



THE NATIONAL REGISTRY  
OF EXONERATIONS

# 25,000 YEARS LOST TO WRONGFUL CONVICTIONS

**GOVERNMENTS PAID MORE THAN \$2.9 BILLION  
IN COMPENSATION, BUT MORE THAN HALF OF  
THOSE EXONERATED RECEIVED NOTHING**

In 2018, the National Registry of Exonerations reported a grim milestone: Exonerated defendants had collectively served 20,000 years in prison for crimes they did not commit. Just three years later, in June 2021, we reached another: Time lost to false convictions exceeded 25,000 years. The total now stands at 25,004 years, on average more than 8 years and 11 months in prison for each of the 2,795 exonerees in the Registry. Innocent Black defendants served a majority of that time – a total of 14,525 years lost to unjust imprisonment.

The National Registry of Exonerations reports every known exoneration in the United States since 1989, a total of 2,795 as of June 1, 2021. Dozens of defendants exonerated since our 2018 report served more than 25 years in prison for crimes they did not commit. [Ronnie Long](#) was convicted of rape in 1976 in North Carolina, following a trial marred by [official misconduct](#), mistaken eyewitness testimony, perjury, and false forensic evidence. He served almost 44 years before being exonerated in 2020. [Clifford Williams Jr.](#) and his nephew, [Hubert Nathan Meyers](#), spent more than 42 years in a Florida prison (several of which Williams served on death row) for a murder they did not commit before their exonerations in 2019. Their trial was marred by [prosecutorial misconduct](#), mistaken eyewitness testimony, and an inadequate legal defense.

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UNIVERSITY OF MICHIGAN LAW SCHOOL & MICHIGAN STATE UNIVERSITY COLLEGE OF LAW

Not all of the exonerees who served many years for crimes they did not commit were convicted of violent crimes like murder or rape. [Lawrence Martin](#) spent nearly 19 years in California prisons for possession of a knife with a locking blade. He was sentenced under the state’s “Three Strikes” law, which relied upon past convictions to compound his punishment into a life sentence. Martin was released in 2017, and exonerated in 2020, after the California Supreme Court ruled that police and prosecutors were applying an overly broad definition of a locking blade. In effect, Martin had committed no crime at all.

It is hard to fathom spending decades in prison, knowing all the while that you are innocent. But even those who served relatively short sentences suffered tremendously. People often refer to the time we have spent in 2020 and 2021 under COVID-19 restrictions as a “lost year.” We’ve missed the ability to travel freely, socialize with friends, and see loved ones. For people wrongfully incarcerated, every year is a lost year. To exonerees who served sentences of a year or two for crimes they did not commit, it must have felt like an eternity. For those who served decades, the suffering is incomprehensible.

Unfortunately, the 2,795 exonerations we know about only begin to tell the story of wrongful convictions and the toll they take. Many exonerations remain unknown to us, though we keep looking. The vast majority of false convictions go uncorrected and therefore are never counted. Our calculation also does not include time lost to the thousands of people cleared in large-scale [group exonerations](#), which arise when groups of defendants are cleared upon the discovery of a common pattern of systemic misconduct by a government official in the investigation and prosecution of their cases. Finally, our calculations include only time spent in prison *after* the wrongful conviction and consequently do not capture the significant time lost in custody awaiting trial. Put simply, while 25,000 years is a staggering number, it is a significant undercount of the true losses these falsely convicted men and women suffered.

## YEARS LOST BY CRIME AND RACE

In general, the length of time exonerated defendants spent in prison reflects the severity of the crimes for which they were wrongly convicted. The time lost ranges from 1.3 years for drug crime exonerations to 14.1 years for murder exonerations.

