Richard C. Dieter
EXECUTIVE DIRECTOR

1015 18th St. NW,
Suite 704
Washington, D.C. 20036
Phone: (202) 289-2275
FAX: (202) 289-7336
dpic@deathpenaltyinfo.org
www.deathpenaltyinfo.org

DEATH PENALTY INFORMATION CENTER

EMBARGOED UNTIL: April 28, 2014 at 3:00 PM Eastern Time
CONTACT: Margot Friedman at 202-332-5550 mfriedman@dupontcirclecommunications.com

NATIONAL ACADEMY OF SCIENCES STUDY POINTS TO HIGH RATE OF INNOCENCE ON DEATH ROW

With Greater Scrutiny, Over 4% of Those Sentenced to Death Would Likely be Exonerated

WASHINGTON, DC – According to a study published today in the prestigious *Proceedings of the National Academy of Sciences*, "[A] conservative estimate of the proportion of erroneous convictions of defendants sentenced to death in the United States from 1973 through 2004 [is] 4.1%." That percentage is more than twice as high as the percentage of inmates actually exonerated and freed through court action. During this same period, only 1.6% of those sentenced to death have actually been exonerated and appear on the Death Penalty Information Center's (DPIC) list of exonerations.

"This impressive study points to a serious flaw in our use of the death penalty," said Richard Dieter, DPIC's Executive Director. "The 'problem of innocence' is much worse than was thought. The justice system is likely missing more than half of those who should have been exonerated from death row. Some may have been executed, others are languishing in prison."

The study is titled *The Rate of False Conviction of Criminal Defendants Who are Sentenced to Death,* written by researchers Samuel Gross, Barbara O'Brien, Chen Hu, and Edward Kennedy. The authors conclude that the main reason so many exonerations are missed is that the cases of inmates who are removed from death row for reasons other than innocence and who are resentenced to life in prison are given far less scrutiny than those who remain on death row. Ironically, inmates who remain under a sentence of death have a much better chance of being exonerated than inmates whose sentences are reduced to life.

Professor Samuel Gross of the University of Michigan Law School, one of the authors of the study, pointed to the gravity of the problem, "Since 1973, nearly 8,500 defendants have been sentenced to death in the United States, and 138 of them have been exonerated. Our study means that more than 200 additional innocent defendants have been sentenced to death in that period. Most of these undiscovered innocent capital defendants have been resentenced to life in prison, and then forgotten."

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The issue of innocence has been one of the principal reasons that the use of the death penalty has sharply declined in the U.S. Since the late 1990s, death sentences have declined 75%, and executions have dropped by half. Eighteen states have now ended capital punishment, including six since 2007. Executions have been indefinitely put on hold by the governors of three additional states.

Last month, Glenn Ford was exonerated and freed from Louisiana's death row after 30 years. In a case riddled with mistakes, Mr. Ford had been represented at trial by two inexperienced attorneys who were appointed because of where their names appeared in an alphabetic listing of lawyers in the Shreveport Louisiana Bar Association. In Texas alone, Carlos DeLuna, Ruben Cantu and Cameron Todd Willingham were executed, but evidence now strongly points to their possible innocence.

The Academy of Sciences study can be found at http://www.pnas.org/cgi/doi/10.1073/pnas.1306417111. DPIC's list of individuals exonerated from death row can be found at www.deathpenaltyinfo.org/innocence-and-death-penalty.

To reach authors of the new study, please contact Margot Friedman of Dupont Circle Communications, 202-332-5550; mfriedman@dupontcirclecommunications.com.

To speak with Richard Dieter, Executive Director of the Death Penalty Information Center, about DPIC's Innocence List or the declining use of the death penalty, please contact DPIC at 202-289-4022 or dpic@deathpenaltyinfo.org.

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The Death Penalty Information Center (www.deathpenaltyinfo.org) is a non-profit organization serving the media and the public with analysis and information on issues concerning capital punishment. DPIC was founded in 1990 and prepares in-depth reports, issues press releases, conducts briefings for the media, and serves as a resource to those working on this issue.