

The National Registry
of
EXONERATIONS

EXONERATIONS IN 2017

March 14, 2018

EXECUTIVE SUMMARY

I. MAJOR THEMES

- **Numbers and Harris County drug cases.** There were fewer exonerations in 2017 than in 2016, [139](#) compared to 171. The decline is due entirely to a decrease in cases from one county: a backlog of drug possession cases from Harris County, Texas, that has been largely cleared after three years—which makes the long-term upward trend in exonerations clearer.
- **Group Exonerations.** In addition to the 139 exonerations listed in the Registry itself, at least 96 convicted defendants in Chicago and Baltimore were exonerated in “group exonerations” that occurred after it was discovered that groups of police officers were systematically framing innocent defendants for drug crimes. At least thirty additional defendants have been exonerated in these two groups to date in 2018, and more are expected.
- **Professional Exonerators.** In 2017 (and the three prior years) most exonerations were produced by full-time “professional exonerators”—prosecutorial Conviction Integrity Units (CIUs) and Innocence Organizations (IOs) that represent innocent defendants who were convicted of crimes. An increasing number were the product of cooperation between CIUs and IOs.

II. THE CASES

The [139](#) exonerations that the National Registry of Exonerations added in 2017 were distributed as follows:

- **Crimes**

Homicide: Fifty-one defendants were exonerated of homicide—[50](#) for murder and [one](#) for manslaughter.

Sexual Assault: Twenty-nine defendants were exonerated of sex crimes, including [16](#) for child sexual abuse and [13](#) for sexual assault on an adult.

Other Violent Crimes: Eighteen defendants were exonerated of convictions for other violent crimes, such as arson, robbery, and attempted murder.

Non-Violent Crimes: Forty-one defendants were exonerated of non-violent offenses, such as fraud, theft, and traffic offenses. [Sixteen](#) exonerations were for drug offenses.

- **Characteristics of the Cases**

Official Misconduct: We know of official misconduct in [84](#) exonerations in 2017, a record number. Forty-three of those cases involved homicides—84% of homicide exonerations in 2017.

Mistaken Eyewitness Identification: A record [37](#) exonerations in 2017 were for convictions based at least in part on mistaken eyewitness identifications.

False Confessions: [Twenty-nine](#) exonerations involved false confessions, another record.

Perjury or False Accusation: A record [87](#) cases included perjury or a false accusation.

- **Professional Exonerators**

A [Conviction Integrity Unit \(CIU\)](#) is a division of a prosecutorial office that works to prevent, identify, and correct false convictions. There were 33 CIUs in the United States in 2017, more than double the number in 2013 and more than six times the number in 2011. [Forty-two](#) CIU-exonerations took place in 2017. Overall, CIUs have helped secure 269 exonerations from 2003 through 2017; more than 80% occurred since 2014.

[Innocence Organizations \(IOs\)](#)—non-governmental organizations dedicated to helping secure exonerations of wrongfully convicted defendants—have participated in 434 exonerations from 1989 through the end of 2017. In 2017, IOs played a role in a record [54](#) exonerations, up from [46](#) in 2016.

CIUs and IOs cooperated on 16 of those exonerations, a record number—30% of all exonerations by IOs in 2017, and nearly 40% of exonerations by CIUs.

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The National Registry of Exonerations has recorded [139](#) exonerations in 2017.

In total, the National Registry of Exonerations has recorded **2,161** exonerations in the United States from 1989 through the end of 2017.

- Ninety-eight of the exonerations in 2017 involved **Violent Felonies**, including 51 homicides, [16](#) child sex abuse convictions, and [13](#) sexual assaults of adults. [Four](#) of the homicide exonerees had been sentenced to death;
- [Sixteen](#) exonerations in 2017 involved **Drug Crimes**;
- [Seventeen](#) 2017 exonerations were based in whole or in part on **DNA evidence**;
- [Sixty-six](#) exonerations were cases in which **No Crime** was actually committed;
- [Eighty-four](#) cases included **Misconduct by Government Officials**;
- [Thirty-six](#) exonerations were for convictions based on **Guilty Pleas**;
- [Thirty-seven](#) cases involved **Mistaken Eyewitness Identification**;
- [Twenty-nine](#) cases involved a **False Confession**;
- [Eighty-seven](#) cases included **Perjury or a False Accusation**; and
- Eighty exonerations in 2017 were the result of work by prosecutorial **Conviction Integrity Units** or **Innocence Organizations**, or both.

In addition, in 2017, there were at least 96 individuals whose convictions were vacated and charges dismissed as part of group exonerations in Chicago, and 80 or more in Baltimore.

Part I of this report describes **basic patterns** across all [139](#) known exonerations in 2017. **Part II** discusses group exonerations, and **Part III** focuses on the increasingly important role of **Innocence Organizations** and **Conviction Integrity Units**.

I. Basic Patterns

- **Exonerations by Jurisdiction.** There were [139](#) exonerations in 2017: 131 in 31 states and [8](#) federal cases. Texas and Illinois had the most exonerations ([23](#) and [21](#), respectively), followed by Michigan ([14](#)) and New York ([13](#)). See Table 1 for a complete list ranked by the number of exonerations in 2017.

Table 1: Exonerations in 2017 by Jurisdiction (n=139)

Texas – 23	Utah – 3	Florida – 1
Illinois – 21	Georgia – 2	Iowa – 1
Michigan – 14	Kansas – 2	Maine – 1
New York – 13	Kentucky – 2	Maryland – 1
California – 9	Mississippi -- 2	Missouri – 1
Massachusetts – 5	Pennsylvania – 2	New Jersey -- 1
Louisiana – 4	Wisconsin – 2	North Carolina – 1
Montana – 4	Arkansas – 1	Tennessee – 1
Ohio – 4	Arizona -- 1	Virginia – 1
Indiana – 3	Colorado – 1	Federal – 8
Nevada – 3	Delaware – 1	

These numbers are not a direct measure of the frequency of false convictions across jurisdictions. For example, California, with a population of 39 million, had [9](#) exonerations in 2017, while Illinois, with one third of that population, had [21](#) exonerations. It’s possible that over the decades in which these exonerated defendants were convicted, the rate of false convictions in Illinois was six times the rate in California. It’s more likely, however, that most of the difference simply reflects the fact that more of the wrongful convictions in Illinois led to exonerations, or that we learned about more of the exonerations that occurred in Illinois, or both.

- **Drug Crime Exonerations.** The most striking difference between 2017 and the preceding three years is the steep decline in the number of drug crime exonerations. Last year, we reported a record number of 61 exonerations in drug crimes. In 2017, there were just 16. Most

of this decline occurred in Harris County (Houston), Texas. In 2014, the Harris County District Attorney's CIU discovered a messy backlog of hundreds of cases in which, after defendants had pled guilty to drug possession, crime labs tested the supposed "drugs" that were seized and found no controlled substances. In response, the District Attorney's Office developed a plan to clear that backlog and exonerate as many of the innocent defendants as possible, which produced a temporary spike in drug crime exonerations in that county.

In prior reports, we discussed Harris County's efforts to rectify these false guilty pleas in detail,¹ and noted that we expected the process eventually to run its course. That has now happened. Only 10 exonerations in 2017 were the result of negative results on lab tests conducted after defendants pled guilty to drug possession in Harris County,² compared to [31](#) in 2014, [44](#) in 2015, and [48](#) in 2016. There may be several more of these exonerations, but the bulk of them have probably already taken place.

The decline in Harris County drug exonerations means that, for the first time in several years, the number of exonerations has decreased from the previous year. This changes the pattern of 2017 exonerations in several ways, in addition to the total number. It means that last year's exonerations included fewer convictions based on guilty pleas, and fewer cases in which no crimes actually occurred. It also means that the average time that exonerees lost to incarceration is *higher* than in that past few years, as most of the drug possession guilty-plea cases involved relatively short sentences or no jail time at all.