**Table A: Average Number of Years Lost per Exoneration, by Race and Crime**

	<b>Black</b>	<b>White</b>	<b>Hispanic</b>	<b>Other</b>	<b>All Races</b>
<b>All Crimes</b>	<b>10.4</b>	<b>7.5</b>	<b>7.5</b>	<b>6.8</b>	<b>8.9</b>
<b>Murder</b>	15.6	12.4	12.0	14.2	<b>14.1</b>
<b>Sexual Assault</b>	13.7	9.3	10.5	9.7	<b>12.0</b>
<b>Child Sex Abuse</b>	11.4	6.6	7.9	4.1	<b>8.0</b>
<b>Drug Crimes</b>	1.4	1.2	1.6	0.8	<b>1.3</b>
<b>Robbery</b>	6.6	5.5	6.0	8.1	<b>6.3</b>
<b>Other</b>	4.7	2.8	3.5	3.9	<b>3.7</b>

Black exonerees spent an average of 10.4 years in prison, significantly more than white exonerees, who averaged 7.5 years. This pattern holds across categories of crimes for which the exonerees were convicted.<sup>1</sup> African Americans are greatly over-represented among innocent defendants who have been exonerated, and even more so for time spent in prison for crimes they did not commit. They account for roughly 13% of the population, but constitute 49.7% of exonerees, and served 58% of all lost years by exonerated defendants.

**Table B: Percentage of Exonerations and Years Lost, by Race**

		<b>Black</b>	<b>White</b>	<b>Hispanic</b>	<b>Other</b>	<b>All Races</b>
<b>Number of Exonerations</b>		<b>50%</b> <b>(1,390)</b>	<b>36%</b> <b>(1,006)</b>	<b>12%</b> <b>(329)</b>	<b>3%</b> <b>(70)</b>	<b>100%</b> <b>(2,795)</b>
<b>Number of Years Lost</b>	<b>All Crimes</b>	58% (14,525)	30% (7,540)	10% (2,462)	2% (478)	<b>100%</b> <b>(25,004)</b>
	<b>Murder</b>	60% (9,001)	28% (4,327)	10% (1,518)	2% (256)	<b>100%</b> <b>(15,103)</b>
	<b>Sexual Assault</b>	67% (2,761)	26% (1,060)	6% (241)	1% (39)	<b>100%</b> <b>(4,101)</b>
	<b>Child Sex Abuse</b>	38% (898)	51% (1,186)	10% (238)	1% (21)	<b>100%</b> <b>(2,344)</b>
	<b>Drug Crimes</b>	63% (327)	18% (95)	17% (89)	1% (5)	<b>100%</b> <b>(515)</b>
	<b>Robbery</b>	66% (583)	17% (153)	14% (120)	3% (24)	<b>100%</b> <b>(879)</b>
	<b>Other</b>	46% (955)	35% (718)	12% (256)	6% (133)	<b>100%</b> <b>(2,062)</b>

## COMPENSATION

One imperfect but highly important measure of the cost of these false convictions that end in exoneration is the compensation that exonerees receive for their ordeals. Professor Jeffrey Gutman of the George Washington University Law School continues his comprehensive study of the compensation received by exonerees in the Registry.<sup>2</sup> He focuses in part on compensation for years lost to wrongful imprisonment.

Professor Gutman studied the 2,637 exonerations in state courts that were posted in the Registry as of March 31, 2021. These 2,637 exonerations totaled 24,530 lost years, about 98% of the total in the Registry as of June 1, 2021.

The set of compensation awards Professor Gutman studied is necessarily incomplete. In some cases, claims for compensation were still pending when data collection closed; in others, exonerees had

<sup>1</sup> See Table A, supra, note 1. We found a similar pattern of differences between black and Hispanic exonerees, but we are not confident of the accuracy of the classification of exonerees as “Hispanic” in a substantial number of cases.

<sup>2</sup> See, e.g., Jeffrey S. Gutman and Lingxiao Sun, “Why is Mississippi the Best State in Which to be Exonerated? An Empirical Evaluation of State Statutory and Civil Compensation for the Wrongly Convicted,” 11 Ne. U. L. Rev. 694 (2019).

not yet filed claims, but the time to do so had not run out. As time passes, some exonerees in these groups will receive compensation. Nonetheless, Professor Gutman’s work provides an extraordinarily valuable view of the field.

