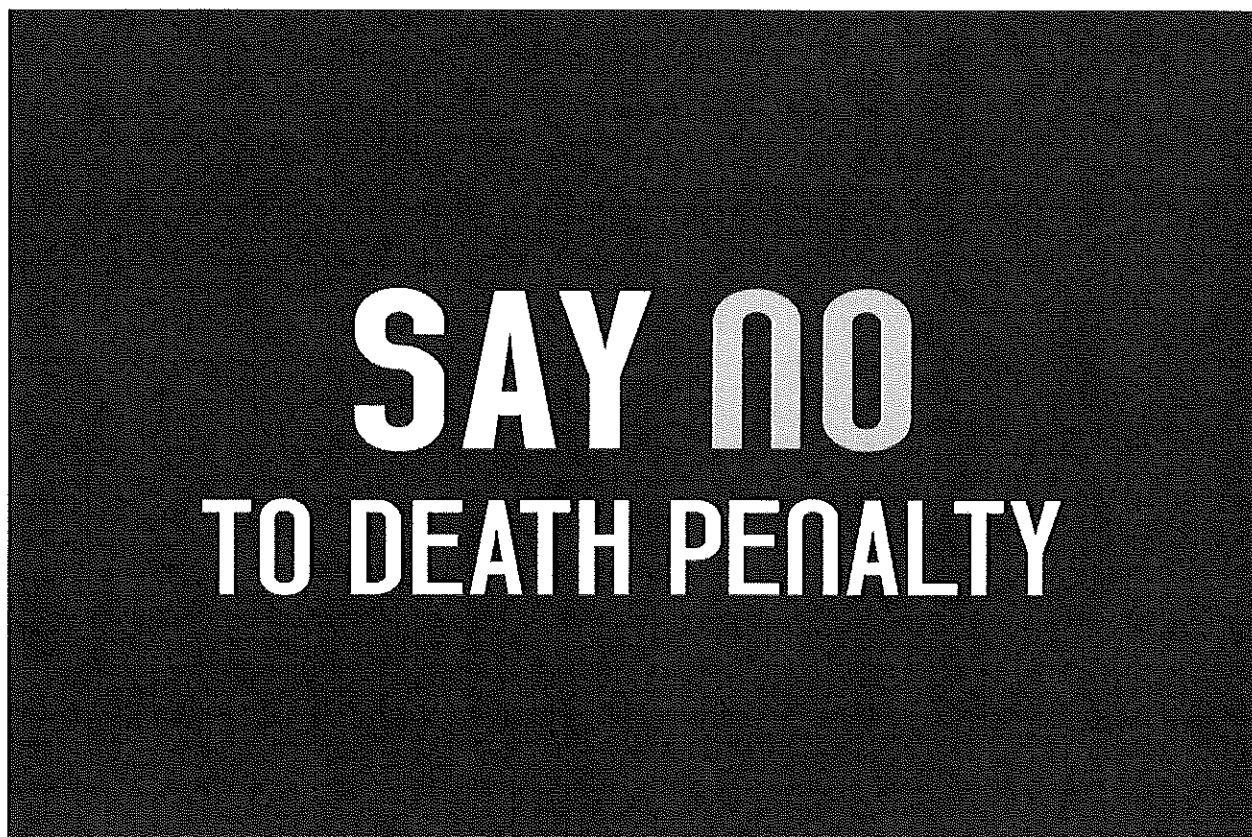


**Michiganders Against the Death Penalty**  
**M.A.D.P**



Lobbyist: Mike Sullivan

## Reasons to Oppose House Joint Resolution H

1. The costs of capital punishment are higher than the costs of life imprisonment. "...A number of studies and reports have suggested that the costs of capital punishment are substantially higher than the costs of imprisoning an offender for life without parole" (1999 MI House Fiscal Agency report).
2. The death penalty is a major civil rights problem because of the inequality created with more blacks being put on death row than whites.
3. Michigan cannot afford to sentence criminals to death with today's growing technology that may exonerate prisoners on death row. Life imprisonment is irreversible, death is not.

