 10:21 PM

I signed. Is Mr. Schand working with the Innocence Project or any other proactive group. Just curious. This scenario is all too normal these days. Good luck to him.

I just heard back from the New England Innocence project, and they mailed him papers to fill out and return so they can review his case. Hopefully it will all turn out. I wrote Mr. Schand and told him I'm a woman on a mission and won't stop till I exhaust every avenue. Now I'm trying to find someone to build a website.

**valentine65** 01-01-2006, 01:04 PM

I have written Mr. Schand and given him the link to the petition so he may give it to his friends and family. Let's show him how the family here at PTO give our support to one another.

:group hug:

**justicejane** 01-07-2006, 10:13 AM

I signed and hope that anyone who reads this does too. Good Luck : thumbsup:

**InmateAdvocacy** 01-07-2006, 10:28 AM

Signed! Could you do me a favor and sign my petition on behalf of all FL inmates? Thanks!  
FL Inmates right to have pen pal contacts Petition (<http://new.petitiononline.com/FLDOC/petition.html>)

**Bonnie\_N\_Clyde** 04-06-2006, 02:36 AM

I have signed your petition and support your effort, please take a minute to look at my petition for parole of my fiance'. He has changed his life but it just isn't enough to bring him home. He is spending 6 yrs on a technical violation. Your support will be greatly appreciated. We have to stick together and help each other.  
Thanks

**valentine65** 07-15-2006, 05:11 AM

Bonnie, I would love to take a look at yours. Can you give me the link to it?

**Just-Cynt** 07-15-2006, 10:39 AM

Hi, I found a link to the petition, and signed. I will keep you and your family in my thoughts and prayers! Keep us updated :) C.

**Ness** 07-16-2006, 02:50 AM

Signed. Wishing you and Mark the best of luck.

**valentine65** 07-16-2006, 05:00 AM

Thank you for your support. It means a lot to us.

**number one son** 07-16-2006, 12:26 PM

I'm number 33. anything to help this poor guy out.

**valentine65** 07-19-2006, 06:49 PM

I just got a letter from Mark today. His lawyer said that another key witness who testified against him in his original trial just signed a statement telling the truth about how he lied on the stand. He outlined how the D.A. disposed of his (the witness) cases that were pending without him ever going to court. It was 8 pages of guilty feelings all coming out.

**Ginger2009** 07-19-2006, 08:59 PM

Valentine 65  
I just signed :clap: Good Luck and I'll keep my fingers crossed I am number 35. Ginger

**valentine65** 07-19-2006, 09:09 PM

Thank you Ginger :)

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