- **Length of Incarceration.** Defendants exonerated in 2017 spent an average of 10.6 years incarcerated for their convictions, for a total of 1,478 total years lost. [Ledura Watkins](#) was convicted in 1976 and spent more than 41 years in prison for a murder that he did not commit, longer than any other exoneree in the Registry. Ten other 2017 exonerees were convicted in the 1980s; the remaining 127 were convicted from 1990 through 2017.
- **DNA Exonerations.** [Seventeen](#) exonerations in 2017 were based in whole or in part on DNA identification evidence, just under 13% of the total. Overall, DNA exonerations now account for 21% of the exonerations in the Registry through 2017 (459/2,161). In 2017, fewer than half of the DNA exonerations were [murder](#) cases (7/17), and nine were for [sexual assault](#) (including [child sex abuse](#)). [One](#) exonerations in 2017 was for a robbery that turned, in part, on DNA recovered from a hat dropped by the perpetrator at the scene.

¹ For a discussion of drug exonerations in Harris County, see [Exonerations in 2014](#), [Exonerations in 2015](#), and [Exonerations in 2016](#).

² One of those 10 Harris County cases involved exoneration of a weapons offense, but in [that case](#) the defendant's guilt depended on his possession of a controlled substance. The post-plea lab report indicated that no controlled substance was detected, rendering the possession of the gun legal. We consider this case as part of the same category of exonerations, even though the crime to which the defendant pled was a weapons offense.

- **The Crimes for which the Defendants were Convicted.** Most exonerations in 2017 were for violent crimes (98/139), especially homicide (37%) and sexual assault (21%). Drug-related cases made up a substantial portion (39%) of the non-violent cases (16/41).

Table 2 lists exonerations in 2017 by the most serious crimes for which the exonerees were convicted:

Table 2: Exonerations in 2017 by Crime

Homicide	51 (37%)
<i>Murder</i>	50
<i>Manslaughter</i>	1
Sexual Assaults	29 (21%)
<i>Sexual assault on an adult</i>	13
<i>Child sex abuse</i>	16
Other Violent Crimes	18 (13%)
<i>Robbery</i>	6
<i>Attempted murder</i>	4
<i>Assault</i>	4
<i>Arson</i>	1
<i>Child abuse</i>	1
<i>Threats</i>	1
<i>Other violent felonies</i>	1
Non-Violent Crimes	41 (29%)
<i>Drug crimes</i>	16
<i>Gun possession</i>	7
<i>Fraud</i>	7
<i>Perjury</i>	2
<i>Sex offender registration</i>	2
<i>Traffic offenses</i>	2
<i>Theft</i>	1
<i>Conspiracy</i>	1
<i>Other non-violent crimes</i>	3
TOTAL	139 (100%)

- **Official Misconduct.** [Eighty-four](#) exonerations in 2017 involved official misconduct—a record number. [Official misconduct](#) encompasses a wide range of behavior—from police officers threatening witnesses, to forensic analysts falsifying test results, to child welfare workers pressuring children to claim sexual abuse where none occurred. But the most common misconduct documented in the cases in the Registry involves police or prosecutors (or both) concealing exculpatory evidence. The proportion of exonerations with official misconduct is the highest among homicide cases—84% (43/51). For example:

When [Ledura Watkins](#) was convicted of the murder of a teacher in Detroit in 1976, the case against him depended on Timothy Herndon, who testified that he was with Watkins when Watkins killed the victim. At trial, the defense and the court knew that Herndon received immunity from prosecution for his role in the murder. Years later, however, Herndon recanted his testimony, and the defense learned for the first time that Herndon had also received favorable treatment from the state in an unrelated robbery case—and that he had made statements to the police that contradicted his sworn testimony.

- **False Confessions:** [Twenty-nine](#) cases involved false confessions—another record. The majority of these convictions were for homicide ([22](#) for murder, [one](#) for manslaughter). [Three](#) exonerees confessed to sexual assault; others falsely confessed to [child abuse](#), [child sex abuse](#), and [robbery](#). Just under half of these cases (13/29) occurred in [Cook County](#), where the Conviction Integrity Unit has been dealing with the fallout of a scandal involving the now-retired Chicago Detective Reynaldo Guevara. To date, Guevara’s misconduct—which often involved physically abusing suspects in interrogations—has resulted in eleven exonerations. Guevara joins former Chicago Police Lieutenant Jon Burge in securing the most convictions that later resulted in exonerations based on coerced confessions.
- **No-Crime Cases.** [Sixty-six](#) exonerations in 2017 were cases in which we now know that no crime actually occurred, almost half the total. As with guilty-plea exonerations, the largest group of no-crime exonerations were drug possession cases ([16/66](#)), but [11](#) child sex abuse exonerations and [nine](#) murder exonerations were also no-crime cases. One 2017 exoneree in a no-crime case was sentenced to death:

One morning in 2012, in Caddo Parish Louisiana, [Rodricus Crawford](#) awoke and found that his one-year-old son was not breathing. Family members attempted CPR, but the boy did not respond and paramedics determined he was dead. Police concluded almost immediately that the boy was the victim of a homicide based on a split lip and what appeared to a bruise on his buttocks and another on the side of his head. The boy had been suffering from a cold, but the state’s experts ruled out respiratory infection as a factor and instead concluded that the cause of death was smothering. Crawford was convicted of first-degree murder, and sentenced to death after a penalty trial during which the prosecutor argued that Jesus Christ commanded that death be the punishment. In 2016, Crawford’s conviction was reversed after the defense presented affidavits from experts who determined that the boy died from bronchopneumonia. The prosecution dismissed the charge in April 2017.

- **Perjury or False Accusation:** A record [87](#) exonerations included witnesses who committed perjury or falsely accused the defendant, including [37](#) murders, [14](#) cases of child sex abuse, [seven](#) sexual assaults, [six](#) weapons offenses, and [four](#) drug crimes. The remaining covered a range of offenses, including theft, traffic violations, perjury, and fraud. In [40](#) cases, the exoneree was falsely accused of a crime that never occurred.

- **Mistaken Eyewitness Identification:** A record [37](#) cases included mistaken eyewitness identification, 17 of which involved witnesses who were of a different race than the exoneree. Nineteen of the 37 involved [murder](#) or [attempted murder](#), [eight](#) involved sexual assault, [five](#) involved robbery, [two](#) involved child sex abuse, [two](#) involved assault, and [one](#) was for possession of child pornography. One notable case was that of [Richard Jones](#), who was convicted of robbery in 2001.

A witness who thought the robber’s name was “Rick” identified Jones after viewing a database of photographs of men with the first name “Rick” or “Richard” who fit the robber’s physical description. Jones’s picture was then placed in a photographic lineup, which was shown to the victim and other witnesses, all of whom identified Jones. Although Jones presented witnesses who testified that he was in a different city at the time of the crime, he was found guilty and sentenced to 19 years in prison. While in prison, Jones learned of another inmate—named Rick—who looked very much like him. Lawyers from the innocence clinic at the University of Kansas investigated and found evidence linking the other man to the crime. When the witnesses and victim viewed a photograph of the other man next to one of Jones, they agreed that the two men were virtually identical and that they were no longer certain their original identifications were correct. Jones’ conviction was vacated and the charge dismissed in June 2017.

- **Conviction Integrity Units.** Conviction Integrity Units (CIUs) in fourteen counties were involved in [42](#) exonerations in 2017. We discuss these CIU cases in more detail in Section III. [Ten](#) of the CIU exonerations in 2017—28%—were drug-conviction guilty-plea cases in Harris County, Texas. [Two](#) additional CIU exonerations in 2017 were for drug crimes in Cook County, Illinois. Seventeen were for murder or attempted murder, [four](#) were for sexual assault, and [three](#) for child sex abuse. The remaining six CIU exonerations involved other crimes, including fraud, robbery, and sex offender registration.
- **Innocence Organizations.** Innocence organizations (IOs) were involved in a record [54](#) exonerations in 2017. We discuss these organizations in more detail in Section III. Overall, IOs have participated in 434 exonerations since 1989 through 2017.

