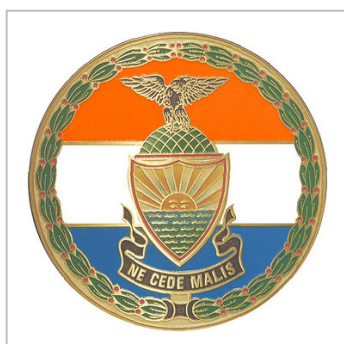


RAUL MORALES

Other Bronx Exonerations



On June 21, 1987, 41-year-old Raul Morales was arrested and charged with raping a 22-year-old wheelchair-bound woman who lived in the basement apartment of the Bronx, New York building where Morales was the superintendent.

The woman, Evelyn Muniz, who had muscular dystrophy and weighed about 75 pounds, told

police that Morales came into the apartment before midnight and attacked her. She said he slapped her and punched her in the mouth and ribs, then he raped her and left.

Morales, who had been superintendent of the building since 1984 and therefore had a key to the basement apartment, denied attacking and raping Muniz. He was charged with first degree rape and went on trial in Bronx County Supreme Court in April 1988.

Muniz's testimony was not consistent, although she was adamant that Morales had beaten and raped her. At one point she said Morales came into the apartment at 11 p.m. and later changed it to 11:30 p.m.

A physician testified that he examined Muniz shortly after she said she was attacked and she had no bruises or other marks of violence. The physician also testified that he found no evidence of sexual penetration or semen.

Morales testified that Muniz had moved into the apartment several weeks earlier with Felix Santana, whom she had told Morales was her husband.

Morales said that on the day of the crime, his wife's grandparents were celebrating their 50th wedding anniversary. The entire extended family of 60 to 100 people gathered at a community center for a party after attending a church service, including Santana. Muniz said Santana left the apartment about 10 p.m. and did not return until about 5 a.m.

Morales testified he left the party only once, around 10 p.m., to buy cigarettes and quickly returned. During the party, he said he drank three beers and a gin. He said he and his wife went home after midnight.

The godfather of one of Morales' children testified that he left the party at midnight and Morales was still there.

On April 11, 1988, the jury convicted Morales of first degree rape and he was sentenced to 12 ½ to 25 years in prison.

In 1992, Muniz left Santana because she said he had choked and beaten her. She moved into an assisted living facility. Four years later, she confided to her church pastor that she had falsely accused Morales of rape. Muniz said that Santana was jealous of Morales, who treated her well, and had beaten her so fiercely when he came home at 5 a.m. on the night of the alleged rape that she finally agreed to falsely accuse Morales of raping her so Santana would stop beating her.

The pastor informed the Bronx County District Attorney's office, which then interviewed Muniz and re-investigated the case. A motion for a post-conviction hearing was filed and the hearing was held in May 1997.

At the hearing, Muniz wept as she testified that "Felix was beating me at the time and Raul knew about this and he offered to help me." She said, "Raul said to me if you have any problems, just let me know and I will take care of it,

State: New York

County: Bronx

Most Serious Crime: Sexual Assault

Additional Convictions:

Reported Crime Date: 1987

Convicted: 1988

Exonerated: 1997

Sentence: 12 1/2 to 25 years

Race: Hispanic

Sex: Male

Age at the date of crime: 41

Contributing Factors: Perjury or False Accusation

Did DNA evidence contribute to the exoneration?: No

regarding Felix and I guess Felix overheard somehow and he just lost it...he couldn't handle that."

Muniz testified that at 5 a.m. when Santana came home after the Morales family party, Santana "was fiddling with the television and saying something is not right and he just turned and slapped me." She said, "He started telling me someone was there and I said, 'No one was here,' and he hit me again and he said, 'Raul raped you, didn't he?' and I said, 'No.'"

Muniz testified that she told Santana she was alone the entire time he was at the party, but "he kept hitting me and grabbed me and threw me on the bed and just kept beating me and I said, 'Yes, okay.' I was afraid for my life, your Honor, and that's why I lied."

Muniz testified that Santana was jealous of Morales' job and that after Morales was arrested, Santana took over the job of building superintendent.

At the conclusion of the hearing, the judge vacated Morales' conviction and ordered a new trial. The prosecution immediately dismissed the charges and Morales was released.

Morales later sought compensation in the New York Court of Claims, but the case was dismissed.

– *Maurice Possley*

Report an error or add more information about this case.

Posting Date: 12/12/2013

ABOUT THE REGISTRY

The National Registry of Exonerations is a project of the Newkirk Center for Science & Society at University of California Irvine, the University of Michigan Law School and Michigan State University College of Law. It was founded in 2012 in conjunction with the Center on Wrongful Convictions at Northwestern University School of Law. The Registry provides detailed information about every known exoneration in the United States since 1989—cases in which a person was wrongly convicted of a crime and later cleared of all the charges based on new evidence of innocence.

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