

The National Registry
of
EXONERATIONS

EXONERATIONS IN 2013
The National Registry of Exonerations
February 4, 2014

2013 was a record-breaking year for exonerations in the United States.

The National Registry of Exonerations has recorded **87** exonerations that occurred in 2013. The next highest total was in 2009, with 83 known exonerations, and the difference is bound to grow as we learn about additional exonerations that occurred in 2013.¹

The ten states with the most exonerations in 2013 were, in order: Texas, Illinois, New York, Washington, California, Michigan, Missouri, Connecticut, Georgia, and Virginia. See Table 1.

Table 1: Exonerations in 2013 by State

Texas –	13	Michigan –	5	Massachusetts –	3	Arkansas –	1	New Jersey –	1
Illinois –	9	Missouri –	5	Maryland –	2	Arizona –	1	Pennsylvania –	1
New York –	8	Connecticut –	4	North Carolina –	2	Florida –	1	Tennessee –	1
Washington –	7	Georgia –	4	Wisconsin –	2	Indiana –	1	Utah –	1
California –	6	Virginia –	4	Wyoming –	2	Kansas –	1	Vermont –	1
<i>Federal (NY) – 1</i>									

All told, the Registry now lists **1,304** exonerations, from 1989 to February 3, 2014.

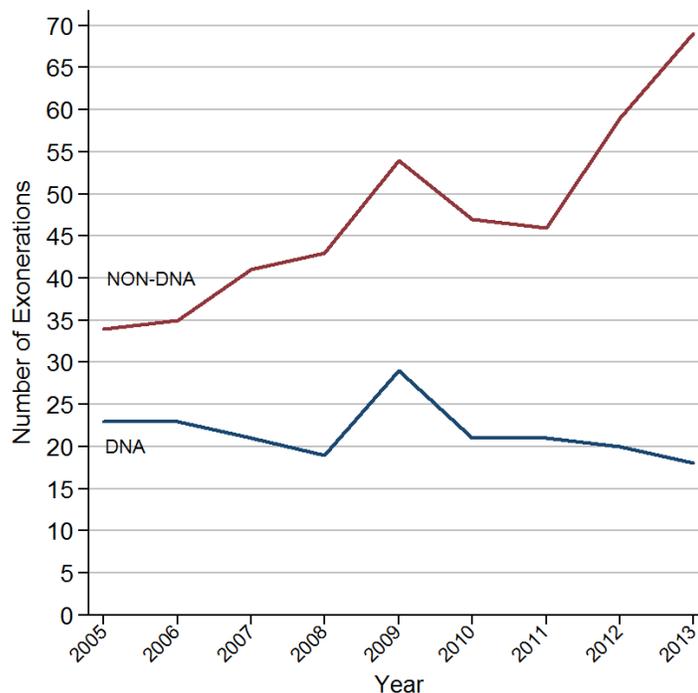
The **87** known exonerations in 2013 reflect several long term trends in exonerations in America:

- The number of DNA exonerations continued to decline slowly, as it has for most of the past decade, while the number of non-DNA exonerations rose sharply.

¹ For example, 15 of the 79 exonerations listed for 2012 were not identified until 2013. So far, only 2 exonerations that occurred in 2013 have been posted since the beginning of 2014.

- The number of exonerations in which DNA played any role has dipped from 23 in 2005, to 20 in 2012, to 18 in 2013.²
- In the same period the number of non-DNA exonerations rose from 34 in 2005, to 59 in 2012, to 69 in 2013. These two trends are displayed in Figure 1.
- The net result is that DNA exonerations, which have always been a minority of known exonerations in the United States, were about a fifth of the total in 2013.

**Figure 1: Exonerations, 2005- 2013
DNA and Non-DNA
(N=1,300)³**



- Twenty-seven of the 87 known exonerations that occurred in 2013 – almost a third of the total – were in cases in which no crime in fact occurred. This is a record number that is likely to grow as we learn about more 2013 exonerations. Almost half of these no-crime exonerations were for non-violent crimes, primarily drug convictions.

² These numbers refer to cases listed by the National Registry of Exonerations in which DNA evidence played *any* role in the process of obtaining exoneration. The Innocence Project maintains a shorter list of exonerations in which DNA evidence was *central* to establishing innocence; for 2013, the Innocence Project lists 10 DNA exonerations. See <http://www.innocenceproject.org/know/Search-Profiles.php>.

³ As of February 2, 2014.

- Fifteen of the 87 known exonerations in 2013 – 17% – occurred in cases in which the defendants were convicted after pleading guilty, also a record number. Such cases used to be far less common. The long-term rate has doubled since 2008, and the actual number continues to climb.
- The great majority of exonerations in every year we have studied were homicide and sexual assault cases. In 2013, we had 40 murder exonerations – including one exoneration of a prisoner who had been sentenced to death – and 18 exonerations that involved rape or other sexual assault.
- But the proportion of exonerations that do not involve rape or murder has grown over time, from 18% from 1989 through 1998 to 24% from 2009 through 2013. In 2013, 29 exonerations, 33% of the total, did not involve either of these extreme crimes of violence – a record number of exonerations in such cases, and a comparatively high proportion of all exonerations.
- Thirty-three known exonerations in 2013 – 38% of the total – were obtained at the initiative or with the cooperation of law enforcement. This is the second highest annual total of exonerations with law enforcement cooperation, down slightly from 2012 (39 cases, 49% of all exonerations in that year⁴) but consistent with a pattern we described a year ago: police and prosecutors appear to be taking increasingly active roles in reinvestigating possible false convictions, and to be more responsive to claims of innocence from convicted defendants.

These trends are related. One common theme is the type of evidence that's available to prove the defendant's innocence. If there's DNA from the actual criminal that does not match the defendant, proof of innocence is straightforward; otherwise it's much harder. It's harder yet when there's no way at all to identify the person who actually did it because the defendant was convicted of a crime that didn't occur: a homicide that was really an accident, a sexual assault that never happened or a non-existent drug crime for which he was framed.

A second common theme is resources and attention. Exoneration stories often note with approval that the defendant "always protested his innocence." On the other hand, innocent defendants who plead guilty have a much harder time getting attention and help from anybody – friends and relatives, the media, innocence projects, prosecutors, police, courts. One reason is that those who plead guilty get lesser sentences, and scarce resources are allocated first to those who might be executed or spend all or most of their lives in prison. That's one reason why the great majority of

⁴ In our 2012 Update, we reported that 54% of the exonerations in 2012 involved law enforcement cooperation. Since then, the number of such cases has increased and the proportion has decreased slightly as we have learned of additional exonerations that occurred in 2012. See: http://www.law.umich.edu/special/exoneration/Documents/NRE2012UPDATE4_1_13_FINAL.pdf.

known exonerations are for murder and rape, the most serious common crimes of violence with the harshest sentences.

The pattern of exonerations in 2013 suggests that we are increasingly willing to consider and act on the types of innocence claims that are often ignored: those without biological evidence or with no actual perpetrator; cases with comparatively light sentences; judgments based on guilty pleas by defendants who accepted plea bargains to avoid the risk of extreme punishment after trial. The recent increase in the number of exonerations initiated by law enforcement directly shows that police and prosecutors have become more attentive and concerned about the danger of false conviction.

Exonerations are excursions into the past. Those who were exonerated in 2013 were convicted, on average, more than 12 years earlier; some more than 30 years earlier. There is no way to tell from these cases whether we are getting better at avoiding wrongful convictions in the first place. It does seem, however, that we are working harder to identify the mistakes we made years ago and that we are catching more of them. If we are also learning from those tragic errors that have come to light, that would be a big step in the right direction.



KNOWN EXONERATIONS IN THE UNITED STATES AS OF JANUARY 1, 2014

1. Background

The [National Registry of Exonerations](#) was launched in May 2012, as a joint project of the University of Michigan Law School and the Center on Wrongful Convictions at Northwestern University School of Law. At that time the Registry listed 891 cases.

Twenty months later the Registry now includes 1,304 exonerations, an increase of 413 or 46%.

The Registry changes constantly. We add exonerations virtually every week. We have removed a few cases after learning that they do not in fact meet our criteria. And we constantly update summaries of cases that are already listed, add missing data and correct errors, based on our own research and on information from others.

We also prepare periodic reports on the Registry. Given the nature of our work, each such report is a snapshot of the state of the data on a particular date. For current information on a case and for the most recent cases, patterns and summaries, please consult the [Registry website](#).

The first and most comprehensive report was released when the Registry was launched in May 2012, [Exonerations in the United States, 1989-2012](#) (the *Exoneration Report*). It describes the 873 exonerations that we had identified and coded by the end of February 2012. That report also includes a description of 12 “group exonerations” – sets of cases in which corrupt police officers systematically framed innocent defendants for non-existent crimes, mostly possession of illegal drugs or guns. Those group exonerations included at least 1,100 additional exonerated criminal defendants who are not listed in the Registry itself.

In April 2013 we released a [2012 Update](#) that describes the status of the Registry as of the end of 2012. This report fills the same function for the year 2013. We plan to continue to issue annual reports in years to come.

2. Basic Patterns as of the Start of 2014

A. Cases Added in 2013

We added 234 exonerations to the Registry in 2013, and removed three cases which we determined did not qualify as exonerations by our criteria.

With these additions the Registry listed 1,281 exonerations on December 31, 2013.