## FAQ'S

1. **Doesn't capital punishment deter criminals from committing first degree murder?** There is no evidence to prove this point. According to the 2016 FBI Uniform Crime Report, southern states accounted for over 80% of all executions and yet had the highest murder rate in the country. The northeast which had the lowest murder rate, also had the lowest execution rate. If capital punishment deters crime, shouldn't we see a lower murder rate in southern states and higher murder rate in New England?
2. **Isn't there a greater number of states that allow capital punishment than states that don't?** There are 31 states that permit capital punishment and 19 that do not. Of the 31 that do, four of those states (Oregon, Washington, Pennsylvania, and Colorado) have a Governor that has imposed a moratorium (a temporary stay of executions). That would leave the states about equally divided over this issue. Only 15 of the 31 states that allow capital punishment, have executed inmates in the last 5 years. The leaves 35 states which have not had executions in the last 5 years. Capital punishment popularity has been declining, as well as the number of executions carried out. Only 33% of Americans support capital punishment while 39% support life without parole plus restitution (2010 Lake Research poll).
3. **Would HJR H allow juveniles and the mentally impaired to be sentenced to death row?** This resolution provides for no exemption of juveniles or the mentally impaired. The U.S. Supreme Court ruled in *Atkins v. Virginia* (2002) that execution of mentally handicap defendants was unconstitutional. The U.S. Supreme Court also ruled in *Roper v. Simmons* (2005) that the execution of defendants under 18 years of ages was unconstitutional.
4. **Wouldn't justice be handed down for the family of the victim(s) for the death row inmate to be put to death?** The crime that a murderer commits is not a crime against the victim but a crime against the state. Capital punishment serves as a form of vengeance and the state should remember it must carry out justice, not revenge for families of victims. Regardless of religious beliefs, Michigan should not have state sanctioned murder. Defendants in life imprisonment serve a greater punishment than simply being put to death. Defendants time is limited for family, remain shut from the outside world, and put in discomfort for the rest of their life.

## Explanations

### 1. Costs of Capital Punishment:

- The cost of lethal injections (which is the most common used tool for execution) is lower than the actual cost of life imprisonment, legal costs are so great in capital punishment cases that it is more expensive to sentence someone to death row (1999 MI House Fiscal Agency report)
- The most comprehensive study in the country found that the death penalty costs North Carolina \$2.16 million per execution over the costs of sentencing murderers to life imprisonment (DPIC, Duke University, May 1993)
- In Florida, it costs the state on average \$51 million a year above what it would cost to punish all first-degree murderers with life in prison without the possibility of parole (DPIC, Palm Beach Post, January 4, 2000)

### 2. Civil Rights Problem:

- Over 75% of the murder victims in cases resulting in an execution were white, even though nationally only 50% of murder victims are white (see Graphic #1)
- Even though blacks make up just 13% of the country's population, they represent 34% of those executed on death row (DPIC)
- According to the 2016 NAACP Death Row Report, 41% of blacks make up the country's death row population while 42% are white
- Since 1973, there have been 288 defendants executed for black on white crime and only 20 defendants executed for white on black crime (See Graphic #2)

### 3. Innocence Concerns:

- Since 1973, more than 162 people have exonerated (DPIC, Innocence Database)
- We have risen from an average of 3 exonerations per year from 1923-1999, to 5 exonerations per year since the start of the century (NAACP Death Row Report, 2016)
- Advances in technology, like DNA testing, have led to a rise in exonerations and further advancements will inevitably continue that
- The inevitability of executing innocent people is too high a price to pay for the satisfaction some people might feel over the execution of criminals

