

**FOR IMMEDIATE RELEASE**

Contact: Mark J. McLaughlin  
(310) 277-0660 / mjm@cf-intl.com

Louisa Pensanti, Esq.  
(818) 947-7999 / louisa@pensanti-law.com

**Wrongly Accused Carjacker Walks Free Based On  
Phone and Social Media Evidence, Says Expert**

Los Angeles, CA (July 17, 2017) After being positively identified by a witness as the perpetrator of a heinous February 2016 carjacking, Enrique Garcia's first trial ended in a hung jury. He was being re-tried and faced 25 years in prison. His lawyer and former Grim Sleeper Murder Defense Attorney Louisa Pensanti, then hired Mark J. McLaughlin of Computer Forensics International, who examined Enrique's mobile phone which provided irrefutable proof that he didn't commit the crime. Last Wednesday, a downtown criminal court judge dismissed all charges and Enrique walked free into the arms of his tearful family.

"The ability to place someone at the scene of a crime is typically done by eyewitnesses, or through something unique they leave behind like fingerprints," says McLaughlin. "When digital evidence from mobile phones and social media shows a defendant was never near the crime scene, but instead in school over four miles away, you could say it holds the same weight as DNA evidence."

Outright dismissals rarely occur. This is the 3<sup>rd</sup> case McLaughlin's handled where a wrongly accused defendant walked free prior to trial.

Using Cellebrite and X1 Social Discovery forensic tools, the same ones used by law enforcement, McLaughlin and his team extracted cell tower hits, text messages and Facebook logins. This evidence painted a very clear picture that Enrique couldn't have done the crime. Cell tower hits from that day showed he never left the area of his school. However, the prosecution could still argue that he left his phone at school when he did the crime. "That's why we also put the user behind the keyboard", says McLaughlin.

Here, the content of the texts were used to bolster the defense argument. “When you’re in a texting exchange with a girl about a date, it’s highly unlikely you’re also committing a carjacking.” Unique Facebook logins also showed he was the one actually using his phone during the time in question.

It’s up to the defense attorney to recognize the possible exculpatory nature of digital evidence and bring in a forensic expert. Unfortunately, that request isn’t usually made, because most lawyers don’t understand how digital evidence can help their case. And this is especially true when the phone or social media account isn’t directly involved in the crime.

Over the last 21 years, McLaughlin has handled over 500 criminal, civil and internal investigations, examined over 2,000 digital items and is also a 3<sup>rd</sup> year law student with the goal of practicing criminal law and civil rights. McLaughlin testifies in court as an expert and even trains attorneys on how to enhance their case outcomes by using digital evidence. He says, “You can rest assured, if there’s a shred of digital evidence showing a defendant’s innocence, we’ll work long and hard to find it.”

# # #