

## 2. *Group exonerations*

Many exonerations that we know about are not included in the Registry. Since 1989, in addition to the 1,900 individual exonerations in the Registry, a nearly equal number of defendants were cleared in 15 “group exonerations” in 13 cities and counties across the country. The great majority of these defendants were African Americans.

Exonerations can be “grouped” in many ways. What we mean by “*group exoneration*” is very specific: *The exoneration of a group of defendants who were falsely convicted of crimes as a result of a large-scale pattern of police perjury and corruption.* These are highly important cases, but—as we explain—they cannot usefully be studied in the same database as individual exonerations.

When we released our first Report, in May 2012, we discussed 12 group exonerations that included “at least 1,100” defendants.<sup>1</sup> We now know of 15 group exonerations, and the total of exonerated defendants has climbed to at least 1,840, the great majority of whom were framed for drug crimes that never happened.

Two of the best-known group exonerations illustrate the range of police behavior that produced these frame-ups:

- *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>2</sup>
- *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.

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<sup>1</sup> Gross, Samuel R. and Michael Shaffer. [Exonerations in the United States, 1989-2012](#). (2012): p. 84.

<sup>2</sup> Covey, Russell. [Police Misconduct as a Cause of Wrongful Convictions](#). *90 Wash. U. L. Rev. 1133* (2013).

Two additional defendants were exonerated when their convictions were vacated and dismissed by courts. In 2005, Coleman was convicted of perjury.<sup>3</sup>

Table 1 summarizes basic information on the group exonerations we know about. A short description of each of these scandals is included in the Appendix. One of the oldest—from Oaklyn, New Jersey, in 1991—is an outlier: 155 convictions for driving under the influence of alcohol were dismissed because a single police officer faked the results of breathalyzer tests, and then stole money from the wallets and purses of the suspects he arrested. All of the rest consisted primarily or exclusively of bogus drug cases.

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<sup>3</sup> *Id.*; Barnes, Steve. [Rogue Narcotics Agent in Texas Is Found Guilty of Perjury](#). *New York Times* (January 15, 2005).

**Table 1: Group Exonerations, 1995- 2017**

<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 1995-1998	Approximately 230	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 2013-2016	812	Mostly Drugs	Overwhelmingly Black
East Cleveland OH 2016-2017	43	Drugs	Overwhelmingly Black
<b>ALL CASES</b>	<b>AT LEAST 1,840</b>	<b>PRIMARILY DRUG CHARGES</b>	<b>PRIMARILY BLACK</b>

The biggest change from the list we published in 2012 is the addition of more than 700 exonerations in Philadelphia—which leads the nation in this category of injustice by a huge margin and accounts for a majority of all known group exonerations.

A couple of examples from Philadelphia illustrate the range of penalties suffered by the victims of these frame-ups:

In March 2005, Jeffrey Walker and other narcotics unit officers arrested Mia Whittaker on drug charges in her Philadelphia home. Despite her claim that the drugs were planted, Whittaker pled guilty and was sentenced to three years' probation. In May 2013, the FBI arrested Walker in a sting; ultimately he admitted that he and other officers had fabricated the case against Whittaker and hundreds of other defendants over more than a decade. In November 2013, Whittaker's conviction was vacated and the charge was dismissed.

In January 2001, 23-year-old Kareem Torain was arrested by Officer Walker and charged with possession of drugs. He refused to plead guilty and denied that he was carrying any drugs. In May 2002, Torain was convicted at a trial and sentenced to 12½ to 22½ years in prison. He was exonerated and released in February 2014, after more than 13 years in prison.

Sentences imposed by courts are only part of the undeserved punishment meted out in many of these scandals. Some suspects were beaten, had property stolen, or both—including some who were never charged with crimes. For example, the initial investigation that led to the first Philadelphia group exoneration was instigated by an event in 1991 when narcotics officers in the police department's 39th district arrested an African American college student named Arthur Colbert. Over a period of six hours, they called him “nigger,” took him to an abandoned crack house where they beat him, took him to the precinct where they continued to beat him, held a loaded pistol to his head and threatened to kill him, broke into his apartment and searched it—and eventually released him, after promising to kill him if they ever saw him again.<sup>4</sup>

The list in Table 1 is far from complete. We have not conducted a systematic, in-depth search for group exonerations. They are not easy to study from a distance. Most do not receive national attention; some barely make regional news beyond a few articles about the corrupt officers, and local news coverage is often sketchy. We have probably missed more group exonerations than we have found.