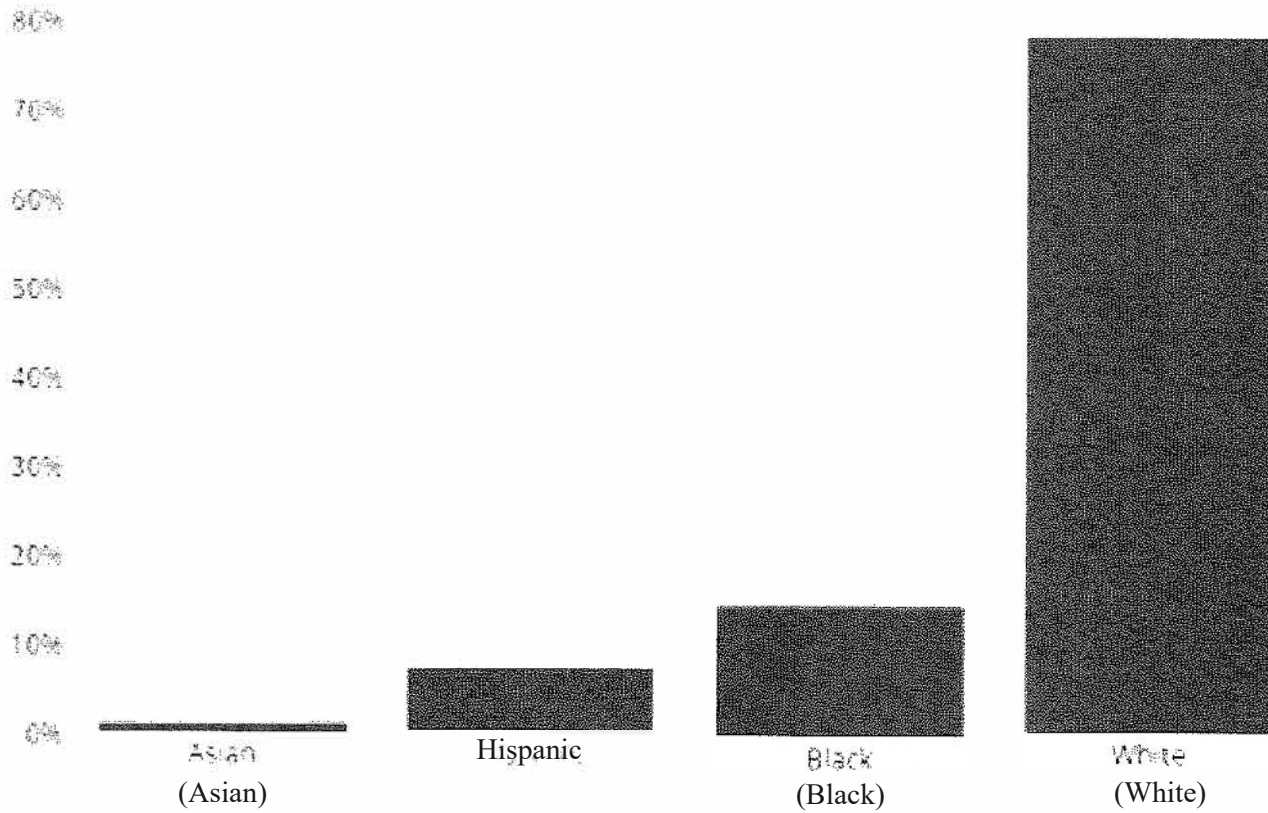
## Conclusion

- Michigan was the first state in the union to abolish capital punishment (1846)
- Over Michigan's history as a state, there have been 4 legislative attempts to allow capital punishment, until Michigan voters amended the state's constitution in 1963 to prohibit it (only permitting a state referendum to undo this)
- From 1985 to 1999, every Michigan Legislative session has introduced a joint resolution to amend the state's constitution to allow the death penalty and each time the resolution did not make it out of the legislature
- Michigan has been a leader in being the first state to outlaw capital punishment, despite many attempts of organizers to undo this. I am asking this committee to protect this history by voting no to keep this bill from going to the floor of the House for a vote.

**GRAPHIC #1)**

(Aggregate data from 2010-2017 for all 50 states and federal government)