II. Group Exonerations

In our [first Report](#) in 2012, we described 873 exonerations that were listed in the Registry. We also discussed 13 “group exonerations” that occurred from 1989 through 2011 and involved more than 1,100 exonerated defendants. We did not include these cases in the Registry. In a [report in 2017](#), when we discussed them again, the number of groups had grown to 15 and involved more than 1,800 exonerated defendants.

Exonerations can be “grouped” in many 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 reported.

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 the context of group exonerations (or in some other situation that obviates the need for costly investigation, such as the drug testing in the Harris County drug guilty plea exonerations that we discuss in the next section).

Because of this summary process, we know next to nothing 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—indeed, sometimes not even the names of the exonerated defendants. And for some group exonerations, it is also likely that quite a few of the defendants who were cleared were in fact guilty. The corrupt officers who are responsible for these convictions clearly have no scruples about framing innocent defendants, but there is no reason to believe that they were not also willing to arrest guilty ones.

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.

We plan to devote more attention to group exonerations, starting this year. We are not alone. There will be a [conference](#) on the topic on April 9, 2018 at Villanova University School of Law.

One reason for this heightened interest is that 2017 saw the inception of two new and still on-going group exonerations that have received a great deal of media attention. Between them, these two groups account for more than 125 exonerations to date, with perhaps hundreds more to come. These are group exonerations that we can observe and study as they occur, not merely in retrospect as we have done before. They are a major part of the story of exonerations in 2017.

- **Chicago**

As of this writing, at least 16 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. Three of the exonerations occurred in 2018; more are pending.

- **Baltimore**

At least 130 convictions have 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 taskforce. The taskforce was a special unit focused on taking guns off the streets. The officers made scores of false arrests and stole money, property, and narcotics. At least 80 of the dismissed convictions—most of them in state court, but a few also in federal court—occurred in 2017, with the remainder in 2018. As many as 2,000 more cases await review.

III. Professional Exonerators

The decline in Harris County drug possession exonerations in 2017 means that—for the first time in four years—the number of exonerations in the United States has gone down from the previous year. All the same, the exonerations that occurred last year reveal the same basic patterns we observed in the last several years; in fact, these patterns are stronger than before. The great majority of the exonerations are, as always, for serious and typically violent crimes with lengthy prison sentences. Exonerations in 2017 set records on several features that characterize these more typical exonerations: more non-drug exonerations than in any previous year, and record numbers of murder exonerations with official misconduct and false confessions.

This change from the last three years also serves as a good illustration of the limits of exonerations as a measure of the prevalence of false convictions. For example, there were fewer exonerations of defendants who had been convicted by guilty pleas in 2017 than in the previous few years. Does that mean there are fewer false guilty pleas now? Perhaps there are, to some extent.

The Harris County DA's office will no longer agree to plea bargains that involve incarceration in drug cases without tests on the alleged drugs. If such practices are widely adopted, false convictions in drug possession cases will become less frequent. But it seems unlikely that the decline in the number of drug exonerations is primarily due to fewer false convictions. Rather, the surge in these exonerations in the previous three years was the product of a concerted effort to correct a systematic problem in a single county.

Without systematic examinations elsewhere, we won't learn whether similar clusters of false convictions exist in other places. It is possible—perhaps likely—that other clusters of exonerations have occurred and will occur somewhere the country in years to come.

The kind of concerted effort necessary to secure an exoneration increasingly comes from professional exonerators: Conviction Integrity Units—like the Harris County CIU that is responsible for 134 drug guilty-plea exonerations—and Innocence Organizations. Eighty exonerations in 2017—more than half the total—were brought about by the efforts of a CIU, an IO, or both. In past reports, we have discussed the rise of CIUs and their increasingly important roles in exonerations. They are a more recent phenomenon than IOs, but both are significant drivers of the rising number of exonerations over the years.

A. Conviction Integrity Units

A Conviction Integrity Unit (CIU) is a division of a prosecutorial office that works to prevent, identify, and remedy false convictions.³ In our prior reports on exonerations, we discussed the rapid growth in the number of CIUs and CIU exonerations since 2007. These trends have continued. Three new CIUs began operation in 2017, for a total of 33. See Figure 1.



CIUs were involved in a total of [42](#) exonerations in 2017, a significant decline from last year’s record of [72](#). This is due, as we explained, to the decline in Harris County guilty-plea drug exonerations, which accounted for 48 of the 72 CIU exonerations in 2016, but only 10 of the 42 this year. Thus, while the overall number of CIU exonerations declined from last year, the number of exonerations from CIUs other than Harris County and not involving drugs has actually increased—from 24 in 2016 to 32 in 2017.

³ The Conviction Integrity Units we count are long-term operations that work to prevent, identify, and remedy false convictions. These units all operate under the authority of local prosecutors with primary responsibility for prosecuting crimes in a county or district. Most but not all are called “Conviction Integrity Units,” the term we use as a general reference. We list every prosecutor’s office that claims to have a Conviction Integrity Unit for which we were able to contact an employee of the office who verified the CIU’s existence. We do not include four one-shot projects that we know of that were set up to review particular sets of cases for possible errors: (i) a review of cases with potentially flawed forensic evidence in Wayne County, Michigan, *see* Doug Guthrie, *Legal Unit to Monitor Detroit Gun Cases*, Detroit News, December 13, 2008; (ii) a review of homicide cases by the [Milwaukee](#) County DA’s office because of concerns about DNA collection procedure; (iii) a state-wide effort to identify old cases for DNA testing in [Connecticut](#); and (iv) a similar state-wide project in [Colorado](#).

Conviction Integrity Units have been involved in 269 exonerations through 2017. In Table B in the Appendix, we summarize information about these units, including the numbers, dates, and crimes of any exonerations they handled. As Table B shows, the 269 CIU exonerations through 2017 are very unevenly distributed among the offices. Eighty-four percent (226/269) occurred in four counties: Harris ([139](#)), Dallas ([28](#)), Cook (Chicago) ([33](#)), and Kings (Brooklyn) ([26](#)). Just over half are drug-crime guilty plea cases from Harris County (134/269).

In an earlier [report](#), we said that “several Conviction Integrity Units have accomplished a great deal in a short period of time. They may have initiated a fundamental change in the way false convictions are addressed in the United States, but that remains to be seen.”

That remains true. A few of the Conviction Integrity Units have indeed accomplished a lot, and there has certainly been an uptick in the number of offices that claim to have formed CIUs. It is still too soon to know whether this trend will produce a change in the way prosecutors operate generally, but we can say something about what these units have been doing. (Much of the basis for the comments that follow is contained in the information presented in Tables A and B in the Appendix.)

County Populations

There are over 2,300 local prosecutorial offices in the United States, serving populations that range from several hundred to several million. Table A shows that Conviction Integrity Units are concentrated in large counties. The three most populous counties all have CIUs (Los Angeles, Cook, and Harris); so do seven of the top 10, 11 of the top 20, and 20 of the top 50.⁴ In theory at least, there are CIUs in counties with approximately 18% of the national population.

However, the CIUs in large prosecutorial offices are all not created equal. The District Attorneys in Los Angeles, Cook, and Harris counties have each dedicated five or six full time staff people⁵ to conviction integrity work, but the CIU in the next largest county (San Diego) has one full time staff person, and the Orange County, California CIU has no dedicated full time staff.⁶ Kings County, on the other hand, with two million fewer people than Harris County, has 12 full time staff people dedicated to conviction integrity work.⁷

⁴ As of January 2018, Wayne County, Michigan also operates a CIU, which means that as of this writing there are CIUs in 12 of the top 20, and 21 of the top 50 most populous counties.