We also know of several police corruption scandals that did not produce group exonerations, but might have if the authorities had identified defendants with tainted convictions and exonerated them. In some instances, prosecutors did not conduct systematic reviews of the cases the corrupt

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<sup>4</sup> Kramer, Michael. “How Cops Go Bad.” *Time*. (December 15, 1997).

officers had brought.<sup>5</sup> In others, they left it up to the convicted defendants themselves to seek dismissal of their convictions, if they learned that it was possible and had the resources to try; it rarely happened.<sup>6</sup>

Wholesale police frame-ups of innocent defendants are at one end of a continuum of deliberate false convictions. At the opposite end are isolated acts of perjury in particular cases; some individual exonerations that include police perjury fit that mold. In between, there are serial perjurers: officers who frame innocent defendants occasionally over the course their careers, but not as part of a concerted plan or large scale conspiracy. In all likelihood, the great majority of false convictions that result are never discovered, from one end of the spectrum to the other.

As we have noted, the group exonerations we have found are primarily cases in which police officers planted drugs on suspects. It takes a lot to overcome the practical presumption that police tell the truth in court, especially when the competing story comes from the accused. The cases that come to light are those in which the evidence of corruption becomes overwhelming, which is most likely in scandals with many innocent victims. When that point is reached, the dam breaks and a flood of dozens or hundreds of convictions are recognized as unreliable or baseless.

In sum, as with individual exonerations, there clearly are many more false convictions of drug defendants who were framed by police than we have identified in these 15 groups.

Group exonerations are fundamentally different from exonerations based on individual investigations and cannot usefully be studied together.

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<sup>5</sup> For example, beginning in the 1990s and extending into the late 2000s, a series of Chicago police corruption scandals resulted in convictions of more than a dozen police officers on charges relating to the falsification of drug cases, theft of narcotics from drug dealers and users, and the filing of false reports. Possley, Maurice. [When Cops Go Bad, Everyone Pays](#). *Chicago Tribune*. (October 22, 2006); Main, Frank. “‘Cops’ Arrests Get 10 Felony Cases Tossed Out.” *Chicago Sun-Times*. (May 9, 2005); Possley, Maurice and Gary Marx. “Austin 7 Arrests Fall Apart In Court.” *Chicago Tribune*. (January 25, 1997); Warnick, Mark. “City Cop Scandals Dash Drug Trials.” *Chicago Tribune*. (December 25, 1997); Heinzmann, David and Annie Sweeney. “Federal Probe Nets 4 SOS Cops, No Brass.” *Chicago Tribune*. (April 8, 2011). The Cook County State’s Attorney’s office told us it has no idea how many convictions were later dismissed, although a review of federal lawsuits reveals that several defendants sued the City of Chicago after their convictions were vacated. Email from Andrew Conklin, Media Spokesperson, Cook County State’s Attorney’s Office (March 2012).

<sup>6</sup> In 2002, for example, the Dallas District Attorney’s Office dismissed pending charges against 20 defendants who were apparently framed by two former Dallas police officers who were themselves convicted of stealing money from suspects and falsifying reports. Three convicted defendants who were still imprisoned also had their convictions reversed, but prosecutors made no attempt to identify other defendants who had been falsely convicted in this conspiracy on the ground that it was “up to the individual defendant.” Bensman, Todd. “False Drug Convictions May Linger.” *Dallas Morning News*. (September 8, 2002).

The unit of observation for an individual exoneration is the defendant and his case. The 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. Once that picture comes into focus, specific exonerations may be handled summarily and receive little or no separate attention. As a result, many group exonerations are for comparatively minor false convictions that would never be reinvestigated on their own. For example, 27 of the 37 Tulia exonerees pled guilty; most of them received probation and fines or short periods of incarceration. It is nearly 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.

Because of this summary process, we know next to nothing about many of the individual cases that were dismissed in 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; sometimes, not even the names of the exonerated defendants. For the Rampart scandal in Los Angeles, for example, we don't even know the number of exonerated defendants. (On the other hand, we have detailed information on each defendant in the Tulia group exoneration.<sup>7</sup>)

For some group exonerations, it is also likely that quite a few of the defendants who were cleared were in fact guilty. Professor Russell Covey has assembled reasonably detailed information on 87 of the Rampart exonerations in Los Angeles.<sup>8</sup> He concluded that 38 cases qualified as exonerations by the Registry's criteria, and the defendants are highly likely to be innocent; 27 cases included "evidence of criminal culpability" by the defendant; and 22 cases were too unclear to call. This suggests that half or more of the Rampart exonerees were innocent, but many others were not. On the other hand, Covey concluded that with one or two unlikely exceptions, all the exonerated Tulia defendants were innocent;<sup>9</sup> based on the evidence we have reviewed, we agree.