Race of Victims in Death Penalty Cases

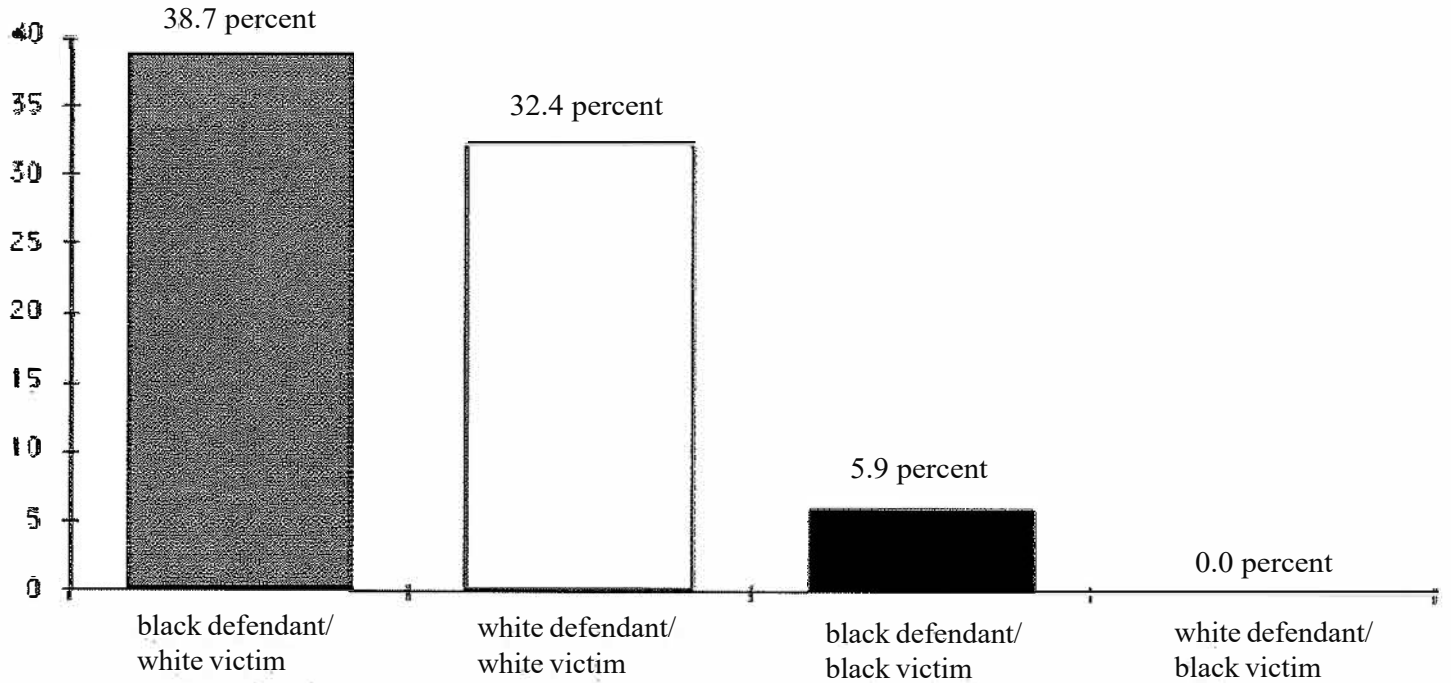


Source: Death Penalty Information Center

**GRAPHIC #2**

(Aggregate data from 2010-2017 for all 50 states and federal government)

*Percentage of Cases In Which Death Sentence Was Sought:  
By Race of Defendant And Victim*