The 234 exonerations we added in 2013 are divided into two unequal groups:

- **New exonerations.** Over a third of the exonerations we added (85/234) took place in 2013.
 - These 85 cases represent the highest number of known exonerations ever recorded for one calendar year, with 2009 coming in as the next closest year at 83. We have continued to add cases since the end of 2013, bringing our total for 2013 to 87 with no change to our 2009 total.
- **Old exonerations.** About two thirds of the cases we added (149/234) – occurred in earlier years but were not previously identified.
 - We added 15 exonerations that occurred in 2012, an increase of 23% over the 64 exonerations we previously knew about in 2012. The remaining 134 were spread out reasonably evenly from 1989 to 2011, a 14% increase in known exonerations for that entire period.

This rapid increase confirms our claim in the Exoneration Report that the exonerations we now know about are only a fraction of all exonerations that have occurred.

B. What's Changed and What Hasn't

- **The new exonerations that occurred in 2013 are generally similar to the exonerations discussed in our previous report.**
 - A significant plurality are homicide cases (46%, 39/85) – including one exoneration of a defendant who had been sentenced to death – and sexual assault cases (21%, 18/85); 21% involved DNA (18/85); 9% of the exonerees were women (8/85); 53% were black (45/85).
- **General trends:**
 - The proportion of exonerations in cases in which the defendant pled guilty continues to increase as we identify additional cases, from 8% in the Exoneration Report in May 2012, to 9% at the end of 2012, to nearly 11% at the end of 2013.

- The proportion of rape and murder exonerations is dropping. Most known exonerations still involve homicide or sexual assault or both, but that proportion is down from 83% of known exonerations on March 1, 2012; to 80% at the end of 2012; to 78% at the end of 2013. (It was 96% in the best available study in 2004.⁵)
 - The overall proportion of DNA cases continues to decline, from 35% of known exonerations in our first Report, to 33% in the 2012 Update, to 28% at the end of 2013.
 - The number of known exonerations in cases where no crime has occurred also increased, from 15% in our initial Report, to 19% in the 2012 Update, to 22% in this Report.
- **Several of these trends reflect sharp changes among the old exonerations we have added,** which account for the noticeable shifts we see in a short period of time:
 - 34% of the old exonerations we added did not include sexual assault or homicide, compared to 17% in the Exoneration Report and 20% in the 2012 Update.
 - In 42% of the old cases added, no crime occurred, compared to 15% of known exonerations in the Exoneration Report and 19% in the 2012 Update.
 - Only four of the old exonerations we added to the list involved DNA – 3%.

These trends are related. The exonerations they concern – those without DNA, where no victim was killed or raped, or no crime actually occurred – appear to be less publicized and less well-known than the archetypal exoneration we have all seen and read about repeatedly: a defendant is sentenced to death or life imprisonment after a trial for a rape-murder, and is exonerated decades later by DNA.

Our work over the past year suggests that there are many of these less dramatic exonerations that have escaped notice. We expect to find more of them in the years to come.

- **There has been a recent increase in exonerations in cases in which the defendant pled guilty.**

There have been 60 guilty-plea exonerations in the last 5 years – an average of 12 a year (and more per year than in any previous year), up from an average of 4 a year from 1989 through 2008. Through 2008, guilty-plea cases made up 8% of known exonerations; since 2009 they are 16%.

⁵ Samuel R. Gross et al., *Exonerations in the United States, 1989 Through 2003*, 95 J. CRIM. L. & CRIMINOLOGY 523 at 529 Table 1 (2005).

This may reflect greater willingness by authorities to reconsider the guilt of innocent defendants who accepted plea bargains rather than risk higher penalties at trial.

- **Death penalty exonerations continue at a high rate.** Eight percent of known exonerations occurred in cases in which the defendants were sentenced to death (105/1281). However, since death sentences are a tiny sliver of felony convictions – less than 1/100 of 1% – this reflects a uniquely high rate of exoneration.

Death row exonerations have averaged about 3 a year for the past decade, down from about 6 per year for the decade before that. This decrease is not surprising. The average time from conviction to exoneration is about 10 years in death penalty cases, and the total number of death sentences in the United States – which averaged over 280 a year from 1988 through 1999 – has dropped rapidly since 2000 to 80 per year or fewer in the past three years.⁶ The number of death row exonerations will continue to drop if the death penalty continues to lose favor in the United States and death sentences become increasingly rare.

⁶ See <http://www.deathpenaltyinfo.org/death-sentences-united-states-1977-2008>.

3. Exonerations in the Registry as of January 1, 2014

A. Who's Been Exonerated, and by What Process

Of the 1,281 individual exonerations from January 1989 through December 2013:

- 92% were men (1184/1281) and 8% were women (97/1281).⁷
- By race:
 - 47% were black (598/1281),
 - 40% were white (513/1281),
 - 11% were Hispanic (147/1281), and
 - 2% were Native American or Asian (23/1281).
- 11% pled guilty (136/1281) and the rest were convicted at trial, 81% by juries (1040/1281) and 7% by judges (91/1281). In 1% (14/1281), we don't know whether the trial conviction was by a jury or judge.
- 28% were cleared at least in part with the help of DNA evidence (363/1281).
- 72% were cleared without DNA evidence (918/1281).
- Almost all had been in prison for years; half for at least 8 years; more than 75% for at least 3 years.
- As a group, the defendants had spent nearly 12,500 years in prison for crimes for which they should not have been convicted – an average of 10 years each.⁸

As a procedural matter, these exonerations occurred in several ways; in some cases, in more than one way:

Pardons: In 106 cases, governors (or in some states, other government officers or bodies) issued pardons based on evidence of the defendants' innocence, including 42 cases of defendants whose charges had previously been dismissed, and three who had been acquitted on retrial by a jury or a judge.⁹

Dismissals: In 975 cases, criminal charges were dismissed by courts, generally on motion by the prosecution, after new evidence of innocence emerged (not counting those in which the defendant was later pardoned or received a certificate of innocence).

⁷ Because of this lopsided distribution, we generally refer to exonerated defendants using male pronouns.

⁸ This is a conservative estimate of the direct consequences of these wrongful convictions. We have not counted time spent in custody before conviction. Nor have we included time spent on probation or parole, or time on bail or other forms of supervised release pending trial, retrial, or dismissal, even though all of these conditions involve restrictions on liberty – some mild, some onerous.

⁹ Under the Texas Wrongful Imprisonment Act (the "Tim Cole Act"), for example, an exonerated defendant may need a pardon even after a dismissal or an acquittal in order to be eligible for compensation for wrongful incarceration. *See* TEX. CIV. PRAC. & REM. CODE ANN. § 103.001 (2011).

Acquittals: In 169 cases, the defendants were acquitted on retrial on the basis of newly presented evidence that they were not guilty of the crimes for which they were originally convicted, mostly by juries (156 cases), occasionally by judges (13 cases).

Certificates of Innocence: In a small but growing number of cases – 29 to date – courts have issued “certificates of innocence,” “declarations of wrongful imprisonment,” or similar judgments of innocence.¹⁰ (In two case, the defendants had already received executive pardons.)

Posthumous Exonerations: Twelve defendants received posthumous exonerations; three of them also received judicial declarations of innocence, and one of those three received an executive pardon as well.

Overall, 29% of known exonerations in the United States since 1989 included **cooperation by police or prosecutors** or both. As we have mentioned, the number and proportion of such cases appear to be increasing over time.¹¹

B. Exonerations by Crime

As before, the great majority of known exonerations at the end of 2013 are homicide cases (47%) and sexual assault cases (31%). But the proportion of exonerations in cases that do not involve homicide, rape or child sex abuse continues to climb, from 4% in the first comprehensive national report on exonerations in 2005,¹² to 17% in the Exoneration Report, to 20% in the 2012 Update, to 22% in this Report.

¹⁰ See, e.g., 735 ILL. COMP. STAT. 5/2-702 (2012) (detailing Illinois’s procedure for filing a petition for a certificate of innocence).

¹¹ See *supra* n. 3 and related text. The numbers of exonerations by year and official cooperation are tabulated below:

		Exonerations With Prosecutor or Police Cooperation (PPC) Over Time																									
		'89	'90	'91	'92	'93	'94	'95	'96	'97	'98	'99	'00	'01	'02	'03	'04	'05	'06	'07	'08	'09	'10	'11	'12	'13	TOTAL
PPC Cases		7	5	8	10	9	4	10	9	6	7	8	20	20	22	16	14	17	17	18	23	20	18	14	39	32	373
All Cases		20	21	32	27	26	24	29	43	41	32	46	68	74	56	71	53	56	58	62	62	83	68	65	79	85	1,281
% PPC		35%	24%	25%	37%	35%	17%	34%	21%	15%	22%	17%	29%	27%	39%	23%	26%	30%	29%	29%	37%	24%	26%	22%	49%	38%	29%

¹² Samuel R. Gross et al., *Exonerations in the United States, 1989 Through 2003*, 95 J. CRIM. L. & CRIMINOLOGY 523 at 529 Table 1 (2005).

