

Taken from their families,
sent to death row for horrendous
crimes—and then cleared of all
charges: Here's what it is like to be

Free at Last

You've been convicted of murder. You didn't do it. After you've rotted in prison for weeks, months, years (in one case 33 years), one day a judge taps his gavel, looks you in the eyes and says, in essence, "Oops. Never mind. Our mistake! You're free to go."

Go where? To do what?

Since 1973, 102 men and women sent to death row and later exonerated—often through DNA evidence—have faced those questions. Some returned to families that never gave up the fight; others had to rebuild their lives from scratch. None will forget the day they won back their freedom. "Sometimes you have dreams that are never realized," says Ray Krone, wrongly convicted of the rape and murder of a Phoenix bartender. "This one was."

Peter Limone

After three decades in jail for a crime he didn't commit, he returns to a wife who waited

He was always there for them, a father for his family, and then one day he wasn't. Bar manager Peter Limone was supposed to meet his wife, Olympia, for an open house at their son's elementary school in Arlington, Mass., on Oct. 27, 1967—their 10th wedding anniversary. He never showed up, and later that day his brother told Olympia why: Limone had been indicted for murder. "It didn't penetrate," says Olympia, now 66. "But he didn't come home that night."

Peter Limone didn't come home for 33 years. A Mafia hit man turned FBI informant fingered him and three other men for the 1965 murder of gangster Edward Deegan, shot six times in a Chelsea, Mass., alley. Limone, who had a minor criminal record but did not know the informant or the other suspects, surrendered to cops, sure no jurors would buy the word of a killer. But 12 did, and a judge called for the



COURTESY LIMONE FAMILY

"I knew he was incapable of murder," his wife says of Limone (with his sons in '62).

PHOTOGRAPH BY
MARNIE CRAWFORD SAMUELSON



Convicted For the '65 murder of a Boston man
Imprisoned 33 years
Exonerated His lawyer found old FBI reports about a key witness who lied about Limone's involvement in the murder

"I missed everything," says Limone (at home in Medford, Mass., with wife Olympia). "You never make peace. But my wife keeps me going."

electric chair. "State of shock," says Limone, 68, of his reaction. "I remember being driven to prison and going right to death row. You just say to yourself, 'What the hell am I doing here?'"

At Walpole Prison, 20 miles southwest of Boston, Limone spent 23½ hours a day in a cell. His wife visited twice a week, his four children only four times a year. Though heartbroken, "I always put on a show of being okay," he says. "I figured if it's hard for me, it must be harder for them." After an appeal failed, the years slowly rolled by. In 1972 the U.S. Supreme Court found the death penalty unconstitutional, and his sentence was changed to life in prison. Says his son Paul, 42, a restaurant manager and construction worker: "Our biggest fear was that Dad would die in there."

Indeed, two of the three men convicted alongside Limone did die behind bars. In 2000 John Cavicchi, a lawyer for one of those men, took on Limone's case and uncovered old FBI reports that proved he had not been involved in the murder and that the Feds had known about his wrongful conviction—part of an apparent pattern of corruption among Boston FBI agents. "It was a bad case, just treachery all around," says Cavicchi, who worked for free. On Jan. 5, 2001, a judge set aside Limone's conviction.

