

*The National Registry*  
*of*  
**EXONERATIONS**

**MASS EXONERATIONS  
AND GROUP EXONERATIONS  
SINCE 1989**

Conference on:

**MASS EXONERATION AND ETHICS**

Villanova University

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## 1. Group Exonerations

The National Registry of Exonerations collects, analyzes and disseminates information about all known exonerations of innocent criminal defendants in the United States, from 1989 on. As of March 31, 2018, we listed 2,190 individual exonerations.

Since our inception in 2012, we have also known about aggregations of exonerations that we have written about but don't list on the Registry. (At first we called these collections "mass exonerations," but switched to "group exonerations" because some had as few as 10 cases.)

Exonerations can be grouped in any number of ways. What we mean by a "group exoneration" is very specific: *The exoneration of a group of innocent defendants who were deliberately framed and convicted of crimes as a result of a large-scale pattern of police perjury and corruption.*

These are highly important cases, but they are fundamentally different from exonerations based on individual investigations and cannot usefully be studied together.

The unit of observation for an individual exoneration is the defendant and his case. The painstaking investigations that lead to these exonerations produce a great deal of information about each case, and much of that information is publicly available.

The defining feature of a group exoneration is the corrupt officer or the police conspiracy. In a typical case, a group of narcotics officers in a police department develop a practice of framing innocent defendants for drug crimes by falsely claiming that they found drugs on them, or bought drugs from them, and booking as evidence drugs they obtained from other sources.

Once this pattern of corruption and perjury comes to light, specific exonerations may be handled summarily and receive little or no separate attention. As a result, many group exonerations involve comparatively minor false convictions that would never be reinvestigated on their own—cases in which defendants were sentenced to probation, or to several months or one or two years in custody. It is usually prohibitively expensive to establish the innocence of the defendants in such cases. It almost never happens—except in a context like these group exonerations in which investigations of individual cases is considered unnecessary.

Because of this summary process, we know little about many of the individual cases that were dismissed in some of these groups: not the dates of arrest, conviction, and exoneration; not the facts of the alleged crimes; not the mode of conviction or the sentence; not the evidence of innocence that led to the exonerations—indeed, sometimes not even the names of the exonerated defendants. In short, we have too little information on most group exonerations to include them in our database of individual exonerations; and in any event, the two categories should be studied separately rather than mixed together.

*Table 1* lists the 17 groups that we know about, with a total of at least 2,500 exonerations to date. It includes two groups—one in Chicago, the other in Baltimore—in which the process of identifying and exonerating defendants is still underway and may ultimately include many more cases.

The *Appendix* includes a short description of each group, and references.

**Table 1: Group Exonerations Since 1989**

<b>PLACE AND DATE</b>	<b>NUMBER OF EXONERATED DEFENDANTS</b>	<b>CRIMES CHARGED</b>	<b>RACIAL AND ETHNIC IDENTITY OF DEFENDANTS</b>
Washington DC 1990	32	Drugs	Overwhelmingly Black
Oaklyn NJ 1995	155	Drunk driving	Unknown
Philadelphia PA 1995-2008	Approximately 360	Mostly drugs	Overwhelmingly Black
Los Angeles CA 1999-2000	Approximately 156	Mostly drugs & gun possession	Overwhelmingly Hispanic
Los Angeles CA 2001-2002	At least 10	Drugs	Overwhelmingly Black
Dallas TX 2002	6 to 15	Drugs	Overwhelmingly Hispanic
Oakland CA 2003	76	Mostly drugs	Overwhelmingly Black
Tulia TX 2003	37	Drugs	Overwhelmingly Black
Louisville KY 2004	Approximately 50	Mostly drugs	Overwhelmingly Black
Tulsa OK 2009-2012	At least 28	Mostly drugs	Unknown
Benton Harbor MI 2010-2012	At least 69	Mostly drugs	Overwhelmingly Black
Camden NJ 2010-2012	193	Mostly drugs	Overwhelmingly Black
Mansfield OH 2012	20	Drugs	Overwhelmingly Black
Philadelphia PA 2013- <u>Ongoing</u>	1,116 to date	Mostly Drugs	Overwhelmingly Black
East Cleveland OH 2016-2017	43	Drugs	Overwhelmingly Black
Chicago IL 2016 - <u>Ongoing</u>	At least 22 to date	Drugs	Overwhelmingly Black
Baltimore, MD 2017 - <u>Ongoing</u>	At least 130 to date	Drugs	Overwhelmingly Black
<b>ALL CASES</b>	<b>AT LEAST 2,500 TO DATE</b>	<b>PRIMARILY DRUG CHARGES</b>	<b>PRIMARILY BLACK</b>

## 2. Mass Forensic Exonerations

There have been countless forensic laboratory scandals in the United States in the last several decades. Recently, a few of those have resulted in substantial numbers of exonerations.