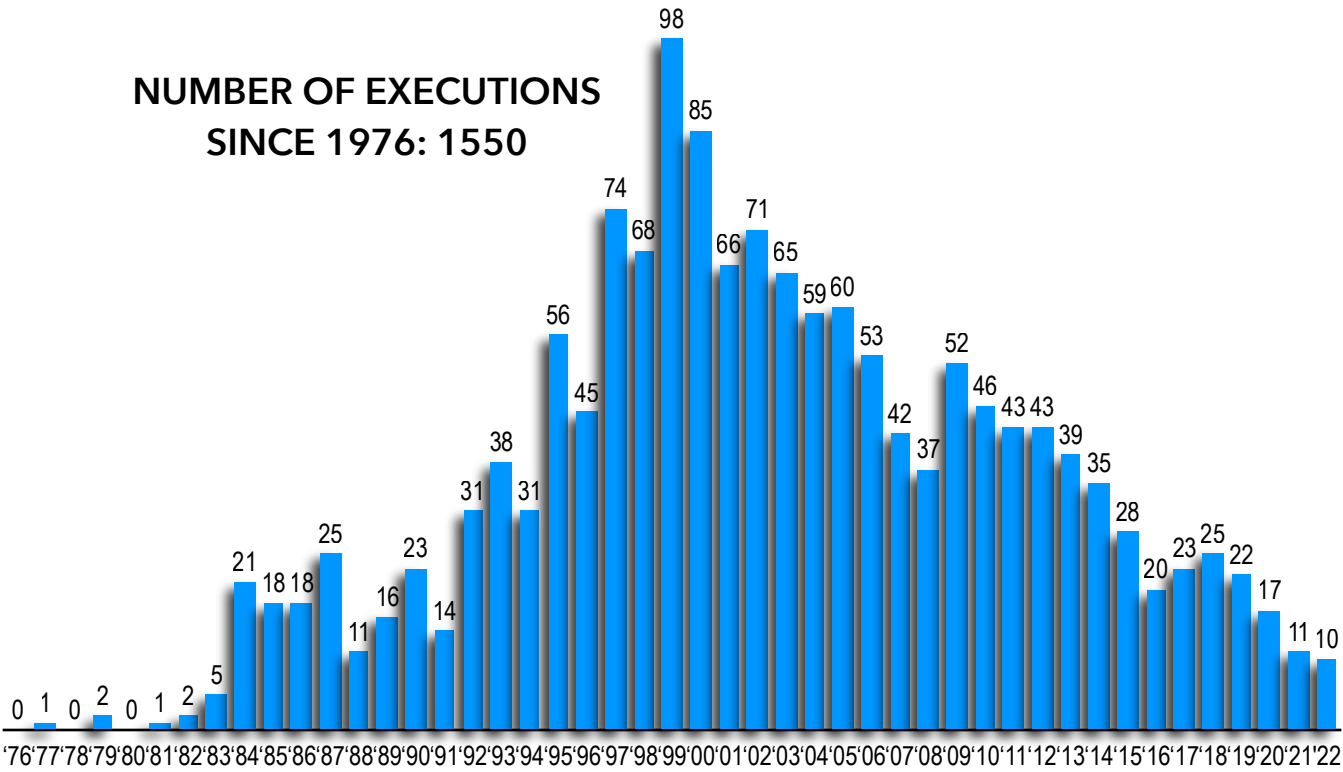


(based on all homicide cases with convictions)

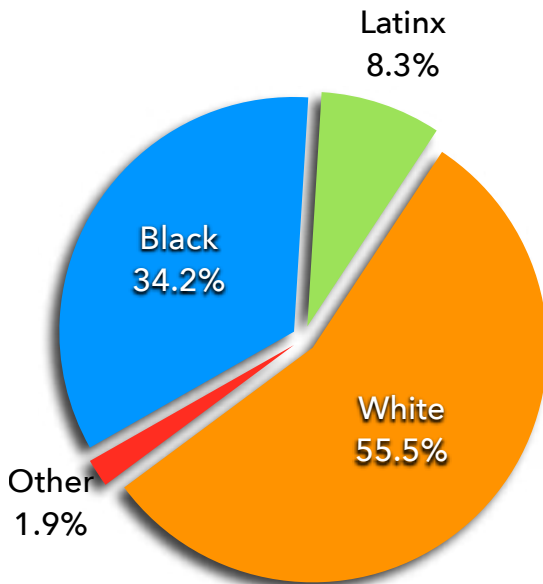


Updated: September 19, 2022

**NUMBER OF EXECUTIONS  
 SINCE 1976: 1550**

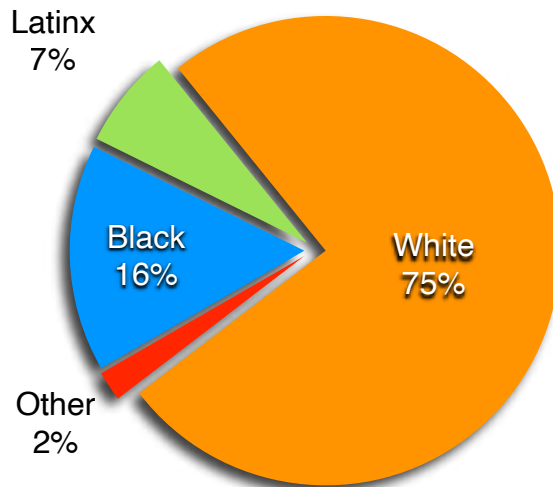


**RACE OF DEFENDANTS EXECUTED**



- White: 861
- Black: 530
- Latinx: 129
- Other: 30

**RACE OF VICTIMS IN DEATH PENALTY CASES**



More than 75% of the murder victims in cases resulting in an execution were white, even though nationally only 50% of murder victims generally are white.