⁵ This includes attorneys, investigators, and paralegals.

⁶ Orange County has a “Conviction Integrity Function” which operates under the umbrella of the Special Prosecutions Unit. This unit has 14 attorneys, but no one is directly assigned to Conviction Integrity. As the “Conviction Integrity Function” is relatively new, this could change.

⁷ For some CIUs we do not have a count of full time staff, because they have been unwilling to communicate that information.

Some smaller jurisdictions have adapted the structure of CIUs created in larger offices to serve the same function in a smaller setting. Some mid-size jurisdictions have combined conviction integrity review with another specialized unit. San Francisco, for example, has formed an Independent Investigations Bureau, which focuses on police misconduct as well as conviction integrity. The Putnam County, New York prosecutor's office—which serves a population of fewer than 100,000 and has only five prosecutors total—has managed to create a CIU in which two of the five prosecutors review every innocence petition lodged with the office, make a decision of whether to reinvestigate, and then assign an outside attorney to work with the office to investigate the claim. This method has already produced one exoneration, while several CIUs in counties with five times that population have yet to exonerate anyone.

The CIU Exonerations We List

The CIU exonerations we count are, of course, all exonerations by [the criteria](#) for inclusion in the Registry. In addition, we [require](#) that:

A Conviction Integrity Unit in the prosecutorial office that prosecuted the exoneree helped secure the exoneration. (This does not necessarily mean that the prosecutorial office in question made a factual determination that the defendant is innocent.)

Because we are not privy to the internal decision making in prosecutors' offices, we contacted all CIUs in counties that have had exonerations to ask which ones they "helped secure." Our classifications are based on their designations.

How much the CIU did to help secure the exoneration varies greatly from case to case. In some cases, the CIU instigated the investigation themselves. In 2017, [Craig Coley](#) was exonerated through the help of the Ventura County Conviction Integrity Unit after spending nearly 38 years in prison. The CIU's involvement began in 2016, after the Simi Valley Police Chief came across several articles criticizing the way his department had handled Coley's case in 1979. The Chief contacted the Ventura County Conviction Integrity Unit, which conducted a thorough reinvestigation, poring over thousands of pages of documents. The CIU ultimately dispatched a team of investigators to the crime scene, and the investigators determined that the eyewitness's account of seeing Coley leaving the victim's apartment was impossible given her vantage point. On November 20, 2017, Ventura County District Attorney Gregory Totten and Simi Valley Police Chief Livingstone announced that they had concluded that Coley was innocent, and that they would support Coley's petition for a pardon based on innocence.

Most CIU exonerations, however, were initially investigated by defense attorneys, innocence organizations, journalists, or others. In some cases, the exonerated defendants even faced concerted resistance by the prosecutors' offices before the CIUs came around to supporting the exonerations. Last year, for example, the Cuyahoga County CIU had its first two exonerations since it was founded in 2014. In one of them, the DA's office fought the Ohio Innocence Project's

request for access to DNA test results in their client [Evin King](#)'s case for years, through an evidentiary hearing (which the prosecutor's office won) and an appeal of the trial court's decision. Finally, after the Ohio Court of Appeals reversed the trial court and ruled that the defense should have access to DNA test results, the DA's office dismissed the case. The Cuyahoga County CIU claims this as an exoneration that they "helped secure." Reasonable minds might differ, but we leave it to the CIUs themselves to decide whether their role qualifies under our criteria.

CIU Exonerations by County

Just over a third of CIUs have not been involved in any exoneration (12/33). To some extent, that is to be expected. Three CIUs began their operations in 2017 and need time to get underway. On the other hand, the CIUs in Nassau, Oneida, and Sacramento counties have had no exonerations in five years of existence, while the Lake County, Illinois CIU—which was founded the same year—has had three exonerations. The CIUs in the District of Columbia and in Pima and Yolo counties have had no individual exonerations in four years, the Tarrant County CIU has had none in three years, two others have had none in two years, and a few CIUs that had one or more exonerations in the past have had none for years.

At the other end of the range, four CIUs have been notably active. The Dallas CIU has had [28](#) exonerations over the last ten years, all but [one](#) for violent felony convictions. Kings County has had [26](#) CIU exonerations in the past six years, including [20](#) murder cases. Cook County has had [33](#) CIU exonerations since 2012, [25](#) of which were for murder convictions. Twelve of those were dismissed in the last two years alone. And Harris County has had 132 drug crime exonerations since mid-2014.

CIU Accessibility

Three indications of accessibility are presented in Table A. Under "*Web Address*" we post a link to the Internet address of the CIU, or indicate "No" if we could not find that information. Under "*Contact Info*" we enter a "W" if contact information for the CIU can be found on the general office web site, and we enter a "P" if we were able to get that information and our calls were answered or returned by an attorney in that unit by calling the general access telephone number for the prosecutorial office.

We found web addresses for seventeen CIUs, but only ten could also be located on the general office web site or by phone or both. Thirteen of the CIUs without accessible web addresses could be contacted by telephone. Ten CIUs without available web sites could not be reached by phone.

This does not mean that these ten units do not exist. We have been in contact with an attorney or the press office in each of these offices to confirm its existence. But reaching them required significant research, repeated calls, or, especially, personal contacts within the offices.

As a result, it appears that these units are not, as a practical matter, accessible to the public at large. In particular, innocent criminal defendants and concerned family members who seek exoneration are not likely to be able to present their cases to these CIUs unless they can afford to hire lawyers.

Conviction Integrity Units are a positive development, but they are not a panacea.⁸ Prosecutors who take on the task of reviewing convictions won by their own colleagues and predecessors may find it difficult to be objective and thorough. Particular units have been criticized as mere window dressing or public relations ploys.⁹ These criticisms may be fair when a prosecutor's office benefits from the positive publicity it gets from announcing the creation of a unit that ultimately produces no exonerations and is difficult even to access.

Some CIUs criticized in the past as ineffective have shown signs of progress. For example, the Philadelphia County CIU was founded in 2014, but had just one part-time staff member and produced no exonerations until 2016, despite having reviewed hundreds of cases. In 2016, the prosecutor assigned to the unit even pursued the unsuccessful retrial of exoneree [Anthony Wright](#), whose murder conviction was reversed based on new DNA testing. This year, however, Philadelphia's newly-elected district attorney, Larry Krasner, is in the process of restructuring that CIU and has hired the former head of the Dallas County CIU to lead it.

Some CIUs with few or no exonerations may have focused their efforts less on reviewing past wrongful convictions and more on preventing future mistakes. The Tarrant County CIU, for example, is reviewing every bite mark case in the county in response to longstanding criticism of bite mark analysis.

That said, we could find little in the records of several CIUs to answer the criticism that they are mere window dressing.

The variability in the performance of CIUs reflects the fact that they are internal organizational choices of the elected prosecutors who create them. The prosecutor may choose to create a unit with the resources and authority to conduct rigorous reexaminations of questionable convictions, or they may be satisfied with something more passive.

The murder and sexual assault exonerations that dominate the work of the Dallas and Brooklyn CIUs, for example, require a detailed, on-the-ground reinvestigation of violent crimes that occurred years, if not decades, earlier. Most require assessments of the credibility of witnesses. Many include a history of serious misconduct by prosecutors or police. Almost all benefit greatly from the cooperation of the defendants and their lawyers.

⁸ For a detailed discussion of the issue, see Barry C. Scheck, [Conviction Integrity Units Re-Visited](#), 14 Ohio St. J. Crim. L. 705 (2017).

⁹ See, e.g., id.; Elizabeth Barber, [Dallas Targets Wrongful Convictions, and Revolution Starts to Spread](#), Christian Science Monitor, May 25, 2014; Hella Winston, [Wrongful Convictions: Can Prosecutors Reform Themselves?](#) The Crime Report, March 27, 2014.