- In 2012, the **Houston Regional Crime Laboratory of the Texas Department of Public Safety** discovered that *Jonathan Salvador*, one of its forensic analysts, was systematically careless and incompetent in testing for controlled substances, and in some cases misrepresented his findings to cover up his errors. By the time Salvador was terminated in February 2012, he had worked on some 4,900 drug cases over a period of six years. As of April 2013, the Texas Court of Criminal Appeals had dismissed at least 10 convictions in cases Salvador had worked on. There may have been quite a few more.<sup>1</sup>
- In 2011, *Annie Dookhan*, a forensic analyst who had worked at the **Hinton State Laboratory in Boston, Massachusetts**, for eight years, was caught forging the initials of her colleagues. In 2012, an investigation revealed that Dookhan had been systematically “dry labbing” her drug cases—writing up results without actually testing for the suspected drugs. Dookhan was fired and spent approximately two-and-a-half years in prison. By the time the dust settled, drug convictions in more than 21,500 cases based on Dookhan’s work were dismissed.<sup>2</sup>
- In 2013, *Sonja Farak* was arrested for stealing drugs and tampering with evidence while working as a chemist in the **State Laboratory in Amherst, Massachusetts**. She was fired and eventually sentenced to 18 months in prison. Farak, who had also worked at her lab for eight years, admitted that she smoked crack at work “every day” and stole and consumed other drugs regularly. In 2017, prosecutors agreed to dismiss drug convictions in nearly 8,000 cases that Farak worked on.<sup>3</sup>

These exonerations are fundamentally different from the other groups we’ve listed, in two respects. First, they truly are *mass* exonerations—at least those that involved Dookhan and Farak, where the numbers are staggering. Second, there is no affirmative evidence of innocence in the underlying cases. All we now know is that the forensic evidence identifying controlled substances was unreliable or fraudulent. To be sure, the defendants were all convicted at unfair trials—but how likely is it that they were innocent? That depends on how often police in Massachusetts (and parts of Texas) arrest innocent suspects. Certainly some were innocent, but it’s highly likely that the great majority did possess controlled substances.

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<sup>1</sup> Report of the Texas Forensic Science Commission Texas Department of Public Safety Houston Regional Crime Laboratory Self-Disclosure, 4/5/2013, <http://www.fsc.state.tx.us/documents/FINAL-DPSHoustonReport041713.pdf>; Maurice Chammah. “Forensic Science Commission Reviews DPS Lab Trouble.” Texas Tribune (April 5, 2013).

<sup>2</sup> Patrick G. Lee. “Crime Lab Scandal Forces Prosecutors to Disavow Thousands of Drug Convictions.” ProPublica (April 19, 2017) <https://www.propublica.org/article/crime-lab-scandal-forces-prosecutors-disavow-thousands-drug-convictions>; “Annie Dookhan, a curated collection of links.” The Marshall Project (January 3, 2018) <https://www.themarshallproject.org/records/2558-annie-dookhan>.

<sup>3</sup> Tom Jackman. “Mass. crime chemist admits daily drug use in lab, sparking a second scandal.” Washington Post (May 5, 2015); Tom Jackman. “Massachusetts prosecutors to throw out 8,000 convictions in second drug lab scandal.” Washington Post (December 28, 2017).

