Prosecutors and Police are Assisting with Exonerations at Record High Levels, New Data Shows

National Registry of Exonerations Releases 2012 Data
Join Twitter Q&A at #NRE12 or @exonerationlist at 1 p.m. Eastern today

In 2012, the number of cases in which prosecutors or police helped exonerate innocent defendants increased dramatically, according to a new report released today by the National Registry of Exonerations. Of 63 known exonerations in 2012, law enforcement initiated or cooperated in 34 or more than half (54%).

Since 1989, prosecutors and police cooperated in 30 percent of the exonerations that the Registry has been able to identify (317 of 1050 exonerations in the national database at the end of last year). In 2012, for the first time, law enforcement cooperated in the majority of known exonerations. The previous high was 2008 when prosecutors or police assisted in 22 of 57 known exonerations (39 percent). In general, official cooperation is least likely among exonerations in capital murder and mass child sex abuse cases, and most likely in robbery and drug crime exonerations.

“We see a clear trend. Prosecutors and police are more open to re-investigating cases and clearing the names of innocent people who were wrongfully convicted,” said Michigan Law professor Samuel Gross, editor of the Registry and author of
the “2012 Update” released today. “This is as it should be. The purpose of law enforcement is to seek truth and pursue justice. I’m glad to see they are now doing so more often *after conviction*, to help correct some of the terrible mistakes we sometimes make.”

Professor Gross noted that the increase in prosecutor and police involvement in exonerations may reflect in part changes in state laws that facilitate post-conviction DNA testing and the emergence of Conviction Integrity Units in several District Attorneys’ Offices around the country, including Dallas County, Harris County (Houston), New York County (Manhattan), Santa Clara County (San Jose), Kings County (Brooklyn), Cook County (Chicago), and Lake County, Illinois. For example, *David Ranta* was released from prison last month after serving 23 years in maximum-security prisons. The Kings County (Brooklyn) D.A.’s Office established a Conviction Integrity Unit in 2011, reinvestigated Ranta’s 1991 murder conviction, and uncovered mistaken identification and perjured testimony. And in December 2011 *Thomas Haynesworth* was exonerated after a campaign of lobbying and litigation by the Virginia Attorney General and local prosecutors.

The “*2012 Update*” reports 63 exonerations in 2012: 36 murder cases (57%) – including two in which the defendants were sentenced to death – 15 rape cases (24%), and 12 others.

The 2012 Update also analyzes all known exonerations between 1989 and 2012, a total of 1050 as of the end of 2012 – 178 more cases than when the Registry was launched last May. Two thirds of the cases added are “old” (pre-2012) exonerations that were found in the Registry’s on-going effort to locate more of the many exonerations that remain unknown.
In addition to the increase in prosecutor and police involvement, Registry data show a recent increase in exonerations in cases with defendants who pled guilty. In the last four years, 39 defendants who had pled guilty were exonerated for an average of 10 per year. Between 1989 and 2008, the average was three per year. This increase may reflect a greater willingness on the part of the government to reexamine cases of innocent people who took plea bargains rather than risk tougher sentences at trial.

The Registry focused attention on searching for exonerations in California, the most populous state, which had a comparatively low rate of known exonerations per capita. As a result, 40 previously unknown exonerations were added in California, which now leads the country. The Registry expects to find more cases in other states as it shifts its focus.

California contains three of the ten counties in the country that have more than 900,000 people but no exonerations or only one by the end of 2012: Riverside, San Bernardino, and Alameda. (There were two more exonerations in Alameda County in 2013, after the period covered by the report.) These numbers do not necessarily mean that there were few wrongful convictions in those counties, but rather few exonerations or a lack of publicity about them. (Table 10 at p. 16.)

At 1:00 p.m. Eastern today, Professor Gross and Maurice Possley, the Registry’s lead writer/investigator and a Pulitzer Prize-winning journalist, will host a Twitter Q & A on their findings. The media and the public are invited to participate by following #NRE12 or #innocence or @exonerationlist.
The National Registry of Exonerations is a joint project of the University of Michigan Law School and the Center on Wrongful Convictions at Northwestern University School of Law. The Registry 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 charges. It is by far the largest and fastest-growing collection of exoneration cases ever assembled.