In that setting, a close working relationship between a CIU and the criminal defense bar has obvious advantages.¹⁰ Two CIUs that have been particularly successful in violent crime exonerations—those in Dallas and Brooklyn—were both set up with the help of local defense attorneys, public defenders, and innocence organizations. The Dallas CIU has always been run by an attorney with a background in criminal defense and innocence work. The Brooklyn CIU was designed with the assistance of a former public defender, and has an external review panel including defense lawyers. This model was adopted by the Clark County CIU in Las Vegas, Nevada, which began in 2016 and is run by a veteran public defender. In the year since it was founded, Clark County has already had [one exoneration](#) in a murder case. Most recently, Wayne County in Detroit, Michigan appointed an experienced defense lawyer to run its newly-established CIU.¹¹

Most CIUs, however, have no formal relationship with the defense bar. And in at least one county, a cooperative model of this sort was tried but failed. The Orleans Parish CIU in New Orleans began in late 2014, during the district attorney's re-election campaign, as a one-of-kind partnership with the Innocence Project New Orleans. The unit began operation in January 2015, worked on one exoneration, and was disbanded a year later.¹²

A few CIUs have been highly active; several show no real signs of life. Some are just getting underway; the rest have been involved in one exoneration, or a couple, over a period of years. Some CIUs are accessible and transparent; some are inaccessible and opaque. The structure and the operating procedures of the units, to the extent that we have been able to determine, are extremely variable.

The short history of CIUs reflects the extraordinary and largely unreviewable power vested in elected prosecutors. CIUs have proliferated rapidly because local prosecutors have the authority to create such units as a matter of administrative discretion. They are as variable as the circumstances and preferences of the prosecutors who founded them, and change over time as priorities and administrations change. Their future will turn on the policies of the prosecutors who lead those offices in the years to come, and on the political contexts in which they operate.

B. Innocence Organizations

[Innocence organizations](#)—non-governmental organizations dedicated to investigating and remedying wrongful convictions—have been around longer than CIUs, but are also a relatively recent development. In 1983, Jim McCloskey founded the first Innocence Organization in the

¹⁰ See Scheck, [Conviction Integrity Units Re-Visited](#), supra; Barry Scheck, [Professional and Conviction Integrity Programs: Why We Need Them, Why They Will Work, and Models for Creating Them](#), 31 Cardozo L. Rev. 2215 (2010).

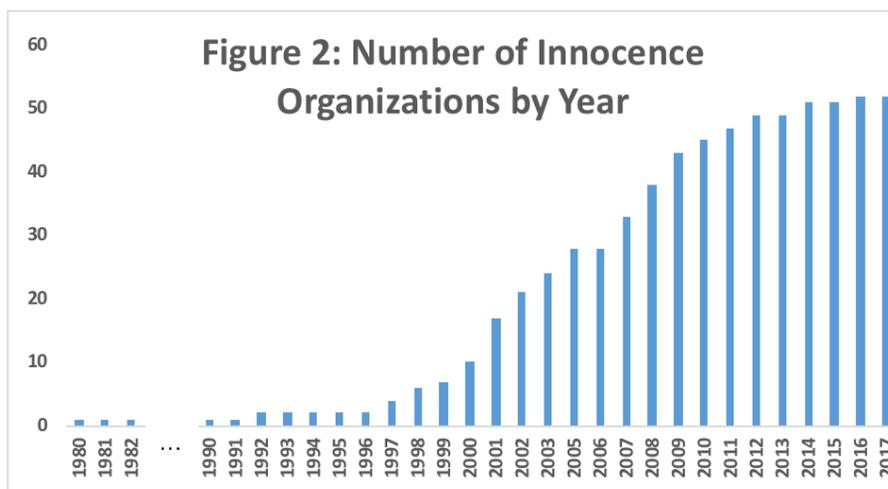
¹¹ This CIU is not included in Tables A and B, as it formally began operations in January of 2018.

¹² John Simerman, [Cannizzaro, Innocence Project Call It Quits on Project to Unearth False Conviction](#), The New Orleans Advocate, Jan. 9, 2015.

United States, Centurion Ministries, with the mission to investigate possible cases of wrongful convictions. Since then, Centurion Ministries has been involved in 37 exonerations—including 35 listed in the Registry, and two that occurred before 1989.

IOs did not begin to proliferate until the advent of DNA technology. The Innocence Project—the first DNA-focused IO—was founded in 1992 by Peter Neufeld and Barry Scheck as a clinic at the Cardozo School of Law. Several more followed during the 1990s. Some began by limiting their representation solely to cases involving DNA, or restricted their assistance to defendants with long periods of incarceration still to serve on their sentences.

Since then, the number of similar organizations has grown dramatically. There are currently 52 United States-based innocence organizations. Most belong to the Innocence Network, an association of organizations that provide pro bono services to people who claim that they are innocent of the crimes for which they were convicted.¹³ In 1999, there were seven IOs in the United States; from 2000 through 2009, 35 new IOs set up shop; another seven have been founded since the beginning of 2010. See Figure 2. Many IOs are based in law schools in the form of legal clinics, while some are nonprofits that stand alone or partner with law schools.¹⁴ Most no longer limit their representation to cases involving DNA, but many still require that their clients have at least several years—sometimes a decade—left to serve on their sentences.



¹³ The Innocence Network also includes innocence organizations based outside the United States, and organizations that do not provide legal representation in an effort to exonerate wrongfully convicted people but instead offer services to exonerees and advocacy on issues related to wrongful convictions.

¹⁴ Several other institutions serve goals similar to those of IOs with different structures. Some indigent defense offices, such as [Michigan State Appellate Defender Office's Wrongful Conviction Unit](#) and the [Ohio Public Defender's Wrongful Conviction Project](#), have units that represent defendants with claims of factual innocence. And North Carolina has a unique governmental [agency](#), the North Carolina Innocence Inquiry Commission, that is charged with reviewing and investigating post-conviction claims of innocence, and has the power to refer cases with evidence of factual innocence to a judicial panel. From its inception in 2007 through the end of 2017, the Commission's work has led to ten exonerations.

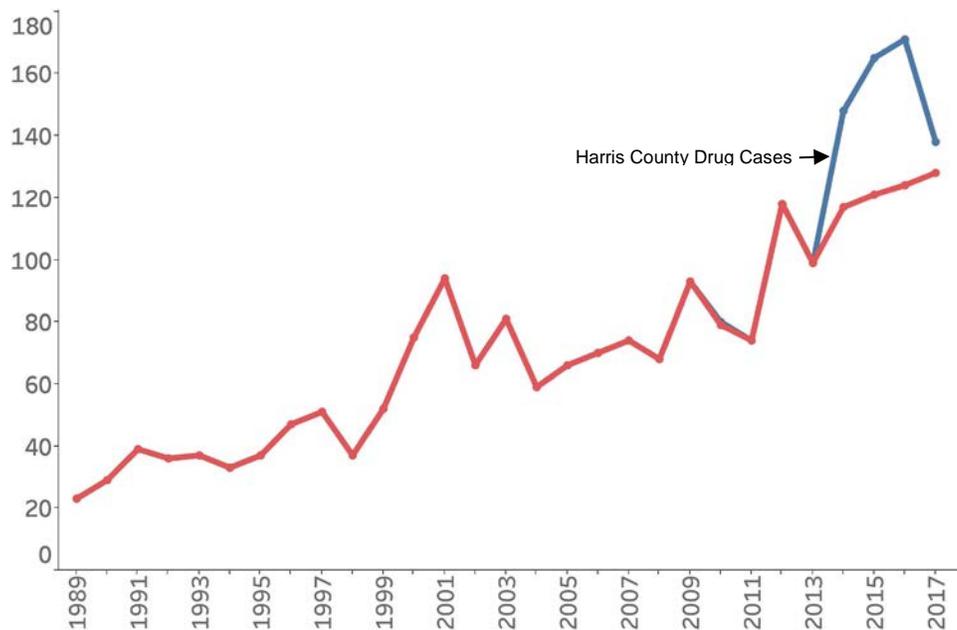
The demand for the services of IOs far outpaces this increase in supply. Exonerations typically take years, if not decades, to complete, and thousands of hours. Any IO—even a relatively well-funded one—must be highly selective in choosing cases. Some receive thousands of requests for assistance a year but can only take on a handful of new cases. Moreover, IOs based in law schools—innocence *clinics*—exist in large part to educate law students who work on cases for course credit, which limits the resources they can devote to freeing innocent defendants.

