



2021 ANNUAL REPORT

THE NATIONAL REGISTRY OF EXONERATIONS | APRIL 12, 2022

A PROJECT OF THE UNIVERSITY OF CALIFORNIA IRVINE NEWKIRK CENTER FOR SCIENCE & SOCIETY,
UNIVERSITY OF MICHIGAN LAW SCHOOL, AND MICHIGAN STATE UNIVERSITY COLLEGE OF LAW

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EXECUTIVE SUMMARY

I. MAJOR THEMES

EXONERATIONS. The Registry recorded 161 exonerations in 2021.

YEARS LOST TO WRONGFUL IMPRISONMENT. In 2021, exonerees lost an average of 11.5 years to wrongful imprisonment for crimes they did not commit — 1,849 years in total for 161 exonerations.

OFFICIAL MISCONDUCT. Official misconduct occurred in at least 102 exonerations in 2021. Fifty-nine homicide cases — 77% of murder and manslaughter exonerations in 2021 — were marred by official misconduct.

THE IMPORTANCE OF PROFESSIONAL EXONERATORS. Professional exonerators — Innocence Organizations (IOs) and Conviction Integrity Units (CIUs) — continued to play essential roles. Jointly, they were responsible for 97 exonerations, 60% of the total. IOs and CIUs worked together on 31 of these exonerations in 2021. IOs took part in 67 exonerations, and CIUs helped secure 61 exonerations.

II. THE CASES

The 161 exonerations that occurred in 2021 were distributed as follows:

CRIMES

HOMICIDE. Seventy-seven defendants, making up just under half of all exonerees, were exonerated of homicide — 75 for murder, and two for manslaughter.

SEXUAL ASSAULT. Nine defendants were exonerated of sex crimes; seven for sexual assault of an adult, and two for child sexual abuse.

OTHER VIOLENT CRIMES. Twenty-four defendants were exonerated of convictions for other violent crimes, such as assault, robbery, and attempted murder.

NON-VIOLENT CRIMES. Fifty-one defendants were exonerated of non-violent offenses — 21 for drug crimes, 15 for weapons possession, and 15 for other crimes, such as fraud and failure to register as a sex offender.

CONTRIBUTING FACTORS

OFFICIAL MISCONDUCT. We know of official misconduct in 102 exonerations in 2021, nearly 70% of all cases, including 59 homicide cases — 77 % of homicide exonerations in 2021.

MISTAKEN WITNESS IDENTIFICATION. Forty-seven exonerations in 2021 were for convictions based at least in part on mistaken witness identifications.

FALSE CONFESSIONS. Nineteen exonerations involved false confessions.

PERJURY OR FALSE ACCUSATION. One hundred and seven cases included perjury or other false accusations — the most frequent contributing factor overall.

FALSE OR MISLEADING FORENSIC EVIDENCE. Thirty-three cases involved forensic evidence that was false or misleading.

PROFESSIONAL EXONERATORS

CONVICTION INTEGRITY UNITS. CIUs are divisions of prosecutorial offices that work to prevent, identify, and correct false convictions. Sixty-one CIU exonerations occurred in 2021.

INNOCENCE ORGANIZATIONS. IOs are organizations dedicated to helping secure exonerations of wrongfully convicted defendants. These organizations exonerated 67 people.

Altogether, CIUs and IOs participated in 97 of the 161 exonerations that we know occurred in 2021.

GROUP EXONERATIONS

In addition to adding cases to the individual Registry, we continue to expand our Groups Registry. We added 11 new groups, involving nearly 1,100 people wrongfully convicted based on systemic official misconduct.

EXONERATIONS IN 2021

OVERVIEW

The National Registry of Exonerations grew by 226 exonerations in 2021. We recorded 161 exonerations that occurred in 2021, and we added 65 exonerations that happened in previous years but came to our attention in 2021. Alternately stated, the Registry added more than four exonerations each week in 2021.

All told, the National Registry of Exonerations recorded 2,970 exonerations in the United States from 1989 through the end of 2021. Adding exonerations we have posted since the start of the calendar year, we have now recorded more than 3,000 exonerations. We explore this milestone in greater detail later in the report.