Table 2: Exonerations by Crime, 1989 – 2013

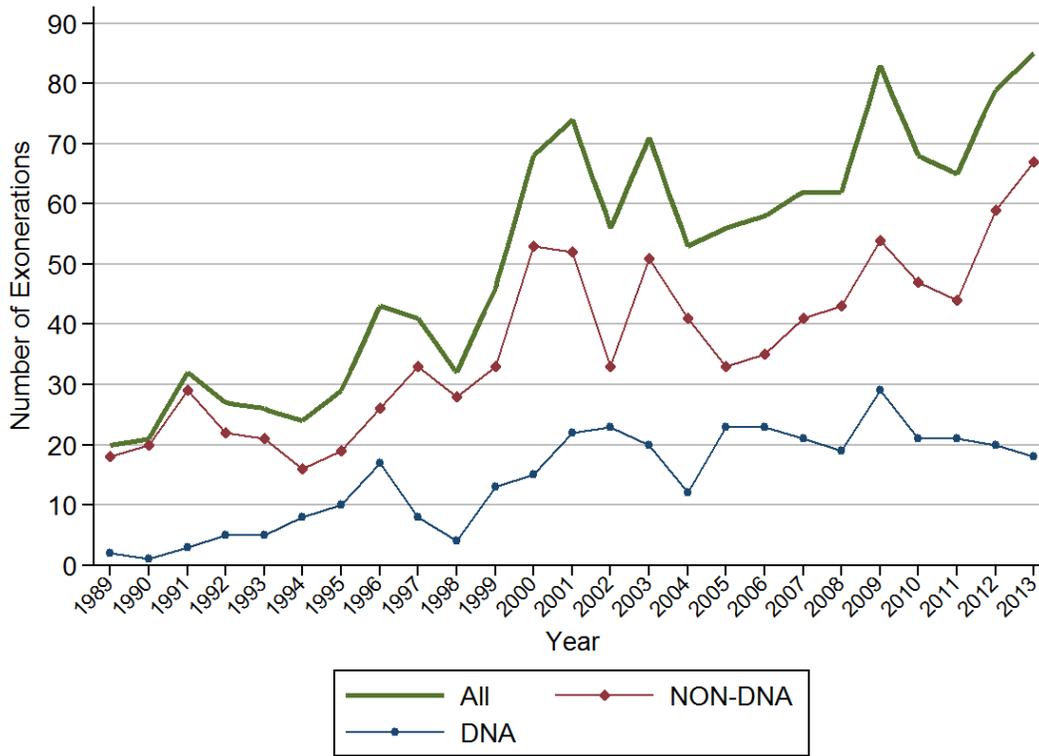
<u>CRIME</u>		
Homicide	47%	(597)
Murder	45%	(579)
Death sentences	8%	(105)
Other murder convictions	37%	(474)
Manslaughter	1%	(18)
Sexual Assault	31%	(398)
Sexual assault on an adult	19%	(244)
Child sex abuse	12%	(154)
Other Crimes of Violence	13%	(169)
Robbery	6%	(77)
Assault	3%	(38)
Attempted murder	2%	(26)
Arson	0.8%	(10)
Kidnapping	0.5%	(6)
Child Abuse	0.3%	(4)
Supporting Terrorism	0.2%	(2)
<i>Miscellaneous</i>	0.5%	(6)
Non-Violent Crimes	9%	(117)
Drug crimes	4%	(51)
Tax/Fraud/Bribery & Corruption	2%	(20)
Gun Possession	0.6%	(8)
Solicitation/Conspiracy	0.5%	(7)
Theft/Stolen Property	0.5%	(6)
Sex Offender Registration	0.3%	(4)
Destruction of Property	0.2%	(2)
<i>Miscellaneous</i>	1%	(19)
TOTAL	100%	(1281)

C. Exonerations over Time

As before, we see a rapid increase in the number of known exonerations, from 20 in 1989 to 46 in 1999, followed by an uneven plateau since 2000. But the number of exonerations we know about has increased across the entire range of years that we cover. From 2000 through 2013 the annual total has ranged from 53 to 85, and averaged 67; in the 2012 Update that average was 58 per year.

The increase occurred entirely among non-DNA exonerations. DNA exonerations now average 21 per year since 2000 – 31% of the known exonerations, down from 34% in the 2012 Update. Overall, the proportion of known exonerations based on DNA has dropped from 37% as of those known on March 1, 2012; to 32% at the end of 2012; to 28% at the end of 2013.¹³ See Figure 2.

Figure 2: Number of Exonerations by Basis, Over Time



¹³ The actual numbers of exonerations by year and basis are tabulated below:

BASIS	'89	'90	'91	'92	'93	'94	'95	'96	'97	'98	'99	'00	'01	'02	'03	'04	'05	'06	'07	'08	'09	'10	'11	'12	'13	TOTAL
DNA	2	1	3	5	5	8	10	17	8	4	13	15	22	23	20	12	23	23	21	19	29	21	21	20	18	363 (28%)
Other	18	20	29	22	21	16	19	26	33	28	33	53	52	33	51	41	33	35	41	43	54	47	44	59	67	918 (72%)
TOTAL	20	21	32	27	26	24	29	43	41	32	46	68	74	56	71	53	56	58	62	62	83	68	65	79	85	1281 (100%)

D. DNA and Non-DNA Cases, and Time to Exoneration

A majority of DNA exonerations – 51% – are adult sexual assault cases (184/363); they account for 75% of all adult sexual assault exonerations. As we have noted, the proportion of DNA cases has dropped since March 2012 as we continue to identify other less well known exonerations. This drop has occurred across all categories of crime. See Table 3.¹⁴

Table 3: Proportion of Exonerations Based on DNA, by Category of Crime

Homicide	24% (141/597)
All Sexual Assaults	53% (210/398)
Sexual Assault on an adult	75% (184/244)
Child sex abuse	17% (26/154)
Other Crimes of Violence	7% (12/169)
Drug and Property Crimes	0% (0/117)
ALL CASES	28% (363/1281)

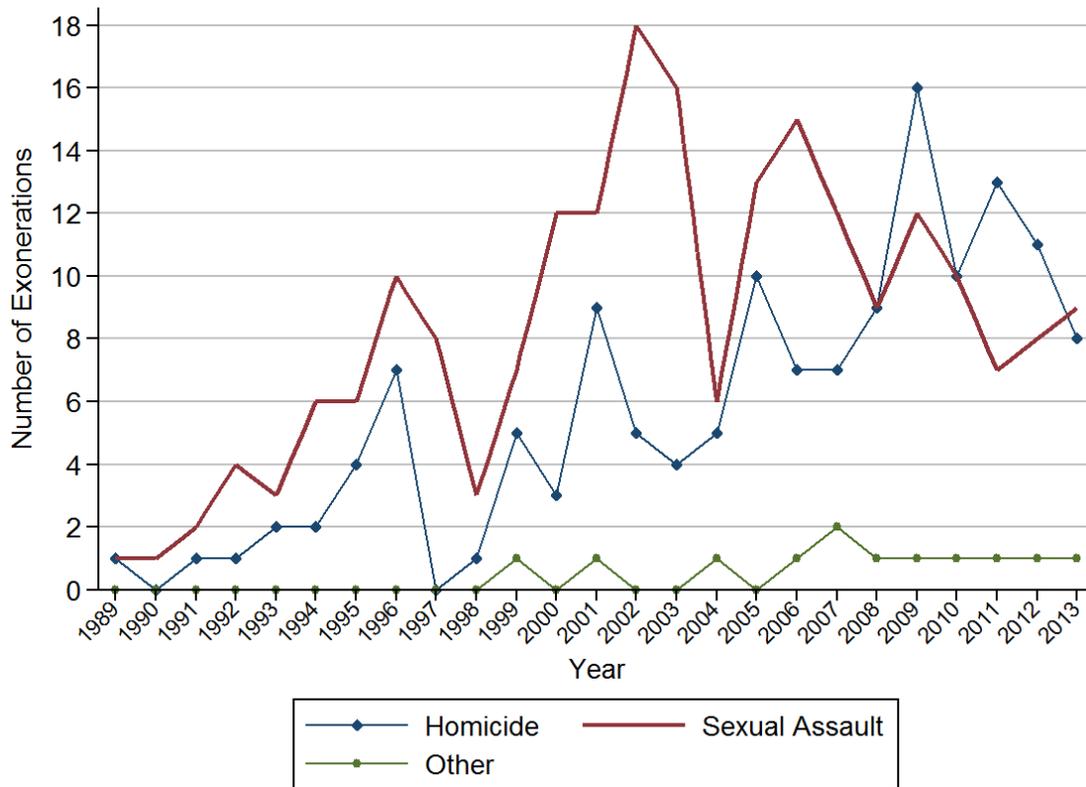
In the Exoneration Report in May 2012 we noted that in the past few years, the number of DNA exonerations in murder cases has exceeded the number in rape cases. That pattern has become better established. From 1989 through 2007, 66% of DNA exonerations were rape cases (155/235); since 2008, that proportion has dropped to 43%. See Figure 3.