Innocence Organizations have been involved in 434 exonerations from 1989 through 2017 (and 13 of the 19 exonerations so far in 2018). Some IOs produce more exonerations than others. Their success turns on a number of factors: the availability of resources, the receptivity of the local courts to innocence claims—and, of course, the cooperation or resistance they encounter from prosecutors, including prosecutorial CIUs.

C. Exonerations by Professional Exonerators

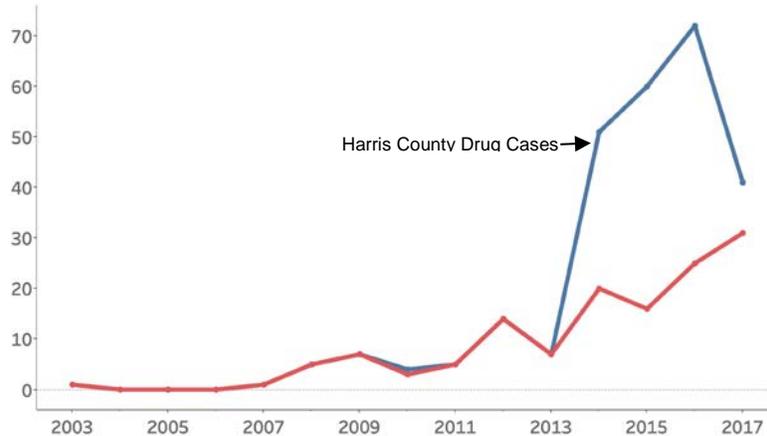
Exonerations in the United States are increasingly dominated by the work of two sets of professional exonerators: prosecutorial conviction integrity units (CIUs), and innocence organizations (IOs) that represent falsely convicted defendants. We’ve discussed one aspect of this phenomenon: the impact of the CIU drug-possession exoneration in Harris County, Texas, on the total number of exonerations since 2014. Figure 3 displays that effect visually: the underlying pattern is a steady increase in exonerations across a 29-year period, and the Harris County bulge from 2014 through 2016.

Figure 3: Exonerations by Year, With and Without Harris County Drug Crime CIU Cases



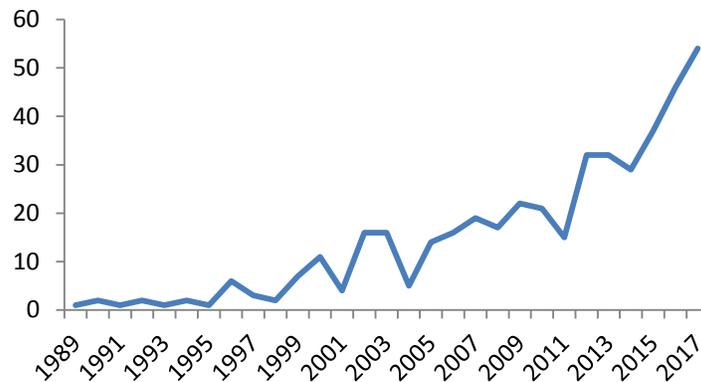
In Figure 4 we see the same effect for CIU exonerations separately: a steady increase in cases from 2007 on, with a steep bulge superimposed over it from 2014 through 2016.

Figure 4: CIU Exonerations by Year, With and Without Harris County Drug Crime CIU Cases



There are more IO exonerations than CIU exonerations—434 to 269 through 2017—in part because IOs have been in business longer and in part because there have always been more of them. Figure 5 displays the number of IO exonerations per year since 1989. It follows a pattern similar to the CIU exonerations—a steady increase that accelerated over time—but without the bump generated by the Harris County drug possession cases.

Figure 5: IO Exonerations by Year



CIUs and IOs are profoundly different types of organizations. With rare exceptions, IOs must reinvestigate convictions from scratch, usually without the benefit of any authority to subpoena witnesses or documents, or to conduct testing of physical evidence. Frequently, there is no legal procedure that permits them to present their claims to a court. They certainly have no direct power

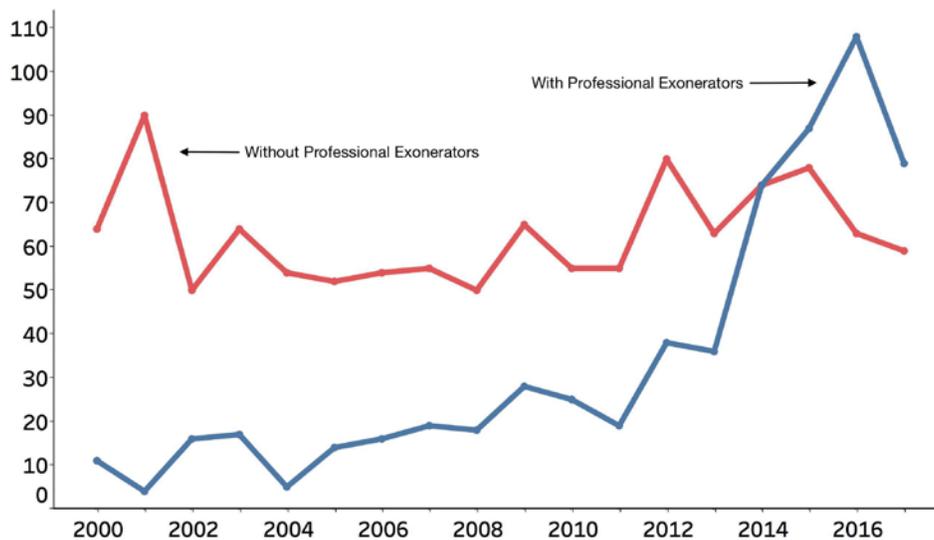
to remedy wrongful convictions. In many cases, their best hope is to secure the cooperation of the prosecutorial offices that convicted their clients.

CIUs are on the receiving end of this exchange: they *are* prosecutors. Many of their cases are brought to them by IOs or criminal defense attorneys who have already conducted substantial post-conviction reinvestigations. They have the power to act directly: they can reopen official investigations, agree to vacate convictions, and dismiss charges. They effectively have the power to grant exonerations by joining a defendant’s motion to vacate a conviction and then dismissing the charges.

If they have the resources, CIUs can move quickly. The Harris County CIU did that when it discovered hundreds of drug-possession guilty pleas by defendants who possessed no illegal drugs. So did the Brooklyn CIU in 2014 after Ken Thompson defeated the incumbent DA following a campaign in which he promised to devote more attention to freeing innocent defendants. In his first year in office, Thompson presided over 10 murder exonerations, mostly in cases that IOs and defense attorneys had worked on for years.

As we saw in Figure 3, the total number of exonerations in the United States remained roughly steady from 2000 through 2011, with ups and downs, and has been increasing since 2012 (with or without the Harris County bump). In Figure 6, we see that the entire increase in the rate of exonerations starting in 2012 is due to exonerations by IOs and CIUs.