The 2021 exonerations included:

- One hundred and three exonerations of Violent Felonies, including 77 homicides, and nine sexual assaults.
- Three exonerees sentenced to Death.
- Thirty exonerees sentenced to Life in Prison without Parole.
- Twenty-one exonerations of Drug Crimes.
- Nineteen exonerations based in whole or in part on DNA testing.
- Sixty-four exonerations of convictions in which No Crime actually occurred.
- One hundred and two exonerations that involved Misconduct by Government Officials
- Forty-eight exonerations of convictions based on Guilty Pleas.
- Forty-seven exonerations that involved Mistaken Witness Identifications.
- Nineteen exonerations that involved False Confessions.
- One hundred and seven exonerations that involved Perjury or False Accusation.
- Thirty-three cases involving False or Misleading Forensic Evidence.
- Fifty-one cases involving trial defense attorneys providing an Inadequate Legal Defense for their clients.
- Ninety-seven exonerations that were the result of work by prosecutorial Conviction Integrity Units or Innocence Organizations.

We also entered 11 new groups in our Groups Registry, involving nearly 1,100 men and women who were wrongfully convicted based on systemic official misconduct.

Part I of this report describes basic patterns across all 161 known exonerations in 2021. Part II examines the changes in the Registry during the past 10 years and where we are heading as the Registry enters its second decade.

I. BASIC PATTERNS

EXONERATIONS BY JURISDICTION

There were 161 exonerations in 26 states, the Territory of Guam, and in federal courts in 2021. Illinois had the most exonerations (38), followed by New York (18), Michigan (11), and California (10). See Table 1 for a complete list ranked by the number of exonerations in 2021.

Table 1: Exonerations in 2021 by Jurisdiction, in Order from Most to Fewest

Illinois — <u>38</u>	Virginia — <u>6</u>	Connecticut — <u>1</u>
New York — <u>18</u>	Ohio — <u>4</u>	Indiana — <u>1</u>
California — <u>11</u>	Kansas — <u>3</u>	Missouri — <u>1</u>
Michigan — <u>11</u>	Maryland — <u>3</u>	Nevada — <u>1</u>
Louisiana — <u>9</u>	West Virginia — <u>3</u>	New Jersey — <u>1</u>
Texas — <u>9</u>	Florida — <u>2</u>	Oklahoma — <u>1</u>
Georgia — <u>8</u>	Mississippi — <u>2</u>	Wisconsin — <u>1</u>
Federal cases — <u>7</u>	North Carolina — <u>2</u>	Guam — <u>1</u>
Pennsylvania — <u>7</u>	Oregon — <u>2</u>	
Massachusetts — <u>6</u>	Tennessee — <u>2</u>	

Illinois's ranking continues to be driven by cases (14) tainted by misconduct of corrupt police officers led by Sgt. Ronald Watts of the Chicago Police Department, who planted drugs on people after they refused to pay bribes. In addition, 15 more Illinois exonerations were based on wrongful convictions for weapons possession.

New York's 18 exonerations included 11 wrongful murder convictions. Eight of Michigan's 11 exonerations were murder cases, and one other was a manslaughter conviction. Cook County had seven murder exonerations. Three states — California, Georgia, and Pennsylvania — each had six murder exonerations. Four of the seven persons exonerated in federal cases were co-defendants in a fraud case originating in the U.S. District Court for Delaware.

THE CRIMES OF CONVICTION

Most exonerations in 2021 involved violent crimes (110/161), especially homicide (48%). Drug crimes accounted for 41% of the non-violent cases (21/51). See Table 2 for a breakdown of exonerations by crime.

Table 2: Exonerations in 2021 by Crime

Homicide	77 (48%)
Murder	75
Manslaughter	2
Sex crimes	9 (6%)
Sexual assault on an adult	7
Child sex abuse	2
Other violent crimes	24 (15%)
Robbery	7
Attempted murder	4
Assault	3
Other violent	10
Non-violent crimes	51 (32%)
Drug crimes	21
Weapons possession/sale	15
Fraud	7
Other non-violent	8
TOTAL	161 (100%)

LENGTH OF INCARCERATION

Defendants exonerated in 2021 spent 1,849 years incarcerated for crimes they did not commit, an average of 11.5 years per exoneree. These figures underestimate the actual amount of time they lost. The Registry does not include the often substantial periods — sometimes several years — that exonerees spent in jail awaiting trial. Time lost to incarceration also does not include the substantial hardships many exonerees face upon release from prison. A number of 2021 exonerees spent substantial time in prison. We recorded 14 cases in which exonerees spent more than 25 years in prison; in two of these cases, exonerees served more than 45 years in prison for crimes they did not commit. One of them, Anthony Mazza, was exonerated of a murder in 2021, for which he served 47 years and two months — the longest period of incarceration of any exoneree in the Registry.