¹⁴ For comparison, here is the same table as it appeared in the Exoneration Report that was released in May 2012:

Table 3: Proportion of Exonerations Based on DNA, by Category of Crime

Homicide	30% (123/416)
All Sexual Assaults	63% (193/305)
Sexual Assault on an adult	84% (170/203)
Child sex abuse	23% (23/102)
Other Crimes of Violence	10% (9/94)
Drug and Property Crimes	0% (0/58)
ALL CASES	37% (325/873)

Figure 3: DNA Exonerations by Crime, Over Time



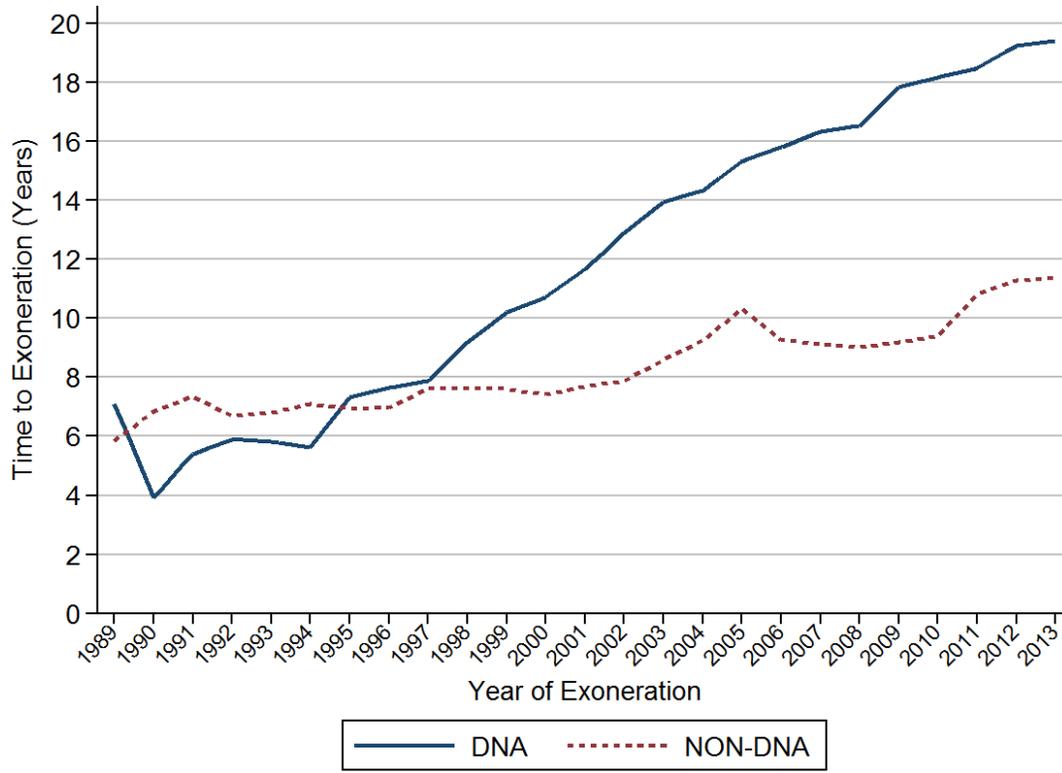
Despite this shift, rape remains a factor in more than two thirds of DNA exonerations. In 49% of the DNA homicide exonerations in our data (69/141), the defendant was also convicted of a sexual assault, and in another 20% of DNA murder exonerations, there was a rape for which the defendant was not convicted, usually because it was not charged (28/141). In other words, DNA exonerations are increasingly about rape-murder rather than rape alone.

The main underlying reason for this shift is probably the aging pool of potential DNA exonerations. The average time to a DNA exonerations has increased from 6 years in 1993 to 19 years in 2013. See Figure 4. This should be no surprise. Nowadays, 25 years after the first DNA exonerations, if there is probative DNA in a major felony prosecution it is generally tested *before* trial. This has become increasingly true over the past 20 years. As a result, DNA exonerations are increasingly dominated by defendants who were convicted 20 to 30 years ago or longer. Innocent murder defendants are much more likely to be in prison 25 to 30 years after conviction than innocent rape defendants, and they and their supporters are more likely to continue to press for their release.

DNA has been used in a handful of robbery and attempted murder exonerations. Recently, a lot of attention has focused on the potential of DNA as an investigative tool for property crimes, from burglary to auto theft. While DNA may be gaining a foothold in pretrial investigations of

such cases, it seems to have had little impact on reinvestigating property crimes after conviction, at least so far.

Figure 4: Time to Exoneration by Factual Basis (Five-Year Moving Average)



E. Exonerations by Race and Sex

Black defendants continue to be over-represented among exonerees, particularly in sexual assault, robbery and drug cases. (The proportion of black exonerees is also high in attempted murder cases, 69%, but there are only 26 such cases in the data.) As we noted last year, the disparity is greatest in sexual assault cases. Black defendants constitute 25% of prisoners incarcerated for rape, but 61% of those exonerated for such crimes.

Overall, the proportion of black exonerees has dropped a bit from the Exoneration Report, from 50% to 47%, with corresponding drops across most crime categories. See Table 4.

Table 4. Exonerations by Race Of Defendant and Type of Crime

	White	Black	Hispanic	Other	TOTAL
Homicide (597)	39%	46%	13%	1%	100%
Sexual Assault (244)	33%	<u>61%</u>	5%	0%	100%
Child Sex Abuse (154)	<u>63%</u>	25%	9%	3%	100%
Attempted Murder (26)	15%	<u>69%</u>	12%	4%	100%
Robbery (77)	23%	<u>58%</u>	17%	1%	100%
Other Violent Crimes (66)	44%	38%	9%	9%	100%
Drug Crime (51)	24%	<u>55%</u>	22%	0%	100%
Other Non-Violent Crimes (66)	<u>59%</u>	27%	12%	2%	100%
ALL CRIMES (1,281)	40%	47%	11%	2%	100%

Fewer than 8% of known exonerations involved female defendants (97/1281). The crimes for which female exonerees were convicted were generally similar to those for male exonerees, with a conspicuous exception. Nearly a third of both genders were convicted of sexual assaults, but the men were overwhelmingly convicted of raping adult victims, and the women were all convicted of child sex abuse. See Table 5.

In general, women are heavily concentrated among exonerations in which the victims were children and in cases in which no crime was committed (as opposed to the great majority of cases, in which there was a crime but someone else did it). Overall, 64% of the female exonerees (62/97) were convicted of crimes that never occurred – mostly child sex abuse – but only 19% of the men were convicted in no-crime cases (224/1184), and 47% of female exonerees were convicted of violent crimes against children (46/97), compared to 25% (297/1184) of male exonerees.

Table 5: Exonerations by Gender and Crime

CRIME	MALE (1,184)	FEMALE (97)
Homicide	47%	46%
Sexual Assault	21%	-
Child Sex Abuse	11%	26%
Child Abuse	-	3%
Other Crimes of Violence	13%	7%
Non-Violent Crimes	8%	18%
TOTAL	100%	100%

F. Causes of False Convictions

For all exonerations, the most common causal factors that we have identified are: perjury or false accusation (56%); official misconduct (46%); and mistaken eyewitness identification (38%). See Table 6.

Table 6: Exonerations by Crime and Contributing Factors
(N=1,281)

	Mistaken Witness Identification	Perjury or False Accusation	False Confession	False or Misleading Forensic Evidence	Official Misconduct
Homicide (597)	26%	<u>65%</u>	20%	23%	<u>58%</u>
Sexual Assault (244)	<u>75%</u>	32%	7%	<u>34%</u>	19%
Child Sex Abuse (154)	18%	<u>81%</u>	7%	24%	<u>47%</u>
Robbery (77)	<u>82%</u>	21%	1%	5%	27%
Other Violent Crimes (92)	<u>47%</u>	<u>48%</u>	8%	13%	<u>43%</u>
Non-Violent Crimes (117)	9%	<u>54%</u>	2%	6%	<u>56%</u>
ALL CASES (1,281)	<u>38%</u>	<u>56%</u>	12%	22%	<u>46%</u>

The proportions in Table 6 are generally similar to those in the Exoneration Report in May 2012, except that the percentage of cases with mistaken witness identifications has decreased (from 43

to 38), and the percentages of cases with perjury or false accusations and with official misconduct have increased (from 51 to 56 and from 42 to 46, respectively.)

We noted in the Exoneration Report that the proportion of exonerations with mistaken eyewitness identifications is lower than previous reports, primarily because we have done a more careful job than before in separating eyewitness errors and eyewitness lies. That remains true.

The other main finding of the Exoneration Report in this regard was that, as best we can tell, false conviction is not one pathology with a single set of contributing risk factors but a set of several different problems with different causal structures depending on the crime. That too remains true:

- For homicide exonerations, the leading cause of false conviction is *perjury or false accusations*, mostly *deliberate misidentifications*. Homicide cases also include a high rate of *official misconduct*, and 75% of all *false confessions* in the database.
- The great majority of sexual assault and robbery exonerations include *mistaken eyewitness identifications*, mostly by the victims. Many sexual assault cases also include *bad forensic evidence*.
- Child sex abuse exonerations, by contrast, primarily involve false testimony by victims who *fabricated crimes* that never occurred at all.
- The small number of drug crime exonerations we have found have a high rate of *deliberate misidentifications* in the context of crimes that did occur.

F. Exonerations by Jurisdiction

The 1,281 exonerations we knew about at the end of 2013 came from 46 states, the District of Columbia, the Commonwealth of Puerto Rico, at least 23 federal districts, and the military. In May 2012 we reported that the top ten states in numbers of exonerations were, in descending order: Illinois, New York, Texas, California, Michigan, Louisiana, Florida, Ohio, Massachusetts and Pennsylvania. Two reports later, these same ten states lead the count but their order has changed. See Table 7.