**DEATH PENALTY STATES (27)**

- Alabama
- Arizona
- Arkansas
- California
- Florida
- Georgia
- Idaho
- Indiana
- Kansas
- Kentucky
- Louisiana
- Mississippi
- Missouri
- Montana
- Nebraska
- Nevada
- North Carolina
- Ohio
- Oklahoma
- Oregon
- Pennsylvania
- South Carolina
- South Dakota
- Tennessee
- Texas
- Utah
- Wyoming
- U.S. Gov't
- U.S. Military

**NON-DEATH PENALTY STATES (23)**

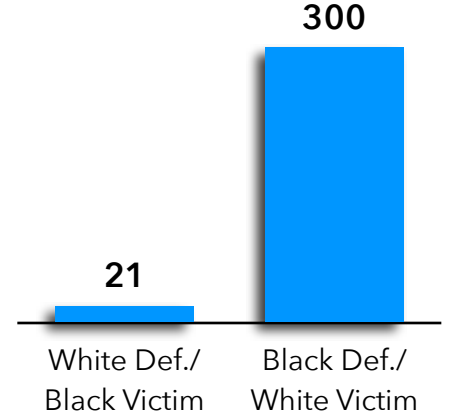
- Alaska
- Colorado
- Connecticut
- Delaware
- Hawaii
- Illinois
- Iowa
- Maine
- Maryland
- Massachusetts
- Michigan
- Minnesota
- New Hampshire†
- New Jersey
- New Mexico
- New York
- North Dakota
- Rhode Island
- Vermont
- Virginia
- Washington
- West Virginia
- Wisconsin
- District of Columbia

† 1 prisoner remains on death row.

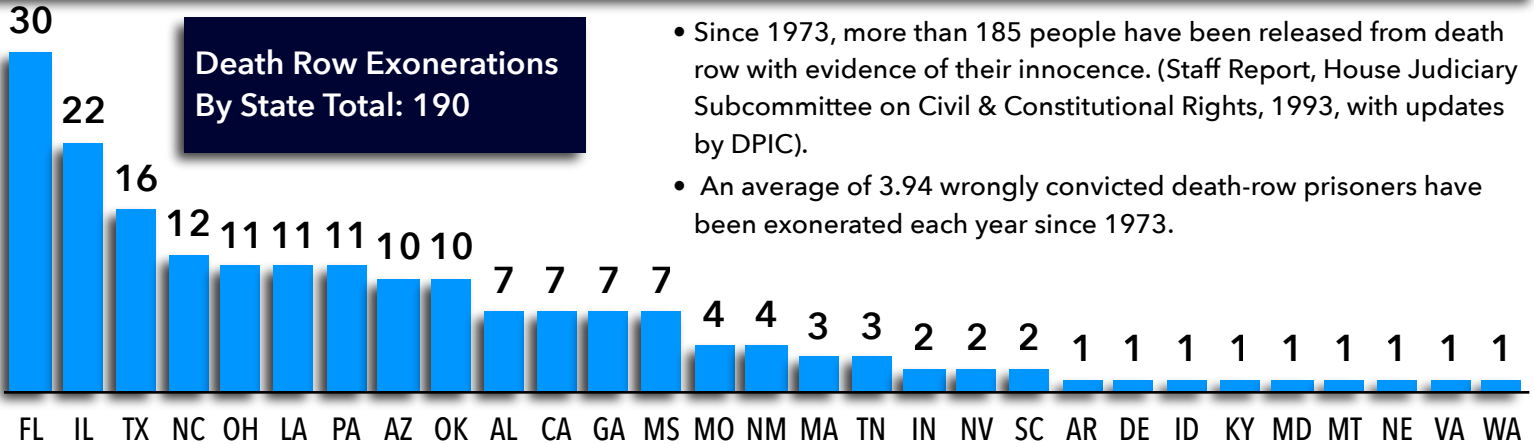
## RECENT STUDIES ON RACE

- Jurors in Washington state are three times more likely to recommend a death sentence for a black defendant than for a white defendant in a similar case. (Prof. K. Beckett, Univ. of Washington, 2014).
- In Louisiana, the odds of a death sentence were 97% higher for those whose victim was white than for those whose victim was black. (Pierce & Radelet, Louisiana Law Review, 2011).
- A study in California found that those convicted of killing whites were more than 3 times as likely to be sentenced to death as those convicted of killing blacks and more than 4 times more likely as those convicted of killing Latinos. (Pierce & Radelet, Santa Clara Law Review, 2005).
- A comprehensive study of the death penalty in North Carolina found that the odds of receiving a death sentence rose by 3.5 times among those defendants whose victims were white. (Prof. Jack Boger and Dr. Isaac Unah, University of North Carolina, 2001).
- In 96% of states where there have been reviews of race and the death penalty, there was a pattern of either race-of-victim or race-of-defendant discrimination, or both. (Prof. Baldus report to the ABA, 1998).