## APPENDIX – Group Exonerations Since 1989

1. **Washington, D.C. 1990.** In 1990, U.S. Attorney Jay Stephens obtained dismissals of 32 drug convictions following an investigation of narcotics cases handled by D.C. Metropolitan police officer Lugenia Dorothy King. King’s cases came under scrutiny after she tested positive for cocaine use in 1989.<sup>4</sup>
2. **Oaklyn, New Jersey, 1995.** In August 1991, Oaklyn police officer Robert Kane pled guilty and was sentenced to prison for falsifying the results of breathalyzer tests on drivers he stopped for drunk driving, and stealing money from their purses and wallets when he booked them. In 1995, a total of 155 convictions for driving under the influence were dismissed.<sup>5</sup>
3. **Philadelphia, Pennsylvania, 1995-1998.** On February 28, 1995, five narcotics officers of the 39th District of the Philadelphia Police Department were indicted by a federal grand jury for a variety of felonies stemming from a long-standing pattern of theft, perjury, deception and violence. Among other crimes, they planted drugs and manufactured evidence in numerous cases. Over the next several years, felony convictions were dismissed against 162 defendants from the 39th District. The investigation of the 39th spread to other districts and ultimately resulted in the dismissal of approximately 200 additional convictions from the 16th and 19th Districts, and from the Bureau of Narcotics and Investigations.<sup>6</sup>
4. **Los Angeles, California, 1999-2000.** In 1999, authorities learned that for several years or longer, a group of officers in the Rampart division of the Los Angeles Police Department had routinely lied in arrest reports and testimony, and framed many innocent defendants by planting drugs or guns on them. On several occasions, they had shot and wounded unarmed suspects, and then planted guns on them. In the aftermath of this scandal, “approximately 156” criminal defendants had their convictions vacated and dismissed by Los Angeles County judges in late 1999 and 2000. The great majority were young Hispanic men who were believed to be gang members. Almost all pled guilty to false felony drug or gun charges.<sup>7</sup>
5. **Los Angeles, California, 2001-2002.** As the Los Angeles Police Department’s Ramparts District scandal was unraveling in the late 1990’s, two officers assigned to the Department’s

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<sup>4</sup> Gellman, Barton. “‘Interests Of Justice’ Often Slow; Few Freed Despite Tainted Drug Cases.” *Washington Post*. (February 3, 1990); see also *Interview with Jay Stephens, Former U.S. Attorney* (March 2012).

<sup>5</sup> Jennings, John Way and Larry Lewis. “Judge Overturns Convictions Of 155.” *Philadelphia Inquirer*. (July 20, 1995).

<sup>6</sup> Bowden, Mark and Mark Fazlollah. “Lying Officer Never Counted On FBI; Officer John Baird Had Beaten 22 Complaints. Then Came Case 23.” *The Philadelphia Inquirer*. (September 12, 1995); Terry, Don. “Philadelphia Shaken by Criminal Police Officers.” *The New York Times*. (August 28, 1995); Kramer, Michael. “How Cops Go Bad.” *Time*. (December 15, 1997); Slobodzian, Joseph A. “Jailed Officer Set To Go Home.” *Philadelphia Inquirer*. (Nov. 21, 2000); interview with Bradley S. Bridge, Attorney, Philadelphia Defender Association (March 2012); email, Bradley S. Bridge, Attorney, Philadelphia Defender Association, (April, 2018).

<sup>7</sup> Covey, Russell. [Police Misconduct as a Cause of Wrongful Convictions](#). *90 Wash. U. L. Rev.* 1133 (2013).

Central District, Christopher Coppock and David Cochrane, were found to have arrested numerous homeless people and planted drugs on them. The officers were charged with assaulting a homeless man in 1997 and later pleaded no-contest and were sentenced to a year in prison. Ultimately, at least 10 defendants had their drug convictions set aside and the cases dismissed in 2001 and 2002.<sup>8</sup>

6. **Dallas, Texas, 2002.** The Dallas “Sheetrock Scandal” came to light in January of 2002. At least 80 defendants in Dallas, Texas, were falsely charged with possession of quantities of “cocaine” that turned out, when finally analyzed, to consist of powdered gypsum, the primary constituent of the building product Sheetrock. Most of the Sheetrock cases were dismissed before trial, but some innocent defendants had pled guilty and were in prison or had been deported to Mexico.<sup>9</sup>
7. **Oakland, California, 2003.** In November 2000, four Oakland police officers known as “The Riders” were charged with assault, making false arrests, filing false reports and other crimes. One officer remains a fugitive. The other three were tried twice, but the charges were dismissed after the juries deadlocked in both trials. Oakland settled lawsuits for more than \$11 million brought on behalf of more than 120 people who alleged they were victimized by the officers. By 2003, a total of 76 convictions had been set aside and another 25 probation or parole revocations also were dismissed.<sup>10</sup>
8. **Tulia, Texas, 2003.** In 1999 and 2000, 39 defendants, almost all of them black, were convicted of selling cocaine in Tulia, Texas, on the uncorroborated word of a corrupt undercover narcotics agent named Tom Coleman. In 2003, 35 of them—all who were technically eligible—were pardoned by the governor after a judge investigated the cases and concluded that Coleman had engaged in “blatant perjury” and was “the most devious...law enforcement witness this court has witnessed....” The investigation revealed that Coleman had charged the defendants with selling quantities of highly diluted cocaine that he actually took from a personal drug stash. Two additional defendants were exonerated when their convictions were vacated and dismissed by courts. In 2005, Coleman was convicted of perjury.<sup>11</sup>
9. **Louisville, Kentucky, 2004.** In 2003, two detectives assigned to a narcotics unit staffed by Louisville and Jefferson County law enforcement were convicted of obtaining warrants with