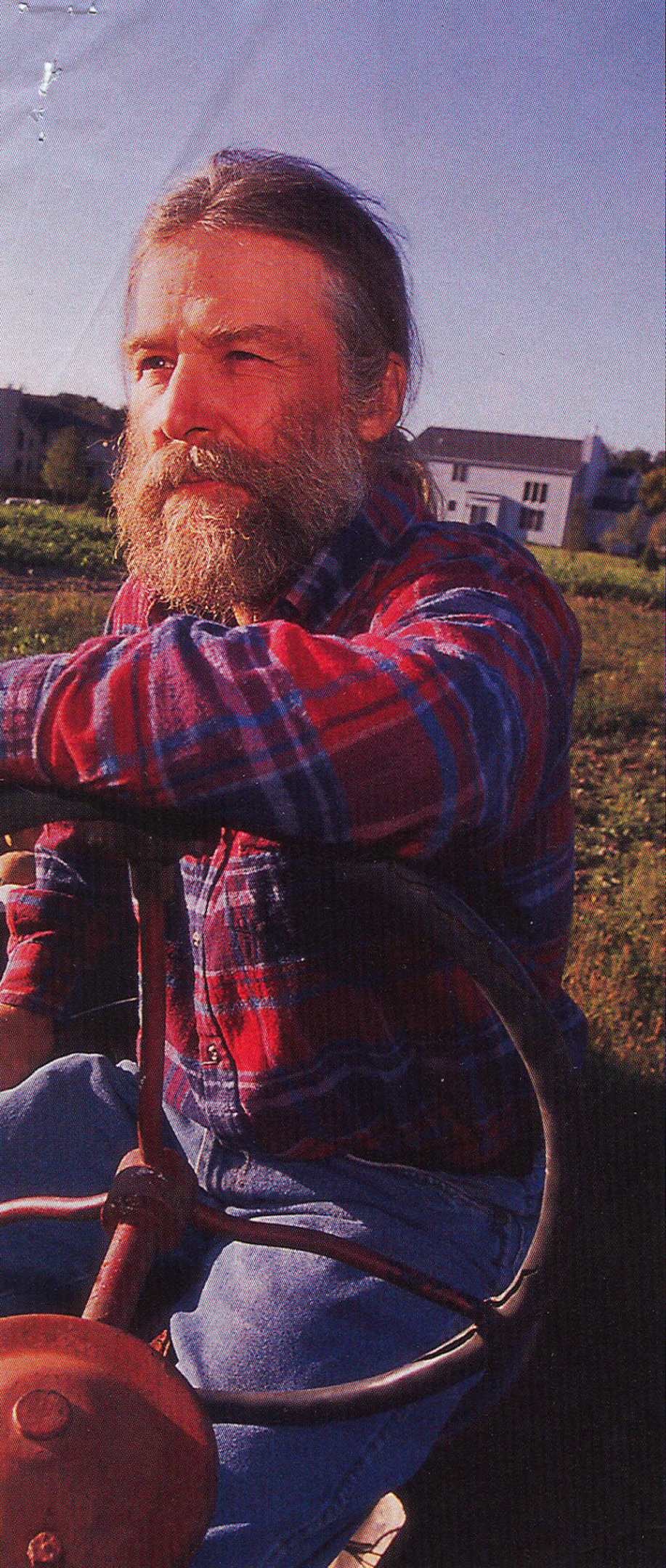
Just like that, he was free. He opened a bottle of scotch his sister gave him before his ordeal, and old friends applauded when he accompanied Olympia to mass. Still, he says, "I feel bitter." In bed at night, "you're waiting for the whistle for count. It took a long time to get used to things." Limone is suing the FBI and others for \$375 million. Mostly, though, he is savoring what he once had lost. "My wife, my kids, they are the reason I never gave up," says Limone. "Being with family, that's the best part of life."

Convicted For murder of his parents
Imprisoned 3 years and 4 months
Exonerated After his conviction was reversed, two strangers were found guilty

"Anyone who knew me knew that I was innocent," says Gauger (on his Illinois farm).



MICHELLE LITVIN



"My whole sense of justice and law was shattered," says Gauger (leaving prison in '96).

Gary Gauger

Falsely convicted of the unthinkable: killing his own mother and father

Of all the wonders of his new life, Gary Gauger most relishes simply walking out the front door. "I appreciate being able to go in and out when I want to," he says. "It's so hard to get through a door in prison."

Gauger, 50, spent 3½ years in jails, wrongly convicted of murdering his parents in 1993. At the time he was a divorced father of three, living with his father, Morris, 74, and mother, Ruth, 70, on their Richmond, Ill., farm. It wasn't until a day after their April 8 murder that Gauger, opening a storage-room door, discovered his father's body. When police arrived and found his mother as well, they took Gauger into custody. "My world turned upside down," says Gauger. "They were dead, and I had no idea why. I was just numb."

Prosecutors used that apparent lack of emotion against Gauger at his trial, successfully winning a death-penalty conviction. "They weren't looking for the truth," says his twin sister, Ginger. She rallied to his aid, seeking the help of Chicago lawyer Larry Marshall, who specializes in fighting wrongful convictions. Within months Marshall persuaded the judge to reduce Gauger's sentence to life in prison. A year and a half later, Marshall persuaded an appeals court to overturn the conviction by arguing Gauger's lack of emotion didn't justify his initial arrest. In 1996 the real killers emerged: Two motorcycle-gang members were later convicted of killing the Gaugers during a burglary.