Table 7: Exonerations by State, Top Ten

<u>Exoneration Report</u>		<u>2012 Update</u>		<u>2013 Report</u>	
January 1989–February 2011 (N = 873)		January 1989–December 2012 (N =1,050)		January 1989–December 2013 (N =1,281)	
1. Illinois	101	1. California	119	1. New York	152
2. New York	88	2. Texas	114	2. California	136
3. Texas	84	3. Illinois	112	3. Texas	133
4. California	79	4. New York	104	4. Illinois	124
<i>[Federal</i>	<i>39]</i>	<i>[Federal</i>	<i>52]</i>	<i>[Federal</i>	<i>62]</i>
5. Michigan	35	5. Michigan	40	5. Michigan	45
6. Louisiana	34	6. Florida	38	6. Florida	45
7. Florida	32	7. Louisiana	38	7. Pennsylvania	41
8. Ohio	28	8. Pennsylvania	32	8. Louisiana	40
9. Massachusetts	27	9. Massachusetts	31	9. Ohio	38
10. Pennsylvania	27	10. Ohio	31	10. Massachusetts	36

The top four states have not changed, but their order has been rearranged twice. From the first report to the second, California added 40 cases – 50% of its total – and went from fourth place to first. From the second report to the third, New York added 48 cases, and also moved from fourth place to first. These rapid changes do not reflect bumper crops of recent exonerations in California and New York. Only 5 of the 40 California exonerations added from March through December 2012 occurred in that time span, and only 8 of the 48 exonerations added in New York in 2013 occurred in that year.

The main reason for the rapid increases in the number exonerations in California and later in New York is the nature of the searches we have been conducting. In 2012, we concentrated our search for past exonerations on California because it is the most populous state in the union and had a comparatively low per capita exoneration rate, so we thought we might find many cases we had missed. In 2013, we devoted more attention to New York. As we move on to other smaller states, we expect to continue to find exonerations from years past that we do not yet know about.

The numbers of exonerations in Table 7 are driven in part by population. The top four states – California, Texas, New York and Illinois – are, in that order, the 1st, 2nd, 3rd and 5th most populous; and the our sixth ranked state in number of exonerations, Florida, is 4th in population. Table 8 displays rates exonerations per capita for the ten states with the largest numbers of exonerations; Table 9 lists the ten states with the highest per capita rates.¹⁵ Three of the states in

¹⁵ The rates of exonerations per capita reported in Tables 8 through 11 are standardized. The raw number is divided by the national average (0.408 per 100,000). Thus the standardized rate per capita for the nation as a whole is 1.000,

the top four on Table 7 make the list in Table 9. Illinois and New York are in the top three in exonerations per capita, as they were in prior reports, and Texas is ranked 8th. On the other hand, California, the most populous state, has a per capita rate of exonerations of 0.876, below the standardized national average of 1.

Table 8: Number of Exonerations, Top Ten States

State	Number of Exonerations	Rate per Capita, Standardized
1. New York	152	1.903
2. California	136	0.876
3. Texas	133	1.251
4. Illinois	124	2.360
5. Michigan	45	1.116
6. Florida	45	0.571
7. Pennsylvania	41	0.787
8. Louisiana	40	2.130
9. Ohio	38	0.807
10. Massachusetts	36	1.327
Nation	1,281	1.000

Table 9: Exonerations Per Capita, Top Ten States

State	Rate per Capita, Standardized	Number of Exonerations
1. Illinois	2.360	124
2. Louisiana	2.130	40
3. New York	1.903	152
4. Oklahoma	1.542	24
5. Massachusetts	1.327	36
6. Wisconsin	1.327	31
7. Wyoming	1.275	3
8. Texas	1.251	133
9. Washington	1.208	34
10. Missouri	1.180	29
Nation	1.000	1281

Criminal prosecutions in the United States are almost always handled by county rather than state authorities. There are 3,143 counties in the United States; we know of exonerations in 404 of them. In Table 10 we display the top 10 counties in the country by number of exonerations. In Table 11 we show the top counties in exonerations per capita, for counties with populations over 300,000.¹⁶

by definition; the rate for Illinois, for example, means that Illinois had 2.360 times more exonerations per capita than the national average; and the rate for Florida means that Florida had 0.571 times the national average of exonerations per capita. All rankings are based on 2012 data from the United States Census Bureau, which reports a national population of 313,914,040. See http://quickfacts.census.gov/qfd/download_data.html.

¹⁶ If we included smaller counties, the list would consist entirely of counties with fewer than 100,000 people that happened to have a single exoneration or a group of several. See note 12, above, for a description the standardized rate of exonerations per capita. For the purpose of this analysis, we treat the District of Columbia as a county.

**Table 10: Number of Exonerations
Top Ten Counties**

County	Number of Exonerations	Rate per Capita, Standardized
1. Cook IL (Chicago)	95	4.450
2. Los Angeles CA	50	1.230
3. Dallas TX	49	4.893
4. Bronx NY	29	5.046
5. Kings NY (Brooklyn)	29	2.770
6. New York, NY (Manhattan)	26	3.935
7. Kern CA	23	6.583
8. Harris TX (Houston)	22	1.267
9. Suffolk MA (Boston)	21	6.913
10. Wayne MI (Detroit)	21	2.871
Nation	1,281	1.000

Table 11: Exonerations Per Capita, Top Ten Counties with Population over 300,000

County	Rate per Capita, Standardized	Number of Exonerations
1. New Orleans LA	9.955	15
2. Suffolk MA (Boston)	6.913	21
3. Kern CA	6.583	23
4. Jefferson LA	5.651	10
5. Bronx NY	5.046	29
6. Dallas TX	4.893	49
7. Cook IL (Chicago)	4.450	95
8. New York NY (Manhattan)	3.935	26
9. Montgomery TX	3.537	7
10. Clark WA	3.355	6
Nation	1.000	1281

Several large and medium sized counties have exoneration rates 5 to 10 times the national average: New Orleans; Boston; Kern County, California; Jefferson County, Louisiana; and Bronx County, New York. Three very large counties – Cook County, Illinois, Los Angeles and Dallas – have more exonerations each than all but a few states. On the other hand, there are no known exonerations at all in nearly 90% of all counties in the United States, including some with large populations. Table 10 lists the 8 counties with more than 900,000 people but no known exonerations, or just one.

Table 12: Counties with More than 900,000 People and No More than One Exoneration

County	Population	Number of Exonerations
Riverside CA	2,268,783	1
San Bernardino CA	2,081,313	0
Hennepin MN	1,184,576	1
Fairfax VA	1,118,602	1
Honolulu HI	976,372	0
Wake NC	952,151	1
Pinellas FL	921,319	1
Bergen NJ	918,888	0

We believe these numbers reflect our ignorance of exonerations that have occurred. For example, in southern California, Orange County and San Diego County, with just over 3 million people apiece, have 9 and 14 known exonerations respectively – while two adjoining counties, San Bernardino and Riverside, have over 4.3 million people and just one known exoneration between them. It’s possible that almost no exonerations have occurred in San Bernardino and Riverside, but we think it’s far more likely that there have been at least several that we have not yet learned about.

This pattern is changing. The Exoneration Report, based on data from March 2012, listed 16 large counties with no more than one exoneration. In the 2012 Update, we were down to 10. Now, in the 2013 Update, we are down to 8. Overall, the number of counties with known exonerations has increased by 20%, from 337 at the end of 2012 to 404 at the end of 2013. We expect that pattern to continue as we continue to learn about more cases from years past.

A complete list of the number of exonerations by state and county is available with this report (see p. 35). It is also possible sort exonerations by county on the [Summary View](#) page of our website in order to obtain the names of exonerees in each county.

The National Registry
of
EXONERATIONS

ILLUSTRATIVE EXAMPLES OF EXONERATIONS ADDED IN 2013

The following 8 cases, all added to the Registry in 2013, exemplify trends in the cases we see:

- A variety of crimes are represented here, not just rape and murder.
- Just one of the eight cases is a DNA exoneration.
- Seven of the eight cases were defendants who were exonerated in 2013.
- Four of the cases listed—one arson, two assaults, and one murder—were cases where no crime actually occurred. Two of these cases were accidents while the other two involved lies from “victims” about the occurrence of a crime.
- One of the cases involves a female exoneree.
- In one case, the defendant pled guilty to the crime he was exonerated of.



[Joseph Awe](#)
State: WI
Crime: Arson
Exonerated: 2013
Key Factors: No Crime (accident)

(Photo courtesy of
Wisconsin State Journal)

In May 2010, Joseph Awe began serving a three year sentence for a 2006 arson. He was exonerated in 2013, two months before he was due to be released, when new forensic evidence proved the fire was accidental.

A fire erupted in J.J.’s Pub in Harrisville, Wisconsin, in the early morning hours of September 11, 2006. No one was hurt in the blaze, though the entire bar and the unoccupied apartment above it were a complete loss.

The next day, before police and firefighters had even determined the cause of the fire, they listed

the owner of the bar, 36-year-old Joseph Awe, as the primary suspect. The Mt. Morris Mutual Insurance Company, which provided coverage on the building and stood to pay \$200,000 if the fire was an accident, began its own investigation of the fire.

After receiving a tip from an informant that Awe had mentioned “many times” that he wanted to burn the building down, Awe was charged with arson. The informant, who had six traffic charges and two felony drug charges pending, testified against Awe at a preliminary hearing after the prosecution dismissed the charges pending against him.

Awe went on trial in December 2007. The informant did not testify due to his lengthy criminal record, but arson experts testified for the prosecution. The experts were hired by the insurance company, but the prosecution did not disclose this to the defense. The experts testified that the fire was intentionally set by someone who punched a hole in the back of the bar and set the building ablaze and claimed that there was no other possible cause of the fire.

Awe testified in his own defense and explained that the building had extensive electrical problems. As an example, Awe testified that when circuit breakers switched off due to a short circuit, they had to be turned back on with a pool cue to avoid getting a shock. Awe’s defense attorney called a fire expert who testified the fire was electrical, but he had previously only investigated four fires.

On December 20, 2007, a jury convicted Awe and he was sentenced to three years in prison and nine years supervision. The insurance company sued Awe in an attempt to recover the \$76,000 it spent in its investigation of the fire. Awe remained free while he appealed his conviction, but began serving his sentence in May 2010 when his last appeal was denied.