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<sup>8</sup> Glover, Scott and Henry Weinstein. “Lawsuit accuses 2 LAPD Officers of Wrongful Arrest.” *Los Angeles Times*. (December 16, 1999); Glover, Scott and Matt Lait. “2 Former LAPD Officers Indicted in Assault Case.” *Los Angeles Times*. (October 20, 2000); Berry, Steve. “Ex-Officers Face Jail in Assault.” *Los Angeles Times*. (August 2, 2002).

<sup>9</sup> Donald, Mark. [Dirty or Duped?: Who’s to Blame for the Fake-Drug Scandal Rocking Dallas Police? Virtually Everyone](#). *Dallas Observer*. (May 2, 2002); Duggan, Paul. “‘Sheetrock Scandal’ Hits Dallas Police.” *Washington Post*. (January 18, 2002).

<sup>10</sup> Ashley, Guy. “Riders’ Suits Settled; \$11 million.” *Contra Costa Times*. (February 21, 2003); see also interview with James Chanin, Plaintiffs’ attorney in lawsuit, Berkeley, CA (March 2012).

<sup>11</sup> Covey, Russell. [Police Misconduct as a Cause of Wrongful Convictions](#). *90 Wash. U. L. Rev.* 1133 (2013); Barnes, Steve. [Rogue Narcotics Agent in Texas Is Found Guilty of Perjury](#). *New York Times*. (January 15, 2005). Blakeslee, Nate. “Tulia: Race, Cocaine, and Corruption in a Small Texas Town.” (2005).

false affidavits and pocketing money meant for informants. By 2004, Jefferson County prosecutors had dismissed about 50 convictions.<sup>12</sup>

10. **Tulsa, Oklahoma, 2009-2012.** In 2010, six Tulsa police officers and one federal agent were indicted after a federal investigation of law enforcement corruption in Tulsa on charges that included planting drugs and faking drug buys. By 2012, at least 28 convicted defendants were released from prison after drug and related charges were dismissed.<sup>13</sup>
11. **Benton Harbor, Michigan, 2010-2012.** In 2009 and 2010, two Benton Harbor police officers were indicted on federal corruption charges related to dozens of drug arrests from 2006 to 2008. Among other crimes, they were charged with embezzling money from the police department, stealing from suspects, fabricating drug buys, and planting drugs on suspects or in their homes. They were eventually sentenced to 37 months and 30 months in prison. By 2012, at least 69 defendants who were convicted of drug crimes based on testimony by those officers had their convictions vacated and charges dismissed.<sup>14</sup>
12. **Camden, New Jersey, 2010-2012.** In the summer of 2008, the new Camden police chief initiated an investigation into corruption in his own department, which he later turned over to the FBI. By 2012, three former Camden police officers had pled guilty to federal conspiracy charges, another officer was convicted at trial and a fifth officer was acquitted. As a result, 193 drug convictions were dismissed.<sup>15</sup>
13. **Mansfield, Ohio, 2012.** In May 2007, Jerrel Bray, a long-time drug dealer and police informant from Mansfield, Ohio, was in jail in nearby Cleveland for shooting a man in a drug deal. A public defender came to talk to him about a different drug case in which Bray had provided evidence against the lawyer's client. Bray—who was worried that his work as a snitch might get him killed in jail—began to talk about how he and his police handlers had faked evidence in dozens of drug cases, among other crimes. Ultimately, a Richland County sheriff's detective pled guilty to perjury during a drug trial, and a federal Drug Enforcement Administration agent was indicted and acquitted of charges of perjury and false arrests. By 2012, prosecutors had vacated and dismissed the convictions of 20 drug defendants.<sup>16</sup>

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<sup>12</sup> Hall, Gregory A. "Police-Corruption Trial Opens Tomorrow." *Courier-Journal*. (January 13, 2003); see also *Interview with Harry Rothgerber, First Assistant, Commonwealth's Attorney's Office, Jefferson County, Kentucky* (March 2012); Flack, Eric. "Convicted Cop Says He 'Just Got Lost.'" *Wave 3 News*. (February 12, 2004).