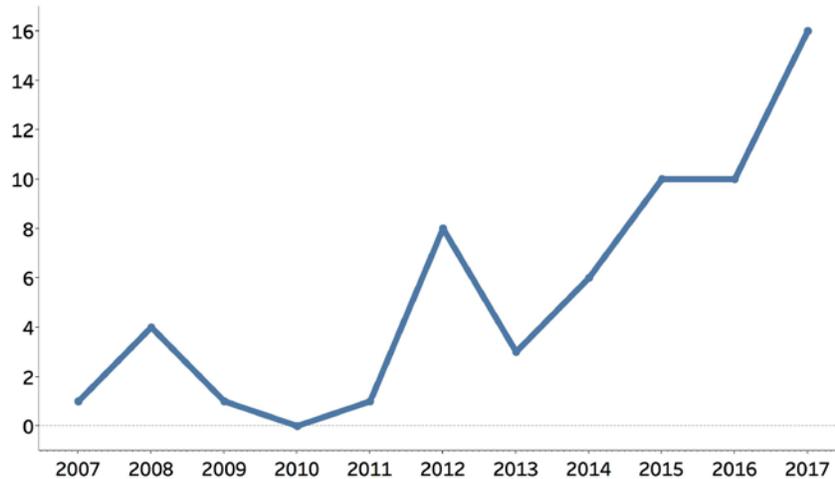
Figure 6: Exonerations by Year, With and Without Assistance from Professional Exonerators



The most recent trend in the work of professional exonerators is an increase in cooperation between CIUs and IOs. There have been a handful of such cases since 2007, but in the last three years they

have become a steady feature. Last year there were 16 exoneration that CIUs and IOs both worked on, 30% of all IO exoneration and nearly 40% of all CIU exoneration in 2017. See Figure 7.

Figure 7: Exonerations in which CIUs and IOs Cooperated, by Year



D. What's Next?

We have no crystal ball, but our best guess is that the trends we have seen in the past several years will continue.

The number of CIUs will probably continue to increase at a steady pace. They have become an accepted component of the American system of criminal justice, and, as we have discussed in previous [reports](#), they are politically popular. On the other hand, the number of IOs seems to be leveling off; there will probably be some additions in states that currently lack them, but at a slower rate.

We also expect that these institutions will increasingly cooperate with each other, as they have already been doing in the last few years. It is likely that between them, CIUs and IOs will continue to be involved in a majority of all exoneration—as they have since 2014—and possibly an increasing majority.

The first highly effective CIU in the country was founded by Craig Watkins, a criminal defense attorney who beat an inside candidate to win election as Dallas County DA in 2006. Seven years later, Ken Thompson unseated the Brooklyn DA and turned the Kings County CIU into a powerhouse. In both cases, the CIUs they ran cooperated extensively with innocence organizations.

There has been a recent flurry of elections in which other reform-minded outsiders were chosen as district attorneys in large counties across the country. Several of them have moved quickly to create or expand CIUs in their offices.¹⁵ If this trend continues or accelerates in the next few election cycles—and if the newly elected DAs follow in the footsteps of earlier reform prosecutors—we might just see a sea change in handling serious claims of innocence by convicted defendants across the country.

The [National Registry of Exonerations](#) is a joint project of the University of California Irvine Newkirk Center for Science and Society, the University of Michigan Law School, and the Michigan State University College of Law. It provides detailed information about every known exoneration in the United States since 1989—cases in which a person was wrongly convicted of a crime and later cleared of all the charges based on new evidence of innocence.

¹⁵ See Megan Crepeau, [After Momentous Week, Prosecutor Kim Foxx says ‘We Have To Right Wrongs.’](#) Chicago Tribune, November 20, 2017; Daniel Denvir, [Philadelphia Just Elected the Most Radical DA in the Country—Now What?](#), The Nation, November 10, 2017; Eric Gonzalez & Miriam Krinsky, [How a New Generation of Prosecutors Is Driving Criminal Justice Reform Outside of Congress](#), The Hill, February 26, 2018.

Appendix Table A: Conviction Integrity Units and Total Number of CIU Exonerations by County

County	State	Population	Founded	Full Time Staff?	Web Address	Contact Information	Exonerations to Date	Exonerations Not Based on Drug Testing
Santa Clara	CA	1,919,402	2002	?	No	P	<u>4</u>	4
Dallas	TX	2,574,984	2007	Yes	<u>Yes</u>	P	<u>28</u>	28
Harris	TX	4,589,928	2009	Yes	No	P	<u>138</u>	5
New York	NY	1,643,734	2010	Yes	<u>Yes</u>		<u>5</u>	5
Kings	NY	2,629,150	2011	Yes	<u>Yes</u>		<u>26</u>	26
Baltimore	MD	614,664	2012	Yes	No		<u>5</u>	5
Cook	IL	5,203,499	2012	Yes	<u>Yes</u>	P	<u>33</u>	33
San Diego	CA	3,317,749	2012	Yes	<u>Yes</u>	P	<u>1</u>	1
Lake	IL	703,047	2013	Yes	<u>Yes</u>		<u>3</u>	3
Middlesex	MA	1,589,774	2013	No	No	P	<u>1</u>	1
Nassau	NY	1,361,500	2013	Yes	No	P	0	0
Oneida	NY	231,190	2013	No	No	P	0	0
Sacramento	CA	1,514,460	2013	Yes	<u>Yes</u>		0	0
Suffolk	MA	784,230	2013	No	No		<u>1</u>	1
Ventura	CA	849,738	2013	No	<u>Yes</u>	P	<u>3</u>	3
Cuyahoga	OH	1,249,352	2014	Yes	<u>Yes</u>		<u>2</u>	2
District of Columbia	DC	681,170	2014	No	No	W, P	0	0
Multnomah	OR	799,766	2014	No	No	P	<u>5</u>	0
Philadelphia	PA	1,567,872	2014	Yes	<u>Yes</u>	P	<u>3</u>	3
Pima	AZ	1,016,206	2014	Yes	<u>Yes</u>	W, P	0	0
Yolo	CA	215,802	2014	No	<u>Yes</u>	W, P	0	0
Bexar	TX	1,928,680	2015	Yes	<u>Yes</u>		<u>2</u>	2
Los Angeles	CA	10,137,915	2015	Yes	No	W, P	<u>2</u>	2
Putnam	NY	98,900	2015	No	No	P	<u>1</u>	1
Tarrant	TX	2,016,872	2015	Yes	<u>Yes</u>	P	0	0
Travis	TX	1,199,323	2015	Yes	<u>Yes</u>	P	<u>2</u>	2
Bronx	NY	1,455,720	2016	Yes	<u>Yes</u>	W, P	<u>2</u>	2
Clark	NV	2,155,664	2016	Yes	No	P	<u>1</u>	1
Orange	NY	379,210	2016	No	No	P	0	0
San Francisco	CA	870,887	2016	Yes	No	P	0	0
Merced	CA	268,672	2017	No	<u>Yes</u>		0	0
Nevada	CA	99,107	2017	No	No	P	0	0
Orange	CA	3,172,532	2017	Yes	No		0	0
TOTAL		58,840,699					269 ¹	130

¹ The total of 269 includes one exoneration from the New Orleans CIU, which opened in 2015 and was terminated in 2016.

Appendix Table B: Conviction Integrity Units and CIU Exonerations, by County and Year

County	State	2002	2003	2004-2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	TOTAL
Santa Clara	CA		1M		1R		1SA			1SA						4
Dallas	TX					1M, 3SA, 1K	2M, 2SA, 2CSA	1CSA	3CSA, 1R	1M, 3SA, 3R		1SA, 1R			2SA, 1OR	28
Harris	TX							2SA, 1D	1CSA			1R, 31D	44D	48D	9D, 1G	138
New York	NY									2R, 1A	1SA			1M		5
Kings	NY									1A	1M	10M	5M, 1B, 1G	4M	1M, 1SA, 1F	26
Baltimore City	MD											3M		1M	1M	5
Cook	IL									2M, 3M, 1SA	4M	3M	5M, 4D	8M, 1R, 2D		33
San Diego	CA									1M						1
Lake	IL											1M, 1SA		1SA		3
Middlesex	MA											1SA				1
Nassau	NY															0
Oneida	NY															0
Sacramento	CA															0
Suffolk	MA														1M	1
Ventura	CA											1M			1M, 1T	3
Cuyahoga	OH														1M, 1R	2
District of Columbia	DC															0
Multnomah	OR													5D		5
Philadelphia	PA													1AM	1M, 1CSA	3
Pima	AZ															0
Yolo	CA															0
Bexar	TX												1A	1A		2
Los Angeles	CA														1M, 1AM	2
Putnam	NY													1AN		1
Tarrant	TX															0
Travis	TX														2CSA	2
Bronx	NY													1M	1M	2
Clark	NV														1M	1
Orange	NY															0
San Francisco	CA															0
Merced	CA															0
Nevada	CA															0
Orange	CA															0

Key

Format:
 For each county, shaded years are those without a CIU, unshaded years are those with a CIU, and highlighted years are those with CIU exonerations.