In our Groups Registry, which documents large scale cases involving systemic official misconduct, we published 11 new cases involving just under 1,100 wrongful convictions. These cases range from small jurisdictions such as [Jackson County, Florida](#), to our nation's largest cities, such as [Baltimore, Maryland](#), and across three of [New York's](#) five boroughs.

II. PROGRESS AND PROJECTIONS

A DECADE OF TELLING STORIES AND DOCUMENTING INJUSTICES

MILESTONES

This year, we mark the 10th anniversary of the Registry, which went public in May 2012. By 2012, DNA exonerations had made a considerable impact on public discourse about the reliability of criminal convictions in the United States, but the conversation remained narrowly conscribed. In the decade since, the Registry has played a central role in establishing a common understanding of the heavy burden of convictions on innocent defendants, and of the need for reforms. The Registry provides researchers, attorneys, journalists, policymakers, and the public at large with ready access to credible, verified data and detailed summaries that explain how the wrongful convictions occurred, and how the exonerations we report came to pass.

The website was launched with approximately 900 cases. These cases represented the known universe of exonerations. We have added more than 2,000 cases in the past 10 years.

About two-thirds of these cases have been added within days, weeks or months of when they occurred. The process usually works like this: We learn of an exoneration. We obtain the relevant documents from courts and other sources. We carefully analyze the case and code many of the facts in our database. This process documents a vast array of data, ranging from the age of the victims and the day of the crime to factors that contributed to the erroneous convictions — by guilty plea or at trial — to the process that led to exoneration, to the compensation the exoneree eventually received, if any. We write the history of the case, from crime to conviction to exoneration. We check and recheck our work, because we understand the importance of accuracy. Only then is a case posted publicly. (And if we learn about an error that slipped through, we correct it promptly.)

Almost one-third of the cases added to the Registry in 2021 (65/226) occurred in prior years. These cases represent some of the Registry's best work, and an important part of its unique value. Our researchers and scholars actively look for exonerations that do not make the news or otherwise readily come to our attention. We mine appellate decisions in state courts. We monitor the compensation processes in those states that compensate wrongful convictions. We track habeas corpus decisions in state and federal courts, and reversals of convictions by courts of appeal. And we identify exonerations that occurred years before that we did not know about. This effort has created — and continues to create — a living picture of exonerations in the United States, one that speaks to the core of the Registry's mission: **EVERY STORY COUNTS.**

In May 2012, coinciding with the launch of the website, the Registry published its first report, based on 873 exonerations. A decade later, our database is much larger, and it has evolved significantly.

We have documented a broader range of cases, our data set is more detailed, and our narrative summaries are richer and more comprehensive.

For example, DNA testing played a role in 325 exonerations, or 37 percent of cases, in 2012. The Registry now includes 552 exonerations in which DNA testing played a role, but they represent only 18 percent of all exonerations. Official misconduct was found in 42 percent of the cases in 2012. Now, more than 2,000 cases later, we see official misconduct in 56 percent.

Homicides were 48 percent of the cases discussed in 2012. Now, they represent less than 40 percent of cases.

On the other hand, fewer than 10 percent of exonerations in the 2012 report were cases in which exonerees pled guilty to crimes they did not commit. Now, these cases represent 22 percent of exonerations. Most of that increase is attributable to the growing number of wrongful convictions for drug crimes. When we launched, defendants wrongfully convicted of drug crimes constituted three percent of our cases. Now, they represent 15 percent. Much of that increase is tied to clusters of drug crime exonerations in Cook County, Illinois (Chicago) and Harris County, Texas (Houston).

The increase in official misconduct cases is due in part to the increase in drug-possession exonerations, particularly in Chicago. A majority of those drug cases involved perjury or false accusation, mainly by police officers who framed innocent people. But the increase also represents increased awareness by courts of other kinds of official misconduct, such as forensic fraud and the failure by police and prosecutors to disclose exculpatory evidence.

We believe several factors contributed to the changing mix of exonerations.