Professor Gutman examined two forms of compensation: (i) no-fault *statutory compensation for wrongful imprisonment*, now available in thirty-six states and the District of Columbia; and (ii) verdicts and settlements in *civil lawsuits for damages* for deprivation of federal civil rights or for other misconduct by government officials that led to the wrongful convictions. While 90% of state-court exonerations take place in jurisdictions with a statutory compensation scheme, only about 41% of incarcerated exonerees in states with compensation statutes received statutory compensation. Almost 23% of all incarcerated exonerees received compensation from civil lawsuits.

Combining these two modes of compensation, Professor Gutman found that:

- State and municipal governments have paid more than \$2.9 billion in compensation—\$756 million in statutory awards for wrongful imprisonment and almost \$2.2 billion in judgments and settlements in civil lawsuits.
- Only about 45% of exonerees received any compensation for the damage to their lives; 55% have received nothing, at least so far.
- The compensation paid so far covers slightly more than 57% of all the years lost by exonerees.

Awards under state compensation statutes typically employ formulas keyed to the length of the wrongful imprisonment, but judgments and settlements in civil suits are less predictable.

Nearly \$3 billion is a lot of money in any situation – and especially in the context of the chronically underfunded criminal justice system – but it is nothing close to adequate compensation for the suffering these exonerees endured. Even so, that sum provides nothing to 55% of exonerated defendants – and nothing to the many thousands of innocent defendants who spend years or decades in prison but are never exonerated.

## CONCLUSION

Nine years ago, the National Registry of Exonerations was launched with reports on 891 innocent defendants who had been convicted of crimes in the United States and fully exonerated since 1989. We now list almost 2,800 exonerations and have just passed a bleak milestone: Those exonerated defendants served more than 25,000 years in prison for crimes they did not commit.

Since our 2018 report on years lost to wrongful incarceration, the Registry has recorded an additional 5,000 years lost to wrongful convictions in less than three years. These years span the addition of approximately 635 exonerees. This is approximately 7.9 years per wrongful conviction, which is less than our average of nearly nine years across our entire database.

So, what has changed in the past three years? First is the sharp increase in exonerations for wrongful convictions of drug possession, which often do not carry long prison sentences but can still be profoundly disruptive to the lives and families of defendants. At the heart of this increase are the dozens of Chicago defendants wrongfully convicted of drug crimes based on misconduct by a [single police officer](#).

Of particular note during the past three years is the continued increase in conviction integrity units, or CIUs. Once mostly confined to a handful of large cities, there are now 85 CIUs in operation, including six – in Delaware, Michigan, New Jersey, New York, Pennsylvania, and Virginia – that are statewide.

Thirty-five of these CIUs began operations after January 2019. Many have yet to record their first exoneration, but we believe these organizations will play a critical role in identifying and rectifying wrongful convictions.

Most prosecutors and attorneys general are elected officials, and the rise of these conviction integrity units represents an important shift in our criminal justice system. Since the death of George Floyd on May 25, 2020, our criminal justice system has been the focus of intense – and well-deserved – scrutiny. Rigorous post-conviction review of cases is a critical part of this process.

While reform has to be focused on preventing wrongful convictions and prosecutions, it is also necessary for the state to correct past injustices, to right wrongs.

Compensation for persons wrongfully convicted, either through state payment programs or through the settlement of litigation, can be a powerful incentive for reform. Money is important. But it cannot truly make up for the years lost to incarceration. There is a spiritual and emotional debt that cannot be repaid. Compensation comes in many forms.

On April 13, 2021, Ashley and Albert Debelbot were exonerated of murder in the death of their infant daughter. The district attorney did something unusual for a prosecutor. He apologized for the unfairness of their trial.

Speaking to reporters later, Ashley Debelbot said, “I thought I would never hear that being said to me, ever. Once you’ve been incarcerated, the word ‘Sorry’ never comes up, at all.”