### Persons Executed for Interracial Murders



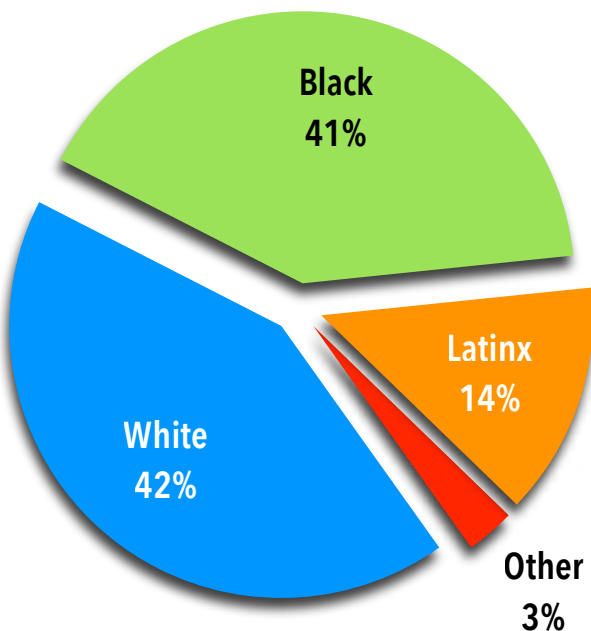
## INNOCENCE



**Death Row Exonerations By State Total: 190**

- Since 1973, more than 185 people have been released from death row with evidence of their innocence. (Staff Report, House Judiciary Subcommittee on Civil & Constitutional Rights, 1993, with updates by DPIC).
- An average of 3.94 wrongly convicted death-row prisoners have been exonerated each year since 1973.

## DEATH ROW PRISONERS BY RACE



## DEATH ROW PRISONERS BY STATE: April 1, 2022

California	690	Tennessee	47	Nebraska	12
Florida	323	Oklahoma	42	Kansas	9
Texas	199	U.S. Gov't	44	Idaho	8
Alabama	166	Georgia	41	Indiana	8
North Carolina	138	Mississippi	37	Utah	7
Ohio	134	South Carolina	37	U.S. Military	4
Pennsylvania	128	Arkansas	29	Montana	2
Arizona	116	Kentucky	27	New Hampshire	1
Nevada	65	Oregon	21	South Dakota	1
Louisiana	62	Missouri	20	Wyoming	0

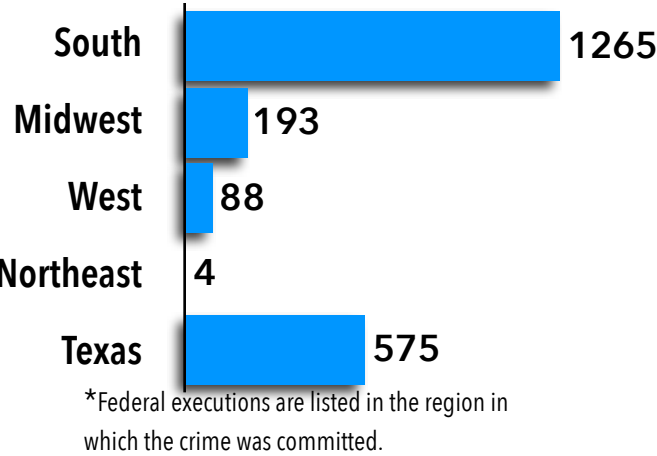
**TOTAL: 2,414**

**Race of Death Row Prisoners and Death Row Prisoners by State** Source: The Legal Defense Fund, "Death Row USA" (April 1, 2022). The combined state totals are slightly higher than the reported national total. That is because a few prisoners are sentenced to death in more than one state. Those prisoners are included in each state's totals, but only once in the national total.