- First, the expanding influence of professional exonerators – particularly Conviction Integrity Units – who tackle wrongful convictions for a broad array of crimes, including drug possession.
- Second, the diligent efforts by falsely convicted people to pursue exonerations by obtaining certificates of innocence or similar mechanisms. (Fifteen defendants who were wrongfully convicted for weapons possession were exonerated through this process in 2021.)
- Third, the evolving role of the courts. A growing number of judges are open to vacating convictions that they or their predecessors would have let stand in years past.
- Finally, the public's growing awareness of wrongful convictions and advocates' diligence in bringing these cases to light.

The Registry's careful documentation and storytelling over the last decade contributed to each of these changes.

When the Registry's website launched, there were 18 CIU-generated exonerations in the initial pool of 873 cases, from only three jurisdictions: Dallas County, Texas; Harris County, Texas; and Santa Clara County, California. This decade has seen a dramatic expansion of CIUs. By now, they have participated in 588 exonerations, just under 20 percent of all the cases in our Registry.

Ninety-three CIUs were operating in the United States at the close of 2021. Fourteen of these opened in 2021, including a new statewide unit in Minnesota. Twenty-one CIUs played a role in 61 exoner-

ations last year. Six of these units reported their first exonerations, including the newly created CIU in Orleans Parish, Louisiana, which played a role in [five](#) exonerations. Of the 93 CIUs, 43 have been involved in at least one exoneration. There are now statewide CIUs in eight states and the District of Columbia. These statewide units played a role in three exonerations last year. They review cases in prosecutorial jurisdictions that may not have the financial resources to maintain CIUs of their own.

The Registry has expanded its work over the decade as the need for broader documentation and new perspectives became evident. The main Registry, which forms the basis for most of our research, includes all known individual exonerations since 1989. Our [second registry](#), begun in 2018, covers individual cases prior to 1989. It now contains 437 cases. The earliest is from 1820, involving the [Boorn brothers](#) from Vermont.

Our third is the [Groups Registry](#), launched in 2020. This database includes exonerations tied together by a common pattern of systematic official misconduct in the investigation and prosecution of their cases. There are 27 of these group exonerations involving nearly 36,000 defendants who were wrongfully convicted due to systemic misconduct by police, prosecutors, or forensic analysts. (Ninety percent of those defendants are based on two separate cases of mass [forensic misconduct](#) in Massachusetts.)

The Groups Registry is a work in progress, and we are far from finished. We began with important — but older — cases, such as the group exonerations in Tulia, Texas, in 2003, and those stemming from the Rampart scandal in Los Angeles, California, in 2001-02. Now, we add groups as they occur or when we learn about them, including the widening ripple of police misconduct scandals across New York City, where more than 450 wrongful convictions have been tied to the actions of one officer who worked in three of the city's five boroughs.

The defendants in the Groups Registry were wrongfully convicted, but most are not exonerations as we define them. For example, in the Rampart scandal, official documents state that at least 171 men and women were wrongfully convicted based on the misconduct of corrupt police officers. But only 48 of those defendants have their cases entered in our main Registry. The reasons for this disparity are two-fold. In some instances, we don't have sufficient documentation to know the basis for their wrongful conviction. In others, we do know what happened, and the specifics in these cases don't meet our [criteria for inclusion](#) in the main Registry.

As the Groups Registry grows, we see the ways in which this archive complements the main Registry. Ultimately, these two databases provide different and important lenses for studying wrongful convictions.

25,000 YEARS LOST

Last year, we passed an important marker: 25,000 years lost to wrongful convictions by the men and women in the individual Registry. This represents only time spent in prison after the date of conviction. It does not include pre-trial detention, parole restrictions, financial losses, or the destruction of lives and futures that too often accompany wrongful convictions. Remarkably, in 2021 we recorded the exoneration of Anthony Mazza, who was exonerated after serving more than 47 years in prison. This is the most time lost by any exoneree. We have now recorded the cases of 11 other exonerees who served

at least 40 years in prison, and 197 exonerees who served at least 25 years in prison.

In March 2022, we recorded the 3,000th exoneration in our main Registry. As is the case with recording 25,000 years lost to wrongful conviction, this milestone is worth noting, but not celebrating. This figure forces us to stop and think about the individuals who populate the Registry. They are more than numbers. Each case represents a unique part of our archive of injustice, with a story that demands to be told.

The 3,000th case was Reynaldo Munoz of Chicago, Illinois, who was convicted of murder in 1986 when he was 17 years old. He was exonerated earlier this year, in part based on allegations of misconduct by a police officer with a documented history of abusing suspects and witnesses during interrogations.