In May 2011, the Wisconsin State Journal published a series of articles questioning the neutrality of the experts hired by the insurance company and presenting the opinions of independent fire experts who said the fire was electrical. As a result, Awe filed a motion for a new trial, which was granted in March 2013. The prosecution dismissed the charge in April.

Awe was released two months before his three year sentence would have expired. He has filed a lawsuit against the Mt. Morris Mutual Insurance Company, which is still pending.



Malcolm Emory

State: Massachusetts

Crime: Assault

Exonerated: 1990

Key Factors: No Crime (false accusation)

In 1970, Malcolm Emory was convicted of throwing a brick at a police officer at an anti-Vietnam war protest. He was exonerated 20 years later after he discovered an unpublished newspaper photo of the demonstration that showed he was beaten without cause. In the photo (above), Emory is being dragged across the ground by a police officer while holding an armful of books.

In January 1970, Emory, a 19-year-old Northeastern University student, paused on his way home from the library to watch an anti-Vietnam war demonstration. A melee broke out and Emory, who was studying physics on a full scholarship from the Navy, was beaten by police and arrested. The arresting officer, Vincent P. Logan, reported that Emory was holding a brick in one hand and a concrete block in the other, and that Emory threw the brick at him, striking him in the chest. Emory insisted that he was holding his books the entire time and had not even participated in the demonstration.

After his arrest, Emory was treated for cuts on his arms and got stitches in his head, chin and elbow. He was then charged with assault and battery with a dangerous weapon on a police officer. At trial, Logan testified that he struck Emory with his baton to subdue him after Emory threw the brick at him. Logan denied that Emory was carrying books. Emory was convicted and sentenced to six months in jail, which was suspended, and three years' probation. His scholarship was revoked. He was forced to resign from his job at the United States Naval Underwater Sound Laboratory and was stripped of his security clearance.

Emory left Boston and spent the next 15 years working various jobs around the country, his career severely hampered by his felony conviction. In 1985, he returned to Massachusetts, and made a trip to the Boston public library, where he searched for photos from the Boston Globe from the day after he was arrested. Though the newspaper had not printed any photos that could prove Emory's innocence, he tracked down the photographer who shot the demonstration, and learned of a set of unpublished photos. It took Emory's attorneys four years of negotiations to convince the Globe to let him to view the unpublished images without a subpoena, but when he did, he found a picture of himself being dragged away by police, still clutching his books.

Armed with this definitive evidence of his innocence, Emory was granted a new trial, and in April 1990 the charges against him were dismissed. The following day, Northeastern University granted Emory a full scholarship to complete his studies. In 1991, he graduated with a bachelor's degree in physics.

In 1992, Officer Logan pled guilty to accepting bribes to overlook liquor law violations and was sentenced to 90 days in jail.

Emory filed a state malicious prosecution lawsuit against Logan and on April 8, 1994, a jury awarded him \$250,000 in damages.

Emory's story is especially noteworthy because the Registry learned of the case from another exoneree, [Donald Glassman](#), who is now a student at Brooklyn Law School.



[Denis Field](#)

State: Federal (Southern District of New York)

Crime: Tax Fraud, Conspiracy

Exonerated: 2013

Key Factors: Non-violent crime, federal prosecution

In 2011, Denis Field, the former CEO of BDO Seidman, was convicted of tax fraud and conspiracy for participating in the creation and marketing of illegal tax shelters when he was the manager of the tax shelter group at BDO. Field was exonerated two years later at a second trial when evidence was presented that he acted in good faith and followed his lawyers' advice.

Between 1994 and 2004, according to the indictment, a group of seven financial executives and lawyers conspired to defraud the federal government by creating tax shelters that appeared to generate profits, but in actuality generated fraudulent tax losses and deductions. According to the government, the conspiracy defrauded the government out of billions of dollars.

Two members of the conspiracy pled guilty and testified against Field and the other four co-defendants at trial. In the spring of 2011, after a 12 week trial, Field and three others were convicted while the fifth co-defendant was acquitted.

After the trial, but before sentences were imposed, the trial judge awarded Field and two of his co-defendants a new trial because a member of the jury lied about the fact that she was a suspended attorney and an alcoholic during the jury selection process. The fourth defendant's

conviction remained intact because his attorneys knew about the lies at the trial, but failed to say anything to the court.

Field went on trial again in the fall of 2013 with one of his co-defendants. The other co-defendant pled guilty prior to the second trial.

The key evidence presented against Field was a report written by BDO's outside attorneys. The report provided advice about best practices related to the tax shelters and included a section entitled "Possible IRS Reactions." That section, which pointed out that the IRS would likely look unfavorably on the tax shelters, was deleted at the request of Field and BDO's in-house attorney, which the prosecution argued showed that Field was trying to defraud the IRS.

Prior to the second criminal trial, Field's attorneys discovered that an in-house attorney from BDO and an outside attorney from the firm which authored the report were deposed in a civil trial. In his deposition, the in-house attorney testified that he gave advice to the tax-shelter group and agreed with the edits that Field made to the report. The outside law firm's attorney testified that he was comfortable with Field's edits and that the IRS section was beyond the scope of the work his firm had been hired to complete.

At the second criminal trial, the defense used these depositions to argue that Field followed his lawyers' advice and that he acted in good faith when he suggested the section be deleted from the report.

On October 31, 2013, after 8 weeks of trial, the jury acquitted Field (who was free on bond) of all charges. The remaining co-defendant was convicted.



Nicole Harris

State: IL

Crime: Murder

Exonerated: 2013

Key Factors: No Crime (accident), False Confession

Nicole Harris was wrongfully convicted of killing her four-year-old son Jaquari in 2005 after he was found asphyxiated by an elastic band that had come loose from a fitted bed sheet. She was exonerated 8 years later when evidence was presented that police coerced her into confessing and that the boy's brother saw him wrap the band around his neck while he was playing "Spiderman."

On May 14, 2005, Harris and her boyfriend left their two sons, Jaquari, age four and Diante, age five, home alone while they went across the street to launder some clothing. When they returned home partway through the process, they found the boys outside the apartment, scolded them, and ordered them to bed. Harris' boyfriend stayed in the apartment and took a nap, while Harris finished the laundry. When Harris' boyfriend woke up, he discovered Jaquari with the elastic band wrapped 10 times around his neck. Despite efforts to resuscitate him, the boy died.

Police questioned Harris over a period of 27 hours, during which Harris said she was threatened, pushed, called names, and denied food, water, and use of the bathroom. Eventually, she gave a videotaped confession saying she strangled the boy with the elastic band because he would not stop crying after she disciplined him for leaving the apartment. She was charged with first degree murder and went on trial in October 2005.

Diante told investigators that his brother liked to pretend he was Spiderman by wrapping the sheet's elastic band around his neck and jumping off the bed. But the jury never heard this story because the trial judge found that Diante, then six years old, was incompetent to testify. On October 26, 2005, the jury convicted Harris and she was sentenced to 30 years in prison.

After her appeals failed, Harris filed a motion for a new trial arguing that the judge applied the wrong standard when he decided that Diante was incompetent to testify. Harris also argued that her trial attorney was constitutionally ineffective for failing to call an investigator who would have testified that Diante saw his brother wrap the band around his neck and accidentally asphyxiate himself.

The motion was denied, as was a federal habeas corpus petition based on the same arguments. In 2012, the Seventh Circuit U.S. Court of Appeals agreed with Harris, vacated her conviction, and ordered a new trial. The state appealed the ruling to the U.S. Supreme Court, and Harris was released on bond in February 2013 while the appeal was decided. On June 3, 2013, the Supreme Court refused to hear the appeal and on June 17, 2013, the prosecution dismissed the charge.

In January 2014, Cook County Circuit Court Chief Judge Paul P. Biebel, Jr. awarded Harris a certificate of innocence, which qualifies her for compensation under the Illinois Court of Claims Act. Harris, who has an undergraduate degree in psychology, is currently applying to graduate schools and working to rebuild her relationship with Diante.



Andrew Johnson

State: WY

Crime: Rape, Burglary

Exonerated: 2013

Key Factors: DNA Exoneration

(Photo courtesy of Rocky Mountain Innocence Project)

In 1989, Andrew Johnson was wrongly convicted of rape and burglary in Cheyenne, Wyoming. He was exonerated in 2013 after DNA testing showed that the semen recovered in the rape kit excluded Johnson and belonged to the victim's then-fiancé. Johnson was the first person exonerated by DNA evidence in Wyoming.

On the night of the crime, a neighbor called 911 when she heard glass breaking in the house next door. When police arrived at the victim's house, they found her hiding in the bathroom. The glass window in the front door was broken and an identification card for 39-year-old Andrew Johnson was in the living room. The victim identified Johnson as her attacker and claimed that they had been drinking together earlier in the evening before she left him at a bar and returned home alone. She reported that she went to sleep and awoke to the sound of Johnson breaking in to the house.

Johnson admitted drinking with the victim, but denied assaulting her or going to her home after she left him at the bar, though he did explain that he had been at the victim's house earlier in the evening and had left his identification card there after using it to crush up some marijuana they had smoked.

At his trial, a crime lab analyst testified that blood tests on semen recovered from the victim showed that Johnson was among five percent of the population that could have left the biological evidence. At the time of the trial in September 1989, DNA testing was in its infancy and the biological material recovered in the rape kit was not DNA tested. Johnson was convicted and sentenced to life in prison.