Now remarried, Gauger occasionally gives talks to anti-death-penalty and wrongful-conviction groups as well as student and civic organizations. But mostly he focuses on running the family farm. Says Gauger, still haunted by his ordeal: "You can't put this out of your head. It will always be with me."



SHONNA VALESKA

Ray Krone

Leaps in DNA technology deliver a mailman from death row despair

A casual phone call saved Ray Krone's life. In 1993 Krone's second cousin Jim Rix learned from his mom that he had a relative on death row. "I was surprised," remembers Rix, now 59, who owns a software-design firm in Zephyr Cove, Nev. "I wrote Ray a letter and introduced myself."

Krone, a Phoenix postman, had been convicted of the 1991 rape and murder of bartender Kim Ancona, 36; initially Rix simply assumed his cousin was guilty. From Krone he learned that much rested on testimony from an expert witness who said Krone's teeth matched bite marks on the victim. When Rix asked another expert to look at the evidence, "he seriously doubted the bite marks," Rix says. For his part, "I started to get excited," recalls Krone, 45. "Somebody cared about me."

The cousins' odyssey would last more than eight years. In 1996 Krone was tried and found guilty again, despite presenting 10 DNA and bite-mark experts who testified he could not have committed the crime. The family invested around \$200,000 to

help fund appeals. Krone's mother, Carolyn, 64, mortgaged her home. "We knew the truth was out there," she says.

In the end time helped. In 2002 advances in DNA technology showed that blood on the clothes allegedly came from Kenneth Phillips, who was already behind bars for attempted child molestation and is now facing trial for murder. On April 8 Krone walked out of the prison at Yuma. Although he plans to sue the Phoenix police—Arizona does not compensate people wrongfully convicted of a crime—

Convicted For rape and murder of a Phoenix bartender Imprisoned 10 years Exonerated DNA evidence cleared him and fingered another man behind bars

"You find a survival instinct," says Krone (in York, Pa., with his mother, Carolyn).

nothing, he says, can make up for his time behind bars. Meanwhile he has become a public speaker, testifying before the Senate and elsewhere about death penalty reform. "I don't know why the Lord put me in there for 10 years," he says, "but I think the public will be willing to listen."

Convicted For killing a Las Vegas hotel worker
Imprisoned 14 years
Exonerated New public defender and investigator located witnesses whose testimony convinced a judge to throw out his conviction

"It was like being born again after so many years on death row," says Miranda (in front of his Las Vegas church).

ROBBIE MCCLAFAN



For more on the Justice Project, go to www.people.com or AOL (Keyword: People)

Roberto Miranda

Victimized by the system, he finally gets good counsel

I have all my anger in a black box and I don't touch it," says Roberto Miranda, 59, a burly Cuban émigré who spent 14 years on Nevada's death row for the 1981 murder of a Las Vegas hotel worker. He was freed in 1996 when an appeals judge decided that the inexperienced public defender who had represented him, Thomas W. Rigsby, had severely bungled the case. "Roberto Miranda received essentially no defense," says Tom Casler, an investigator for the public defender's office in Nevada whose legwork played a key role in the successful appeal. "There was no investigation, and investigation is crucial in a case that carries the death penalty." (Rigsby declines to comment on the case.)

Miranda's troubles began in 1981. That's when Manuel Rodriguez Torres, a 30-year-old Mexican who worked at the Stardust Hotel, was found stabbed to death in the kitchen of his Las Vegas apartment, which appeared to have been burgled. Based largely on the testimony of a fellow Cuban émigré with whom he had been feuding, Miranda—a car detailer who came to the U.S. from Cuba during the 1980 Mariel Boatlift—was arrested and convicted after a 15-day trial. His lawyer failed to call several witnesses Miranda had suggested in his defense, including a key one. (Most of these same individuals were tracked down years later by Casler and would testify on Miranda's behalf.) Furthermore, says Miranda, "Rigsby told me to plead guilty." But he refused. "I would not plead guilty to something I never did," he says.

Currently unemployed, Miranda, who has no family in this country, combs help-wanted ads and attends church twice a week. "I can't blame America; America didn't do this to me," he says. "A judge and a lousy lawyer did. The judge is dead now, and I am alive," he adds. "There is a God."

Written by: Thomas Fields-Meyer, Pam Lambert and Alex Tresniowski

Reported by: Matt Birkbeck, Lauren Comander, Anne Driscoll and Frank Swertlow