There are six other cases in the Registry of exonerees who claimed similar abuse by this officer. As we update cases over the years, we identify connections like these between exonerations. This adds context to our data and to the stories, weaving an ever more vivid tapestry of the harm done by the misconduct of official actors — by police officers, prosecutors, and forensic analysts.

PRACTICAL APPLICATIONS

Our research is used in many ways. Journalists at newspapers, magazines, podcasts, radio, and television cited the Registry more than 200 times in 2021. This includes national publications such as the *New York Times*, as well as smaller publications, such as the *Coeur d'Alene Press* in Idaho. The widespread use of our data and the confidence with which the public uses this information reflects the broad acceptance of the integrity of our research and the transparency of our work.

The Registry's research makes its way into motions for new trials and court orders that vacate convictions. Last year, our research played critical roles in policy issues at state capitols across the country. Michigan's legislature used Registry data in an effort to adjust the compensation schedule for wrongfully convicted persons. In Illinois, Registry data helped the state pass a law banning the police from lying to child suspects during interviews. Other states are trying to follow suit. California's lawmakers are studying limits on the use of jailhouse informants, a [significant contributor](#) to wrongful convictions in that state and elsewhere.

The Registry's data formed the backbone of an art installation on wrongful convictions that opened in early 2022. Last year, a social worker wrote to the Registry and told of another use of our research, one that was mundane but consequential. Her client was at a Department of Motor Vehicles trying to get an ID card. As with many formerly incarcerated persons, this man did not have enough documents to prove his identity. So they printed out his page from the Registry, picture and all, and the clerk processed his request.

2022: A LOOK AHEAD

There is no longer a debate about the prevalence of wrongful convictions. They are not unicorns. They happen, frequently, and the Registry's research has the data to show precisely the events that lead to exonerations. This information is vital to inform policy and to make improvements.

Already, 2022 is shaping up to be a busy year. Although in an average year we add about 200-220 exonerations, we added more than 80 cases in the first two months of this year and as noted earlier, raced past the 3,000th exoneration in our main Registry. Many of the cases in the early crush were tied to the misconduct related to Police Sgt. Ronald Watts and his subordinates in Chicago; others reflect decades-long struggles of exonerees to get people and institutions to recognize the wrongfulness of their convictions and then act accordingly. We are constantly in awe of their persistence in the face of this patent injustice.

We plan to release a new report this year on Race and Wrongful Convictions. Our original report, published in 2017, was a landmark study, highlighting one important part of the stark racial disparity in our criminal-justice system. That report, based on 1,900 exonerations, minced few words: "African Americans are only 13% of the American population but a majority of innocent defendants wrongfully convicted of crimes and later exonerated."

Five years later, we are revisiting this issue with more than 3,000 cases. We know that the basic disparities remain, but our increased understanding of wrongful convictions and the many new cases we have to study may allow us to find and explore new patterns that illuminate the terrible racial problems that undermine the accuracy and integrity of criminal justice in America.

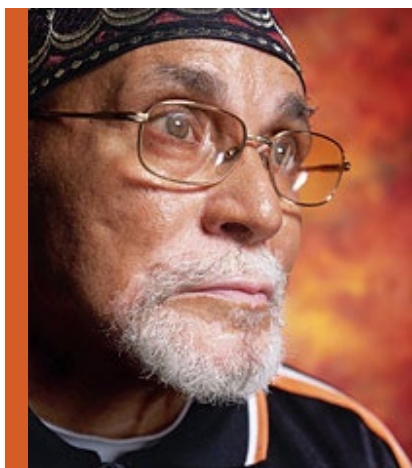
The Registry remains a shared research project of the University of California, Irvine Newkirk Center for Science & Society, the University of Michigan Law School, and the Michigan State University College of Law. We are grateful to our donors and others who support the Registry in a variety of important ways.

We are energized as we enter our second decade. So much has changed and evolved since we began. But one fact remains. Wrongful convictions are not something that only existed in the past. They still occur, daily. More than 400 exonerations in the Registry were of convictions that took place since 2012, and they are just a small fraction of all false convictions in the years in which those exonerees were convicted.

Will there come a day when wrongful convictions are truly rare? We hope so. For now, we must continue to record these accounts of injustice. The work is vital. Each exoneration matters. Every story counts.

EVERY STORY COUNTS. 