In 2008, Wyoming enacted a statute providing prisoners with the right to petition courts for DNA testing in selected cases. The Rocky Mountain Innocence Center, which had worked to get the statute drafted and passed, filed a petition on Johnson's behalf in 2012 and it was granted.

The Innocence Center also discovered that the victim's fiancé had been abusive to her in the past, and that Johnson's trial attorney had never attempted to determine if the fiancé was out of town at the time of the attack, as the victim had claimed at trial.

In 2013, the DNA tests excluded Johnson as the perpetrator. Further tests showed that the DNA profile matched the victim's then-fiancé, though she claimed they had not had sex for three weeks prior to the attack.

Armed with the DNA test results, Johnson's attorneys filed a motion for a new trial, which was granted in April 2013. Johnson was released on bond pending a new trial, and in July 2013, the Laramie County District Attorney's office dismissed the charges.



David Ranta

State: New York

Crime: Murder, Robbery, Violent

Exonerated: 2013

Key Factors: Official Misconduct, Prosecutor Cooperation (Conviction Integrity Unit)

In 1991, David Ranta was wrongly convicted of the murder of Chaskel Werzberger, an esteemed rabbi in Brooklyn, New York. Ranta was exonerated 22 years later after a re-investigation by the Kings County Conviction Integrity Unit uncovered evidence that police pressured and bribed witnesses to testify against Ranta.

Rabbi Werzberger was shot and killed on the morning of February 8, 1990, during a botched robbery. The shooter attempted to rob a jewelry courier when he left his apartment that morning carrying a 50-pound suitcase full of jewelry. When the courier got into his car, he saw a man approaching with a handkerchief over his face and a pistol drawn. The courier backed his car into the man, knocking him down, and sped away. The robber then walked over to Rabbi Werzberger, who was warming up his car nearby. He shot the rabbi, yanked him out of the car and drove away.

The rabbi's murder shocked the city and a \$10,000 reward was offered for information. Many witnesses came forward, and more than a hundred names were offered as potential suspects, including Thomas Joseph Astin (who died in a car crash while being pursued by police two months after the rabbi's murder).

In June, with the murder still unsolved, Detective Louis Scarcella began interviewing two convicted felons, Dmitry Drikman and Alan Bloom, who were facing further criminal charges. The detective said that Bloom admitted that he attempted to rob the courier with 35-year-old David Ranta, an unemployed house painter with previous arrests for theft, robbery and drug possession. Drikman and his girlfriend then implicated Ranta as well.

Ranta was arrested in August and placed in a police lineup. The courier, who described the gunman as tall and clean-shaven, with blonde hair – a description that did not match Ranta – did not identify anyone in the lineup. Over the course of two days, several witnesses failed to identify Ranta, but several others did choose him.

At Ranta's 1991 trial, prosecution witnesses included Bloom and Ranta's ex-girlfriend. The courier testified that Ranta was not the gunman. Ranta was convicted and sentenced to 37 years in prison.

In 1996, Thomas Joseph Astin's wife signed an affidavit saying that before he was killed in a car crash, her husband admitted that he killed Werzberger. Despite this affidavit, Ranta's motion for a new trial was denied.

In 2011, the Kings County Conviction Integrity Unit, created by then-District Attorney Charles Hynes, began to re-investigate cases of possible wrongful conviction, including Ranta's case. Investigators learned that one of the witnesses who identified Ranta in the lineup had been told by a detective to pick "the guy with the big nose," so he picked Ranta. During the weeks when police were interrogating Bloom and Drikman, both were allowed to leave jail, smoke crack cocaine and have sex with prostitutes in return for implicating Ranta. Drikman and his girlfriend recanted their statements implicating Bloom and Ranta. Bloom had since died.

On March 21, 2013, based on this new evidence of innocence, Ranta's conviction was vacated and he was released.

In response to mounting questions about the legitimacy of Detective Scarcella's tactics, the Kings County Conviction Integrity Unit undertook a review of over 50 murder cases he investigated.

In May 2013, Ranta filed a \$150 million civil rights lawsuit against the State of New York for his wrongful imprisonment, which is still pending.



Adam Tatum

State: Tennessee

Crime: Assault, Drug Possession

Exonerated: 2013

Key Factors: No Crime (false accusation), Guilty Plea

In 2012, Adam Tatum was wrongfully convicted of assault on a police officer and possession of marijuana. He was exonerated in 2013 after a security video showed police brutally beating Tatum without cause.

In June 2012, police arrived at a re-entry housing facility for convicted felons in Chattanooga, Tennessee, supposedly in response to a call about a confrontation between two residents, Adam Tatum and Adam McGhee.

When Officers Sean Emmer and Adam Cooley approached Tatum and McGhee, both men turned to walk away. The officers then attacked Tatum, who was in the facility completing a sentence for a 2002 federal robbery charge.

Emmer grabbed Tatum and, with Cooley's help, threw him to the floor. Both officers beat Tatum viciously with their metal batons. Tatum's left leg was fractured in two places and one of the broken bones pierced his skin, sending blood spurting onto the floor. His left leg was fractured in six places. More officers arrived, and one leaned over Tatum and punched him in the face and head repeatedly. Tatum was handcuffed and forced to walk from the facility down the sidewalk, where he collapsed after about 100 feet. While waiting for an ambulance, Emmer kicked Tatum in the legs and chest, knocking him backward to the ground.

Inside, officers attempted to clean up the blood and later said they picked up a knife from the floor—although the knife was never inventoried or mentioned in any written report.

When Tatum arrived at the hospital, there was so much blood on his body that medical personnel at first believed he had been shot. Surgery was required to fix his legs.

Tatum was charged with assault on both officers, assaulting McGhee and possession of marijuana.

After the prosecution showed the defense a photograph that they contended showed Tatum with a pocket knife in his hand, Tatum pled guilty to assaulting the officers and possession of marijuana, and was sentenced to nearly 2 years in prison.

Four months after he pled guilty, a security video of the incident was revealed publicly for the first time. The video provided evidence of the severity of the beating and also showed that before police arrived, there was no sign of a confrontation between Tatum and McGhee.

The prosecution had not disclosed the existence of the video to Tatum's attorney.

On March 11, 2013, Tatum was allowed to withdraw his guilty plea to the police assault and marijuana charges. He pled guilty to assaulting McGhee and the other charges were dismissed by the prosecution. He was sentenced to six months in jail and got credit for time served.

Cooley and Emmer, the police officers who first arrived on the scene and began beating Tatum, were fired. Tatum filed a multi-million dollar civil rights suit against Cooley, Emmer and the Chattanooga Police Department. The lawsuit was settled for \$125,000 in December 2013. Tatum said he will walk with a permanent limp.

The video of the beating can be viewed at:

<http://www.timesfreepress.com/videos/2013/feb/27/6464/>.

WARNING: This video is extremely violent and disturbing.



[Daniel Taylor](#)

State: Illinois

Crime: Murder, Robbery, Home Invasion

Exonerated: 2013

Key Factors: False Confession, Official Misconduct, Prosecutor Cooperation

In 1995, 17-year-old Daniel Taylor was convicted of murder, robbery, and home invasion, despite police records showing that he was in police lockup at the time of the crime. He was exonerated in 2013 based on evidence of innocence uncovered by Chicago Tribune reporters Steve Mills and Maurice Possley (now the Registry's Senior Researcher).

In November 1992, Jeffrey Lassiter, a drug dealer, and Sharon Haugabook, a prostitute, were fatally shot in Lassiter's apartment on the North Side of Chicago, Illinois. Taylor was arrested after being implicated by two teenage drug dealers, one of whom had an IQ of 70. After hours of police interrogation, Taylor confessed to participating in the crime with several others who had also been implicated by the drug dealers. The other defendants also confessed. After being released, Taylor quickly retracted his confession, insisting that at the time of the crime he had been miles away in police lockup after being picked up for fighting in a park.

Though police records showed that Taylor was in custody and not released until an hour after the murders took place, police claimed that the records were incorrect. Two police officers filed a belated report stating that Taylor was seen near the scene of the crime shortly after the murders. In August 1995, based mainly on the testimony of these officers and his confession, Taylor was convicted and sentenced to life in prison without parole. Four other defendants were also convicted.

In December 2001, the Chicago Tribune published a series of articles describing a history of false and coerced confessions obtained by Chicago police. The series included a wealth of newly discovered evidence of Taylor's innocence. One of the two police officers who reported seeing Taylor near the crime scene had been accused by a judge of lying under oath just months before the murders. A record from the youth center where Taylor lived showed he returned to the facility at 3 a.m. – not 10 p.m. as police had claimed. And two witnesses who had implicated Taylor recanted their statements against him.

In response, the Cook County State's Attorney's Office said it conducted a re-investigation of the case, but concluded that Taylor was guilty.

For years, Taylor filed appeals but was unable to obtain a hearing. Finally, in response to a motion for new trial filed by Northwestern University's Center on Wrongful Convictions that disclosed how prosecutors had hidden evidence of Taylor's innocence, prosecutors agreed to vacate his conviction and dismissed the charges. In June 2013, Taylor was released after more than 20 years in prison.

In light of their decision to release Taylor, prosecutors agreed to re-examine the case of another co-defendant, Deon Patrick. In January 2014, the charges against Patrick were dismissed and he was released. Two other co-defendants, who served their full sentences and have been released from prison, Lewis Gardiner and Paul Phillips, filed petitions in January 2014 to vacate their convictions.