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.

Perhaps the most striking aspect of group exonerations for drug crimes is their racial composition. In almost every jurisdiction, over a period of decades, the exonerated drug defendants were overwhelmingly minority group members. In Los Angeles and Dallas they were Hispanic;

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<sup>7</sup> See Blakeslee, Nate. *Tulia: Race, Cocaine, and Corruption in a Small Texas Town*. (2005).

<sup>8</sup> Covey, Russell. [Police Misconduct as a Cause of Wrongful Convictions](#). *90 Wash. U. L. Rev.* 1133 (2013).

<sup>9</sup> *Id.* at pp. 1150-51.

everywhere else, they were African American. In Philadelphia, where a majority of all group exonerations took place, Bradley Bridge, a Deputy Public Defender who has been handling and tracking that city's group exonerations for decades, estimates that "at least 95%" of the more than 1,000 exonerated defendants are minorities,<sup>10</sup> and the vast majority are black.

Why did these scandals happen?

We don't *know* the motives of the dishonest officers who framed all these defendants, but there are a few obvious possibilities. Some of the corrupt officers involved took bribes or stole money and drugs from real drug traffickers and may have framed innocent defendants to deflect suspicion. Some probably did it because they believed the defendants they framed were drug dealers or gang members or both and deserved to be sent to prison, even by dishonest means. And some did it to build their careers. Tom Coleman, for example, lost his job as a deputy sheriff and was then indicted for theft in a different Texas county before he was hired as an undercover agent in Tulia. After he arrested 46 people on fabricated drug charges, the Texas Department of Public Safety named him as the 1999 Outstanding Lawman of the Year.<sup>11</sup>

But why did they focus so heavily on minorities, especially African Americans?

It's impossible to miss the obvious racism at the core of some of these cases. In addition, many black defendants—especially poor, inner-city dwellers in Philadelphia, Camden, Oakland, and elsewhere—have limited resources and little political clout. They are unlikely to be able to defend themselves successfully, even if innocent.

But the most powerful reason the officers who carry out these outrages focus on African Americans is simple: That's what they always do. Drug-law enforcement in general bears more heavily on African Americans than on whites, as we saw in Harris County. As any forger knows, the way to create convincing fakes is to make them look like the real thing. For drug cases, that means arresting mostly black suspects.

One of the many costs that the War on Drugs inflicts on the black community is this outrageous practice of framing innocent defendants. We have no idea how often it really occurs.

## I. Conclusion

Most innocent defendants who have been exonerated in the United States in the past 28 years are African Americans—almost half of the nearly 2,000 individual exonerations that we know about,

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<sup>10</sup> Email, Bradley S. Bridge to Maurice J. Possley. (December 5, 2016).

<sup>11</sup> Blakeslee, Nate. [The Color of Justice](#). *Texas Observer*. (June 2000).

and the great majority of a similar number of group exonerations. There is every reason to believe that this is also true of the much larger group of all wrongful criminal convictions.

There is no single explanation for this huge racial disparity. It has several causes, all of which point in the same direction.