ILLUSTRATIVE CASES



ANDRES SERRANO/NEW YORK MAGAZINE

KHALIL ISLAM & MUHAMMAD AZIZ

STATE: New York
CRIME: Murder
CONVICTED: 1966
EXONERATED: 2021

CONTRIBUTING FACTORS:
Mistaken Witness ID,
Official Misconduct

Who killed Malcolm X? In 1966, a jury in Manhattan, New York, convicted Khalil Islam (left) and Muhammad Aziz (below), along with Mujahid Abdul Halim, of the 1965 murder of the civil-rights leader. Despite the verdict, questions about the case lingered long after they had been released from prison in the 1980s.

In 2021, Islam and Aziz were exonerated after an extensive investigation by the Conviction Integrity Unit of the New York County District Attorney’s Office, in cooperation with the Innocence Project. The review, which followed a Netflix documentary that pointed to other suspects, raised significant doubts about the involvement of Aziz and Islam, uncovered exculpatory evidence that was not turned over to their trial attorneys, and found new evidence to support their alibis at the time of the assassination.

Islam died in 2009. Aziz said the exoneration was welcome but insufficient: “I do not need this court, these prosecutors or a piece of paper to tell me I am innocent. I am an 83-year-old who was victimized by the criminal justice system.”



TODD HEISLER/THE NEW YORK TIMES

YUTICO BRILEY

STATE: Louisiana
CRIME: Robbery
CONVICTED: 2013
EXONERATED: 2021

CONTRIBUTING FACTORS:
 Mistaken Witness ID,
 Official Misconduct,
 Inadequate Legal Defense

When police in New Orleans, Louisiana, arrested Yutico Briley for armed robbery in 2013, he said he was innocent. At the time of the crime, he was at a motel, miles away, with a friend. But his attorney failed to secure the motel security video, and they couldn't locate the friend when Briley's case went to trial.



RUDDY ROYE/THE NEW YORK TIMES

The victim in the robbery had initially identified Briley during a single-person show-up, an identification procedure of dubious reliability. During the trial, the victim's identification became more certain, and Briley was convicted and sentenced to 60 years in prison.

In 2021, the new Conviction Integrity Unit in the Orleans Parish District Attorney's Office began reviewing Briley's case at the request of his new attorneys. They found transcripts of calls Briley made from jail to his attorney pointing to a crucial witness who could have supported Briley's alibi. They also found problems with the show-up identification, a practice that the police had discontinued shortly after Briley's arrest. Briley was exonerated March 19, 2021.



JULIET HATCHETT/UVA TODAY

EMERSON STEVENS

STATE: Virginia
CRIME: Murder
CONVICTED: 1986
EXONERATED: 2021

CONTRIBUTING FACTORS:
 False or Misleading Forensic
 Evidence, Perjury or False
 Accusation, Official Misconduct

When the body of Mary Harding was found in the Rappahannock River in 1985, state and local police in Lancaster, Virginia, cast a wide net in the search for her killer. They eventually settled on Emerson Stevens, a crabber and waterman, after a witness said he had seen a pickup truck like the one Stevens drove near Harding's house, and other witnesses said Stevens had once made a crude remark about Harding.

When the body of Mary Harding was found in the Rappahannock River in 1985, state and local police in Lancaster, Virginia, cast a wide net in the search for her killer. They eventually settled on Emerson Stevens, a crabber and waterman, after a witness said he had seen a pickup truck like the one Stevens drove near Harding's house, and other witnesses said Stevens had once made a crude remark about Harding.

After the first trial ended in a mistrial, Stevens was ultimately convicted of murder in 1986, based on circumstantial evidence, including testimony from a tidal expert who said Harding's body would have been carried upstream from where Stevens allegedly dumped it, and from a pathologist who testified that cuts on Harding's body were likely from a knife, not a propeller.

Stevens's attorneys later uncovered evidence that undermined the state's case and that the state had failed to disclose. The tidal expert had told prosecutors prior to the second trial that his testimony was "eyewash." Also, the pathologist recanted her testimony about the cause of the cuts. After an appellate court ruled that Stevens was entitled to file a petition for a writ of habeas corpus, Gov. Ralph Northam granted him an absolute pardon on August 13, 2021.