In January 2014, Cook County Circuit Court Chief Judge Paul P. Biebel, Jr. awarded Taylor and Patrick certificates of innocence, which qualifies them for compensation under the Illinois Court of Claims Act.

The National Registry
of
EXONERATIONS

Exonerations by State and County 1989–2013

In order to obtain the names of the exonerees in each county, sort exonerations by county on the [Summary View](#) page of our website.

Alabama (18)

Baldwin (1)
Choctaw (1)
Coffee (1)
Jefferson (7)
Marshall (1)
Monroe (1)
Montgomery (3)
Morgan (2)
Tuscaloosa (1)

Alaska (2)

Anchorage (1)
Petersburg (1)

Arizona (13)

Coconino (1)
Maricopa (5)
Pima (6)
Yavapai (1)

Arkansas (4)

Clark (2)
Pulaski (1)
Sebastian (1)

California (136)

Alameda (3)
Butte (1)
Contra Costa (4)
Fresno (2)
Humboldt (1)
Kern (23)

Lake (1)
Los Angeles (50)
Marin (1)
Merced (1)
Monterey (2)
Orange (9)
Riverside (1)
Sacramento (2)
San Diego (12)
San Francisco (4)
San Joaquin (1)
San Mateo (2)
Santa Barbara (1)
Santa Clara (10)
Siskiyou (2)
Solano (3)

Colorado (3)

Denver (1)
Larimer (1)
Mesa (1)

Connecticut (15)

Fairfield (4)
Hartford (4)
Middlesex (1)
New Haven (6)

District of Columbia (10)

Florida (45)

Bradford (1)
Brevard (2)
Broward (10)

DeSoto (1)
Duval (1)
Hillsborough (5)
Manatee (3)
Martin (2)
Miami-Dade (5)
Monroe (1)
Orange (2)
Palm Beach (4)
Pasco (3)
Pinellas (1)
Polk (4)

Georgia (24)

Carroll (1)
Chatham (3)
Clayton (2)
Cobb (1)
Columbia (1)
DeKalb (3)
Fulton (4)
Gwinnett (1)
Hart (1)
Houston (1)
Meriwether (1)
Muscogee (1)
Rabun (1)
Rockdale (1)
Tift (1)
Whitfield (1)

Hawaii (1)

Maui (1)

Idaho (2)

Canyon (1)
Kootenai (1)

Illinois (124)

Champaign (2)
Cook (95)
DuPage (4)
Edgar (2)
Iroquois (2)
Jackson (1)
Kane (3)

Lake (5)
Lawrence (1)
Madison (1)
McHenry (1)
McLean (2)
St. Clair (4)
Will (1)

Indiana (16)

Allen (1)
Decatur (1)
Elkhart (2)
Floyd (1)
Hancock (1)
Henry (2)
Knox (1)
Lake (2)
Madison (1)
Marion (2)
St. Joseph (1)
Vigo (1)

Iowa (8)

Cerro Gordo (1)
Clinton (1)
Marshall (1)
Pottawattamie (4)
Woodbury (1)

Kansas (4)

Douglas (1)
Riley (1)
Sedgwick (1)
Shawnee (1)

Kentucky (9)

Bullitt (1)
Butler (1)
Jefferson (4)
Kenton (1)
Whitley (2)

Louisiana (40)

Caddo (1)
Calcasieu (1)

East Baton Rouge (1)
Iberia (1)
Jackson (1)
Jefferson (10)
Orleans (15)
Plaquemines (1)
Sabine (1)
St. Tammany (3)
Terrebonne (2)
Union (2)
Washington (1)

Maryland (18)

Anne Arundel (1)
Baltimore (3)
Baltimore City (7)
Calvert (1)
Charles (1)
Howard (1)
Montgomery (2)
Prince George's (1)
Wicomico (1)

Massachusetts (36)

Berkshire (1)
Bristol (1)
Hampden (5)
Middlesex (6)
Plymouth (1)
Suffolk (21)
Worcester (1)

Michigan (45)

Branch (2)
Dickinson (1)
Hillsdale (1)
Ingham (1)
Ionia (1)
Jackson (1)
Kent (1)
Macomb (6)
Newaygo (1)
Oakland (3)
Otsego (4)
St. Clair (2)
Wayne (21)

Minnesota (6)

Douglas (1)
Hennepin (1)
Ramsey (3)
St. Louis (1)

Mississippi (14)

Bolivar (1)
Forrest (3)
Hinds (4)
Lowndes (1)
Noxubee (2)
Oktibbeha (1)
Panola (1)
Sunflower (1)

Missouri (29)

Boone (1)
Cass (1)
Christian (2)
Clay (2)
Cole (4)
Greene (2)
Jackson (3)
Jasper (1)
Jefferson (1)
Osage (1)
Randolph (1)
Scott (1)
St. Louis (4)
St. Louis City (4)
Vernon (1)

Montana (4)

Gallatin (1)
Richland (1)
Silver Bow (1)
Yellowstone (1)

Nebraska (8)

Douglas (1)
Gage (6)
Lancaster (1)

Nevada (4)

Churchill (2)
Clark (2)

New Hampshire (1)

Rockingham (1)

New Jersey (16)

Atlantic (1)

Burlington (1)

Essex (5)

Gloucester (1)

Hudson (1)

Middlesex (1)

Monmouth (1)

Ocean (1)

Passaic (2)

Somerset (1)

Union (1)

New Mexico (2)

Bernalillo (1)

Grant (1)

New York (152)

Bronx (29)

Cayuga (2)

Clinton (1)

Dutchess (1)

Erie (8)

Jefferson (2)

Kings (29)

Madison (1)

Monroe (7)

Nassau (3)

New York (26)

Niagara (1)

Oneida (2)

Onondaga (3)

Ontario (2)

Orange (1)

Queens (17)

Richmond (1)

Rockland (1)

St. Lawrence (1)

Suffolk (8)

Tompkins (1)

Westchester (5)

North Carolina (27)

Alamance (1)

Bertie (1)

Brunswick (1)

Buncombe (2)

Catawba (2)

Chowan (2)

Duplin (2)

Durham (1)

Forsyth (3)

Guilford (1)

Lee (1)

Madison (1)

Mecklenburg (2)

Onslow (2)

Union (1)

Wake (1)

Wayne (2)

Wilson (1)

Ohio (38)

Athens (1)

Cuyahoga (10)

Franklin (8)

Hamilton (4)

Hocking (1)

Licking (1)

Lucas (2)

Montgomery (2)

Pike (1)

Portage (2)

Sandusky (1)

Summit (3)

Tuscarawas (1)

Vinton (1)

Oklahoma (24)

Bryan (2)

Cleveland (3)

Custer (1)

Kingfisher (1)

Muskogee (1)

Oklahoma (6)

Osage (1)

Pontotoc (3)

Tulsa (6)

Oregon (7)

Clackamas (1)
Lane (2)
Multnomah (2)
Polk (1)
Yamhill (1)

Pennsylvania (41)

Adams (1)
Allegheny (7)
Bedford (1)
Berks (2)
Bucks (1)
Cambria (1)
Centre (1)
Chester (1)
Cumberland (1)
Dauphin (5)
Delaware (3)
Erie (2)
Fayette (1)
Lancaster (1)
Lawrence (2)
Lehigh (1)
Montgomery (1)
Philadelphia (9)

Puerto Rico (3)

Humacao (1)
Mayaguez (1)
San Juan (1)

Rhode Island (4)

Kent (2)
Providence (2)

South Carolina (4)

Dillon (1)
Lancaster (1)
Lexington (1)
Orangeburg (1)

Tennessee (10)

Hamilton (1)
Jefferson (1)

Maury (1)
McMinn (1)
Shelby (3)
Sumner (2)
Union (1)

Texas (133)

Angelina (2)
Atascosa (1)
Bexar (2)
Brown (1)
Burlleson (1)
Cameron (1)
Collin (2)
Dallas (49)
El Paso (4)
Ellis (2)
Hale (1)
Harris (22)
Hopkins (1)
Hutchinson (1)
Jefferson (3)
Lamb (2)
Lubbock (2)
McLennan (4)
Montgomery (7)
Navarro (1)
Nueces (2)
Pecos (1)
Rains (2)
San Jacinto (2)
Shelby (1)
Smith (1)
Tarrant (4)
Travis (8)
Upshur (1)
Uvalde (1)
Williamson (1)

Utah (7)

Beaver (1)
Cache (1)
Juab (2)
Salt Lake (2)
Weber (1)

Vermont (1)

Windham (1)

Virginia (35)

Arlington (3)

Augusta (1)

Chesapeake City (1)

Culpeper (3)

Fairfax (1)

Greensville (1)

Hampton City (3)

Hanover (1)

James City (1)

Loudoun (3)

Nelson (1)

Newport News City (2)

Norfolk City (5)

Powhatan (1)

Prince William (1)

Richmond City (5)

Virginia Beach City (2)

Washington (34)

Benton (1)

Chelan (11)

Clark (6)

Cowlitz (1)

Grant (1)

King (4)

Pierce (4)

Spokane (5)

Yakima (1)

West Virginia (8)

Cabell (1)

Kanawha (5)

Pocahontas (1)

Wood (1)

Wisconsin (31)

Brown (1)

Buffalo (1)

Dane (4)

Dodge (1)

Douglas (1)

Eau Claire (1)

Jefferson (1)

Kewaunee (1)

Langlade (1)

Manitowoc (2)

Marquette (1)

Milwaukee (10)

Racine (1)

Rock (2)

Washington (1)

Winnebago (1)