**EVERY STORY COUNTS.** 

# NOTABLE CASES

While the average time lost per exoneree is 8.9 years for each of the 2,795 men and women in the National Registry of Exonerations, 183 people spent 25 years or more in prison before they were exonerated of crimes they did not commit. Of those, 67 people spent more than 30 years. The list of these exonerees and their time served from conviction until release is on the Registry website.

Below are thumbnail sketches of five people who were freed in the past three years and whose stories illustrate the cruelties of wrongful convictions. You can read their full stories on the National Registry of Exonerations by clicking the hyperlinks embedded in each exoneree's name.

## JERMAINE HUDSON

In 2000, [Jermaine Hudson](#) was sentenced to life in prison for armed robbery in New Orleans. The only witness was his accuser, who told jurors he was sure it was Hudson because he was good with faces.

The jury delivered a non-unanimous verdict, which was then legal in Louisiana. Twenty years later, after the U.S. Supreme Court had struck down these verdicts, attorneys for Hudson filed a motion for a new trial. The state agreed to vacate Hudson's conviction, but demanded that Hudson plead guilty and be released on time served. Then, at the last minute, the robbery victim came forward. He said he had lied at the trial and had been haunted by his lie ever since. There had been no robbery. He had spent his work money on drugs and didn't want to face his father. Hudson's attorney called this disclosure "one of the miracles of the universe." Hudson was exonerated on March 26, 2021.

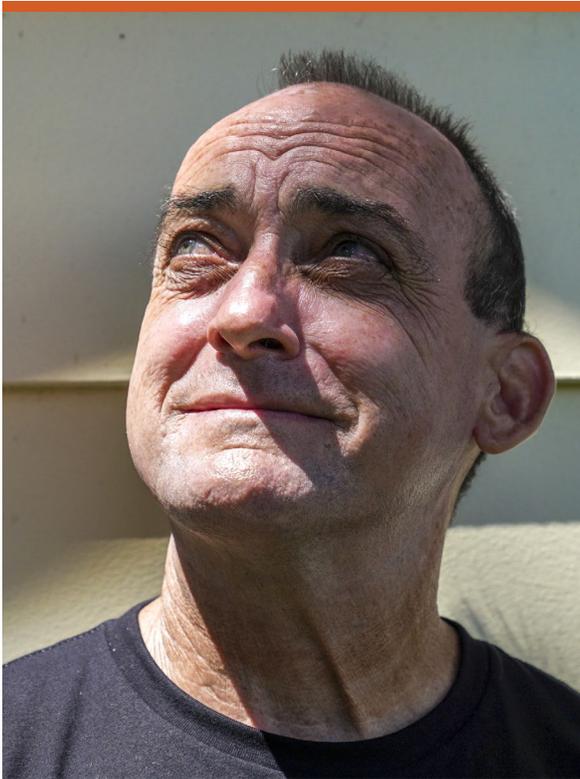


At the time, Hudson noted that he had turned down a plea deal of five years in prison, because he was not going to admit to something he did not do. "I just thank God that it's finally over," he said. "Thank God for revealing the truth. I forgive the guy and pray that he gets his life back on track."

## ELMER DANIELS

Elmer Daniels was sentenced to life in prison for rape in 1980 in Wilmington, Delaware. He was 18 years old. Police and prosecutors used now-discredited hair analysis to place Daniels at the crime scene, and he became a suspect through a series of misstatements and mistakes that tied him to a witness.

After 35 years in prison, Daniel was paroled, but was returned to prison for parole violations. With his sex-offender status, he could not find a job. He would not admit his guilt, making it impossible to complete a sex-offender therapy program. His case is a reminder that the impact of a wrongful conviction can extend beyond incarceration. Eventually, Daniels's attorney obtained records contradicting the state's witnesses, and new testing of physical evidence showed he was not the assailant. When his case was dismissed in late 2018, he had been in prison or on parole for nearly 39 years.