THE ATLANTA JOURNAL-CONSTITUTION

TERRY TALLEY

STATE: Georgia

CRIME: Sexual Assault

CONVICTED: 1981

EXONERATED: 2021

CONTRIBUTING FACTORS:

Mistaken Witness ID,
Perjury or False Accusation,
Official Misconduct

In 1981, 23-year-old Terry Talley was accused of four rapes on or near the campus of LaGrange College in LaGrange, Georgia. In November 1981, Talley was convicted of the first rape after a trial lasting just one day. He was sentenced to life in prison plus 10 years. One day

later, after another one-day trial, Talley was convicted of the second rape based on the victim's testimony that her attacker had "a Negro smell." He received another sentence of life plus 10 years. Despondent and believing he had no choice, Talley pled guilty to the other two rapes.

In 2008, the Georgia Innocence Project took up his case. Physical evidence still existed in just one of the cases and DNA testing excluded Talley as the rapist. In 2017, the LaGrange Police Department began re-investigating and discovered that at the same time of the assaults, several female LaGrange College students had filed complaints of inappropriate and threatening behavior by a Black male city employee who spent time on campus. Gloves found after one attack appeared to be the same as the employee's gloves. That information had never been disclosed to Talley's defense. The employee was fired, but never prosecuted.

In February 2021, Talley, 63, was exonerated and freed after more than 39 years in prison.

KIM HOOVER-MOORE

STATE: Ohio

CRIME: Murder

CONVICTED: 2003

EXONERATED: 2021

CONTRIBUTING FACTORS:

False or Misleading Forensic
Evidence



JOANNA SANCHEZ

In 2002, 38-year-old Kim Hoover-Moore, a childcare worker in Columbus, Ohio, was accused of murder in the death of a seven-month-old girl in Hoover-Moore's care. She was convicted and sentenced to 15 years to life based on medical testimony that the child died of shaken impact syndrome. A physician testified that the child had been shaken violently and struck her head on a hard object.

In 2010, the Wrongful Conviction Project in the Office of the Ohio Public Defender took up Hoover-Moore's case. After a legal fight of more than a decade, her lawyer, Joanna Sanchez, presented evidence that the physician who conducted the original autopsy had re-examined the case using a technique not available in 2002. The physician concluded that the child had suffered a head injury weeks to a month earlier and had begun bleeding again a few days before death. The child did not die from shaking.

On October 21, 2021, Hoover-Moore's convictions were vacated and the case was dismissed. "The medical evidence proves what Ms. Hoover-Moore has always said," Sanchez declared. "She is innocent."



THE PRESS-ENTERPRISE

KIMBERLY LONG

STATE: California
CRIME: Murder
CONVICTED: 2005
EXONERATED: 2021

CONTRIBUTING FACTORS:
 Inadequate Legal Defense

Conde to death, cleaned herself in the hot tub, changed clothes, disposed of the murder weapon and bloody clothing, and removed random items to suggest a robbery. All in 40 minutes. Nonetheless, a jury convicted Long in 2005 and she was sentenced to 15 years to life in prison.

In 2010, the California Innocence Project took up Long’s case. DNA testing on a cigarette butt identified male DNA that was not the victim’s. In 2014, new evidence emerged that Conde had died before Long came home. A legal battle ensued. Finally, in 2020, the California Supreme Court vacated her conviction.

The court said, “The prosecution’s own evidence showed Long was over two miles away between 11 p.m. and 1:20 a.m. Defense counsel did not present available evidence from which the jury could have concluded that the victim could have died much earlier when Long was nowhere near the crime scene.”

In April 2021, the case was dismissed.

GROUP EXONERATION NEW YORK, 2021

STATE: New York
CRIMES: Drug possession/sale
EXONERATED: 2021

NO. OF DEFENDANTS: 458
CONTRIBUTING FACTORS:
 Perjury or False Accusation, Official Misconduct



JEFFERSON SIEGEL/THE NEW YORK TIMES

At the request of three district attorneys in New York City, judges vacated convictions and dismissed charges in 2021 and early 2022 against more than 450 defendants whose cases were tainted with misconduct by former New York Police Officer Joseph Franco.

During his career, Franco worked in Brooklyn, the Bronx, and Manhattan. In early 2017, he made three arrests, each involving a purported drug transaction. Video surveillance was used in each case. In 2018, the District Attorney for New York County (Manhattan) opened an investigation after an examination of the surveillance footage from one of the arrests was at odds with Franco’s testimony. Similar problems were found with the other two arrests. All had led to convictions.

After those defendants had their convictions vacated, officials began a wider investigation into Franco’s work as an officer. Franco was indicted on perjury and other charges in 2019, and prosecutors moved to dismiss convictions where Franco was the principal officer in the arrests.