

# DEATH PENALTY INFORMATION CENTER

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## 2003 IS RECORD-TYING YEAR FOR DEATH ROW EXONERATIONS

### *Pennsylvania Man Cleared by DNA Evidence Is 10th Exoneree in 2003, 112th Innocence Case Since Reinstatement of Capital Punishment*

WASHINGTON, DC -- Nicholas James Yarris of Pennsylvania became the 10th person to be exonerated from death row in 2003, equalling the most exonerations in a single year since the death penalty was reinstated, according to the Death Penalty Information Center. He was the nation's 112th death row exoneree. Yarris's conviction was initially overturned when three DNA tests of the forensic trial evidence excluded him. Today, Delaware County prosecutors announced that they were dropping all charges against him.

"Clearly, the problem of wrongful convictions of those facing the death penalty has not gone away," said Richard Dieter, DPIC Executive Director. "Unless executions are halted while this crisis is studied more closely, the risk of executing innocence people will remain unacceptably high."

In July, attorneys for Yarris announced that DNA tests excluded him from the rape and murder for which he was convicted. Yarris, 41, has spent 21 years on Pennsylvania's death row, and has always maintained his innocence.

Yarris is Pennsylvania's fifth death row exoneree since 1986, and he is the first person in the state to be freed based on DNA evidence. The state has executed three people since it reenacted the death penalty in 1974. The record-tying 10 death row exonerations in 2003 equals the number released in 1987, when 10 people were also exonerated in a single year. Of the 112 exonerations, 13 have been as a result of DNA evidence.

Death row exonerations have led legislators in many states to seek capital punishment reforms. In North Carolina, the state senate voted 28-21 to impose a moratorium on all executions while their state's system was examined for flaws that could lead to mistakes or unfairness. The bill will likely come up for a vote in the house in 2004. In Illinois, where

exonerations exceeded executions and a moratorium is in place, legislators have passed a series of broad capital punishment reforms that were recommended by the Illinois Commission on Capital Punishment.

Members of Congress have also worked to address the issue of innocence. In an overwhelming and bipartisan vote cast earlier this year, the U.S. House of Representatives passed a legislative package containing a modified version of the Innocence Protection Act, which proposes funding for DNA testing and the improvement of legal representation in death penalty cases. The Senate will likely consider the legislation next year.

Yarris remains incarcerated pending the disposition of other charges unrelated to the crime that placed him on death row. The other exonerations in 2003 were in Illinois (4), Ohio (2), Florida (1), Louisiana (1), and Missouri (1).

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