Exonerations by crime:
 For each year in which a county had one or more CIU exonerations, we list the number of CIU exonerations for each type of crime, coded as follows:

- A – Assault
- AM – Attempted Murder
- AN – Arson
- B – Burglary
- CSA – Child Sex Abuse
- D – Drug Possession
- F – Fraud
- G – Gun Possession
- K – Kidnapping
- M – Murder
- OR – Sex Offender Registration
- R – Robbery
- SA – Sexual Assault (adult)
- T – Traffic Offense

For example, “2SA” means that there were two CIU Sexual Assault exonerations in the county in that year.

The National Registry *of* **EXONERATIONS**

7 ILLUSTRATIVE EXONERATIONS IN 2017



Jose Maysonet

State: *Illinois*

Crime: *Murder*

Convicted: *1995*

Exonerated: *2017*

Key Factors: *False Confession, Perjury or False Accusation, Official Misconduct, Inadequate Legal Defense*

In 1995, Jose Maysonet was convicted of a 1990 murder in Chicago, Illinois, and sentenced to life in prison without parole. He was exonerated in 2017 as part of a continuing re-investigation of scores of convictions involving Chicago Police Detective Reynaldo Guevara. Maysonet was convicted largely on the basis of a confession that he signed after 17 hours of interrogation during which Guevara beat him with his fists, a telephone book, and a flashlight. At one point, Maysonet said Guevara squeezed his testicles so hard that he screamed and urinated on himself. Maysonet is among 11 men who have been exonerated because their convictions were tainted by Guevara's misconduct.



Frances and Daniel Keller

State: *Texas*

Crime: *Child Sex Abuse*

Convicted: *1992*

Exonerated: *2017*

Key Factors: *False or Misleading Forensic Evidence, Perjury or False Accusation, Official Misconduct*

Frances and Daniel Keller were convicted of sexually abusing several children enrolled in the day care center the couple operated. The investigation began after a four-year-old girl complained that Daniel had spanked her, but mushroomed into an astonishing array of claims against multiple people after a counselor questioned her. In addition to claims that the Kellers and their friends sexually abused her and other children, the girl alleged that the Kellers—among other things—cut babies into pieces and then drove over them, took the children to a cemetery where they dug up coffins and killed a witness, and shot Easter bunnies.

The Kellers were exonerated in 2017 after the state’s medical expert recanted his trial testimony that his examination of the girl uncovered evidence of sexual abuse, and the Kellers’ defense team discovered previously undisclosed evidence in the prosecution’s file that contradicted several aspects of the girl’s claims.



Kristin Lobato

State: *Nevada*

Crime: *Murder*

Convicted: *2002*

Exonerated: *2017*

Key Factors: *False Confession, False or Misleading Forensic Evidence, Perjury or False Accusation, Inadequate Legal Defense*

In 2002, Kristin Lobato was sentenced to 40 to 100 years for murder in Las Vegas, Nevada, despite alibi witnesses who said she was nearly 170 miles away at the time of the crime. After rejecting an offer to plead guilty in return for a three-year prison sentence, Lobato was convicted based on a medical expert’s testimony that the victim was killed at a time when Lobato was in Las Vegas. Her conviction was set aside and she was released in December 2017 after scientific evidence showed that the victim was killed after Lobato had already left town.



Fred Steese

State: *Nevada*

Crime: *Murder*

Convicted: *1995*

Exonerated: *2017*

Key Factors: *Mistaken Witness ID, False Confession, Perjury or False Accusation, Official Misconduct*

The Nevada Board of Pardons granted Fred Steese a full pardon based on innocence for a murder conviction, which had sent him to prison for nearly 21 years. After Steese’s attorneys uncovered evidence that the prosecution had concealed evidence supporting Steese’s claim that he was in Idaho at the time of the crime, his conviction was vacated. When the prosecution threatened to retry him, Steese entered an Alford plea to gain his release.

On November 8, 2017, Steese’s request for a pardon based on innocence was granted. “Let there be no residual stain on his record,” Nevada Supreme Court Justice Lidia Stiglich said.



Ledura Watkins

State: *Michigan*

Crime: *Murder*

Convicted: *1976*

Exonerated: *2017*

Key Factors: *False or Misleading Forensic Evidence, Perjury or False Accusation, Official Misconduct*

In June 2017, 61-year-old Ledura Watkins was freed after serving 41 years and three months in prison for murder—the longest time spent incarcerated after conviction by any wrongfully convicted defendant prior to exoneration.

The only physical evidence linking Watkins to the crime was a single hair found on the victim’s clothing that was said to have 15 points of similarity to Watkins’s hair. A man falsely claimed he was with Watkins when Watkins committed the murder—a claim that he would later recant and admit was a lie. Watkins was exonerated following disclosure of concealed laboratory and police reports, the witness’s recantation, and evidence that the hair analysis was unreliable.



Michelle Poulos

State: *California*

Crime: *Threats*

Convicted: *2001*

Exonerated: *2017*

Key Factors: *Perjury or False Accusation, Official Misconduct*

In 2017, Michelle Poulos was exonerated of a criminal threatening conviction after her accuser, June Patti, was exposed as a serial liar whose false testimony had resulted in the wrongful murder conviction of Susan Mellen. The *Los Angeles Times* published a lengthy article reporting that Patti had moved to Skagit County, Washington, where she was involved in more than 2,000 police calls or cases in that county, and that virtually all of her complaints and tips were baseless. After Poulos learned that Mellen had been exonerated in 2014 based on evidence of Patti's false testimony, Poulos contacted Innocence Matters, a Los Angeles-based nonprofit organization that investigates wrongful convictions. With the support of the Los Angeles County District Attorney's office, the conviction was vacated and the prosecution dismissed the charge.



Adam Gray

State: *Illinois*

Crime: *Murder*

Convicted: *1996*

Exonerated: *2017*

Key Factors: *Mistaken Witness ID, False Confession, False or Misleading Forensic Evidence, Perjury or False Accusation, Official Misconduct, Inadequate Legal Defense*

In 1993, Adam Gray was 14 when he falsely confessed to setting a fire on the south side of Chicago, Illinois that killed two people. He was convicted as an adult and sentenced to life in prison without parole. His case was marked by mistaken witness identification, misleading

EXONERATIONS IN 2017

arson evidence, false accusations, the failure of the prosecution to disclose exculpatory evidence, and a defense lawyer who provided an inadequate legal defense.

Beginning in 2006, witnesses started to recant their testimony. One witness said prosecutors and police had coached her. Another recanted her identification of Gray as the purchaser of a can of gasoline. Gray's defense learned that the prosecution had failed to disclose that the witness had initially identified someone else as the purchaser of the gasoline before she was convinced to identify Gray.

Defense experts re-examined the case and determined that proof the fire was arson was based on outdated and disproved arson theories. In 2017, the prosecution dismissed the case saying, "Scientific advances since the time of trial have proven that the fire investigators' testimony—while based on beliefs that were widely held in 1996—was erroneous under current scientific knowledge."