- *The high homicide rate in the African American community.* This is a major cause of the high number of African American murder exonerees. If the real criminal is black, anybody who is mistakenly convicted for that crime will almost inevitably be black as well. These exonerated defendants, and a much larger group of falsely convicted murder defendants who have not been exonerated, are innocent casualties of the high homicide rates in some African American communities.
- *The risk of eyewitness misidentification in cross-racial crimes.* We see this most starkly for sexual assaults: Most African American sexual assault exonerees were misidentified by white victims. The same problem very likely contributes to the high proportion of black exonerees in murder cases, but to a lesser extent. It probably also contributes to false convictions for other violent crimes that we have not examined in detail.
- *Race-of-victim disparities.* Murder exonerations include about twice as many cases with African American defendants and white victims as all murders in America. Some of that difference may be due to cross-racial eyewitness misidentifications, as we have noted, but not all. Investigations of murders in which African Americans killed white victims are less accurate than other murder investigations even when eyewitness identification is not a factor.
- *African Americans are more often stopped, questioned and searched than whites.* This appears to be the major cause for the heavy over-representation of African Americans among innocent defendants exonerated for drug crimes. There might be legitimate justifications for some of these practices, but there is strong evidence that they also reflect racial profiling and other forms of discrimination against African Americans in drug-law enforcement.
- *Black suspects and defendants are more likely to be the targets of police and prosecutorial misconduct.* Racial profiling, which we just mentioned, is a type of misconduct that is inherently racially discriminatory. Other forms of official misconduct show racially disparate patterns as well:
  - *Murder exonerations.* Official misconduct occurred in fewer than two-thirds of murder exonerations with white defendants but more than three-quarters of those with black defendants—and that difference is greater among exonerations of

defendants who were sentenced to death. Most of the racial disparity is caused by a higher rates of misconduct by police officers rather than prosecutors.

- *Group exonerations.* More than 1,800 exonerations since 1989 are for convictions of groups of innocent defendants who were systematically framed by police for fictitious crimes. The great majority were black defendants who were convicted of drug crimes that never occurred. This may be the most shocking example of the many ways in which the War on Drugs bears most heavily on minorities, especially African Americans.
- *African-American exonerees spent more time in prison before they were released than did white exonerees.* African American murder exonerees were imprisoned for three years longer than white exonerees; those exonerated for sexual assault spent almost four-and-a-half more years in prison than white sexual assault exonerees. For both crimes, a large portion of the difference reflects a heavy concentration of African Americans among those exonerees who served 25 years in prison or longer. Some of these differences reflect longer average sentences imposed on the innocent black defendants, but the data also suggest that there is more resistance to releasing innocent defendants if they are black.
- *Many innocent black defendants encounter bias and discrimination throughout their ordeals.* Several of the factors we have identified embody racial discrimination—racial profiling in drug-law enforcement, for example, and especially the systematic framing of innocent black drug defendants in group exonerations. Other types of discrimination are more subtle and harder to spot but may be equally pernicious. Unconscious bias, for example, may explain why some black exonerees were convicted despite overwhelming alibi evidence from black witnesses who testified at trial. In some cases, there is no need to speculate: the racism of those who investigated, prosecuted and punished the innocent black defendants is explicit and unmistakable.

## APPENDIX – Group Exonerations

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>12</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>13</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 138 defendants from the 39th District. The investigation of the 39th spread to other districts and ultimately resulted in the dismissal of nearly 100 additional convictions.<sup>14</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>15</sup>

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<sup>12</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>13</sup> Jennings, John Way and Larry Lewis. "Judge Overturns Convictions Of 155." *Philadelphia Inquirer*. (July 20, 1995).

<sup>14</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); see also Interview with Bradley S. Bridge, Attorney, Philadelphia Defender Association (March 2012).

<sup>15</sup> Covey, Russell. [Police Misconduct as a Cause of Wrongful Convictions](#). *90 Wash. U. L. Rev.* 1133 (2013).

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 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>16</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>17</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>18</sup>
8. ***Tulia, Texas, 2003.*** *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

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<sup>16</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>17</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>18</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).

were vacated and dismissed by courts. In 2005, Coleman was convicted of perjury.<sup>19</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 false affidavits and pocketing money meant for informants. By 2004, Jefferson County prosecutors had dismissed about 50 convictions.<sup>20</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>21</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>22</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 pleaded 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>23</sup>
13. **Mansfield, Ohio, 2012.** In May 2007, Jerrel Bray, a long-time drug dealer and police informant

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<sup>19</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).

<sup>20</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>21</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>22</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>23</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).

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, 20 convicted drug defendants had been exonerated and released.<sup>24</sup>

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 other narcotics unit members for framing defendants on drug charges dating back to 2006—although authorities believe the illegal conduct dated as far back as 2000. Through 2016, a total of 812 convictions attributed to the seven officers had been vacated and dismissed. The total is expected to surpass 1,000 when the investigation is complete.<sup>25</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>26</sup>

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<sup>24</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).

<sup>25</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, (November 2016).

<sup>26</sup> Interview with Jose Ortiz, Assistant Prosecuting Attorney, head of conviction integrity unit, Cuyahoga County Office of the Prosecutor, (November 28, 2016).