<sup>13</sup> Harper, David. [Case linked to Tulsa police probe dismissed, inmate freed](#). *Tulsa World* (February 2, 2012); see also *Interview and E-mail with James D. Dunn, Assistant District Attorney, Tulsa County District Attorney's Office* (March 2012).

<sup>14</sup> Melzer, Eartha Jane. "Drug Cases Dismissed Following Pleas by Corrupt Narcotics Cops." *Michigan Messenger*. (September 28, 2009); Swidwa, Julie. "Hall sentenced to 30 months: Prosecutor, police chief say Bernard Hall and Andrew Collins' actions will have lingering effects." *The Herald-Palladium*. (March 5, 2010); See also *interview with Arthur Cotter, Berrien County District Attorney* (March 2012)

<sup>15</sup> Anastasia, George. "Former Camden Officer's Appeals Rejected in Corruption Case." *Philadelphia Inquirer*. (March 8, 2012); E-mail from Jason Laughlin, *Spokesman for Camden County Prosecutor's Office* (March 2012).

<sup>16</sup> Caudill, Mark. "Deputy Gets Probation, Weekend Jail." *Mansfield News Journal*. (February 17, 2010); see also E-mail from Jon Loevy, attorney for exonerated defendants in federal civil rights lawsuit (March 2012).

14. ***Philadelphia, Pennsylvania, 2013-2016.*** In May 2013, Philadelphia police narcotics officer Jeffrey Walker was arrested in an FBI sting for trying to shake down a drug dealer for drugs and cash. Walker cooperated in a federal investigation that led to the indictment in 2014 of six of his fellow officers in the Narcotics Field Unit for framing defendants on drug charges dating back to 2006—although authorities believe the illegal conduct dated as far back as 2000. Through March 2018, a total of 1,007 convictions attributed to these seven officers had been vacated and dismissed. A further 109 convictions were dismissed in late 2017 and early 2018 as a result of an investigation into arrests by an eighth member of that unit; at least 1,000 more convictions, based on arrests by that eighth officer and three others in the Narcotics Field Unit, are under review and may ultimately be dismissed.<sup>17</sup>
15. ***East Cleveland, Ohio, 2016-2017.*** In 2016, the conviction integrity unit of the Cuyahoga County Prosecutor’s office said it had begun vacating convictions and dismissing the cases of more than 40 defendants who were framed by three East Cleveland police officers. The officers pled guilty to federal crimes and were imprisoned for planting drugs, stealing cash and filing false search warrants. Sgt. Torris Moore and fellow officers Eric Jones and Antonio Malone admitted framing suspected drug dealers—all of whom were black—after they were charged in October 2015 following a two-year FBI investigation. As of November 2016, the conviction integrity unit had identified 43 defendants whose convictions would be vacated and dismissed.<sup>18</sup>
16. ***Chicago, Illinois, 2017- ongoing.*** As of this writing, at least 22 convicted drug defendants in Chicago have been exonerated after an investigation by the FBI and the Chicago Police Internal Affairs Division discovered that a team of Chicago Housing Authority police officers headed by Sgt. Ronald Watts was systematically extorting money from drug dealers and framing innocent defendants on fabricated drug charges. More cases are pending.<sup>19</sup>
17. ***Baltimore, Maryland, 2017- ongoing.*** By mid-February 2018, at least 130 convictions had been vacated and dismissed in Baltimore following the federal indictment and conviction of several police officers in the Baltimore Police Department’s now-disbanded Gun Trace Task Force, a special unit devoted to removing guns from the streets. The officers made numerous of false arrests and stole money, property, and narcotics. Most of the dismissed convictions were in state court, but a few were in federal court. As many as 2,000 more cases await review.<sup>20</sup>

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<sup>17</sup> Slobodzian, Joseph A. “Philadelphia Judge tosses 7 drug convictions tainted by police corruption probe.” Philly.com. (November 16, 2016); email, Bradley S. Bridge, Attorney, Philadelphia Defender Association, (April, 2018).

<sup>18</sup> Interview with Jose Ortiz, Assistant Prosecuting Attorney, head of conviction integrity unit, Cuyahoga County Office of the Prosecutor, (November 28, 2016).

<sup>19</sup> Megan Crepeau. “Cook County prosecutors toss more convictions tainted by corrupt ex-Chicago police Sgt. Ronald Watts.” *Chicago Tribune* (February 13, 2018).

<sup>20</sup> Justin Fenton. “Baltimore Police officers found guilty of racketeering, robbery in Gun Trace Task Force corruption case.” *Baltimore Sun* (February 12, 2018).