## ROBERT DUBOISE

Robert DuBoise was sentenced to death in 1985 for the murder and attempted rape of a woman in Tampa, Florida. Later, his sentence was commuted to 25 years to life. DuBoise was convicted largely on the basis of testimony by a forensic odontologist who said that a bitemark on the victim's cheek was made by DuBoise's teeth. After DuBoise's conviction, bite-mark analysis was shown to be extremely unreliable in identifying or eliminating suspects. In addition, further analysis of the evidence in the case suggested that there was never a bitemark in the first place. DNA testing of old evidence also excluded DuBoise as a contributor, and his attorneys were able to show that prosecutors had failed to disclose favorable treatment of key witnesses.

DuBoise was exonerated in 2020 after spending 35 years in prison. Under Florida's compensation law, he was ineligible for state compensation because of a previous misdemeanor conviction.



## TINA JIMERSON

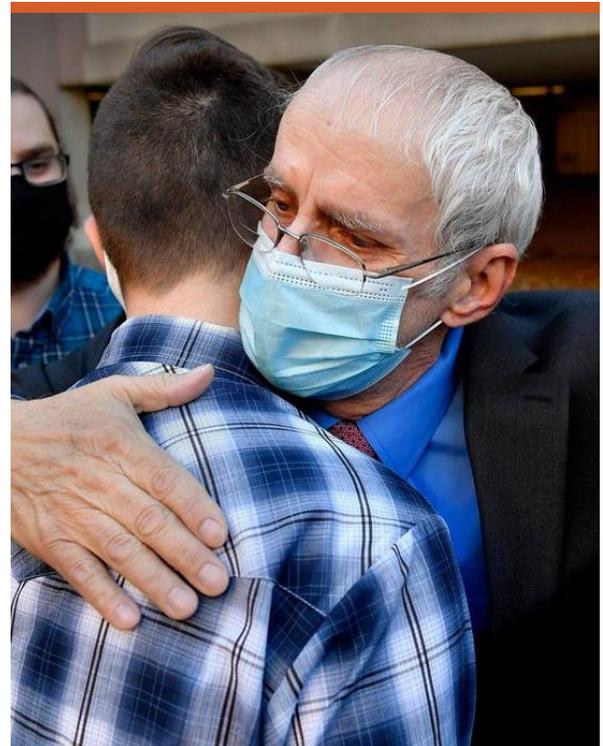
Tina Jimerson was convicted in 1994 of the murder and robbery of an elderly woman in Dallas County, Arkansas. There was no physical or forensic evidence tying her to the crime scene, but a parade of witnesses linked her by circumstantial evidence to two men, one of whom, John Brown Jr., also was wrongfully convicted in the crime.

After Jimerson’s conviction, her attorneys spent years gathering information that prosecutors had failed to disclose to the defense. Several witnesses recanted, and one of Jimerson’s co-defendants said that he alone committed the crime. Jimerson’s conviction was vacated in October 2018, but prosecutors waited two years before dismissing her charges.

## OLIN “PETE” COONES

Olin “Pete” Coones lived less than three months after he was exonerated of a 2009 murder conviction. He was sentenced to 50 years to life in Kansas City, Kansas for the murder of a woman with whom he fought over her mishandling of the estate of Coones’s grandfather. In 2008, the woman called a relative and said that Coones was about to kill her and then committed suicide. Police and prosecutors ignored evidence and concealed other evidence to convict Coones of her murder.

After his conviction, Coones’s attorneys were able to document extensive misconduct in the investigation and handling of the case, including the failure to disclose exculpatory evidence and the deal that prosecutors made with a key witness. Coones spent 10 years in prison before his exoneration in late 2020. He died on February 21, 2021 – his body was broken by incarceration.



His attorneys said: “Though Pete was no longer imprisoned, his death – like his unjust conviction – is the result of continued state neglect and mistreatment. The evidence suggests that he ultimately succumbed to health conditions that went undiagnosed and untreated during his time in prison.”