## EXECUTIONS BY STATE SINCE 1976

State	Tot	2022	2021	State	Tot	2022	2021	State	Tot	2022	2021
TX	575	2	3	LA	28	0	0	WA	5	0	0
OK	117	3	2	MS	22	0	1	NE	4	0	0
VA	113	0	0	IN	20	0	0	PA	3	0	0
FL	99	0	0	DE	16	0	0	KY	3	0	0
MO	92	1	1	US GOVT	16	0	3	MT	3	0	0
GA	76	0	0	CA	13	0	0	ID	3	0	0
AL	70	2	1	TN	13	0	0	OR	2	0	0
OH	56	0	0	IL	12	0	0	NM	1	0	0
NC	43	0	0	NV	12	0	0	CO	1	0	0
SC	43	0	0	UT	7	0	0	WY	1	0	0
AZ	39	2	0	MD	5	0	0	CT	1	0	0
AR	31	0	0	SD	5	0	0				

## EXECUTIONS BY REGION\*



## DEATH SENTENCING

295 death sentences were imposed in the U.S. in 1998. The number of death sentences per year has dropped dramatically since then.

Year	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Sentences	223	153	166	151	138	140	123	126	120	118	114	85	82	83	74	49	31	39	43	34	18	18

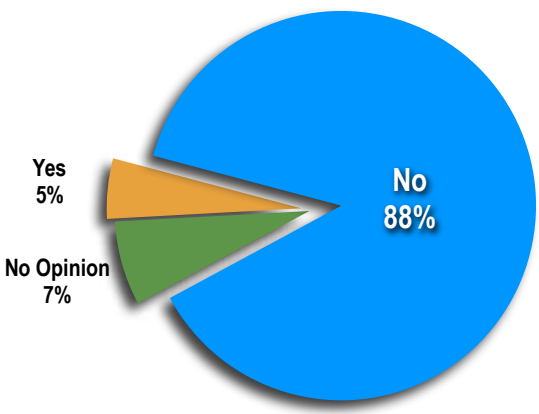
Source: Bureau of Justice Statistics: "Capital Punishment, 2013." 2014 - 2018 figure from DPIC research.

## MENTAL DISABILITIES

- **Intellectual Disabilities:** In 2002, the Supreme Court held in *Atkins v. Virginia* that it is unconstitutional to execute defendants with 'mental retardation.'
- **Mental Illness:** The American Psychiatric Association, the American Psychological Association, the National Alliance for the Mentally Ill, and the American Bar Association have endorsed resolutions calling for an exemption of the severely mentally ill.

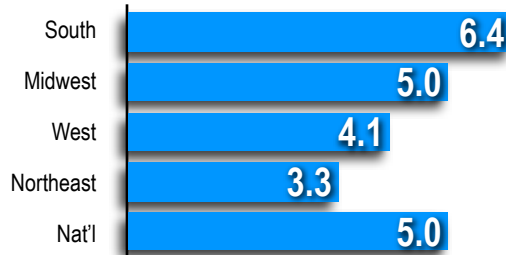
## DETERRENCE

Do executions lower homicide rates?



- A report by the National Research Council, titled *Deterrence and the Death Penalty*, stated that studies claiming that the death penalty has a deterrent effect on murder rates are "fundamentally flawed" and should not be used when making policy decisions (2012).
- A DPIC study of 30 years of FBI Uniform Crime Report homicide data found that **the South has consistently had by far the highest murder rate. The South accounts for more than 80% of executions.** The Northeast, which has fewer than 0.5% of all executions, has consistently had the lowest murder rate.
- According to a survey of the former and present presidents of the country's top academic criminological societies, 88% of these experts rejected the notion that the death penalty acts as a deterrent to murder.

Murder Rates per 100,000 (2019)



## EXECUTIONS SINCE 1976 BY METHOD USED

1370	Lethal Injection	30 states plus the US government use lethal injection as their primary method. Some states utilizing lethal injection have other methods available as backups. New Hampshire abolished the death penalty in 2019, but the law was not retroactive, leaving one prisoner on death row and the lethal injection protocol intact.
163	Electrocution	
11	Gas Chamber	
3	Hanging	
3	Firing Squad	

## JUVENILES

- In 2005, the Supreme Court in *Roper v. Simmons* struck down the death penalty for juveniles. Since 1976, 22 defendants had been executed for offenses committed as juveniles.

## WOMEN

- There were 51 women on death row as of October 1, 2021. This constitutes 2.08% of the total death row population. (The Legal Defense Fund, October 1, 2021). 17 women have been executed since 1976.

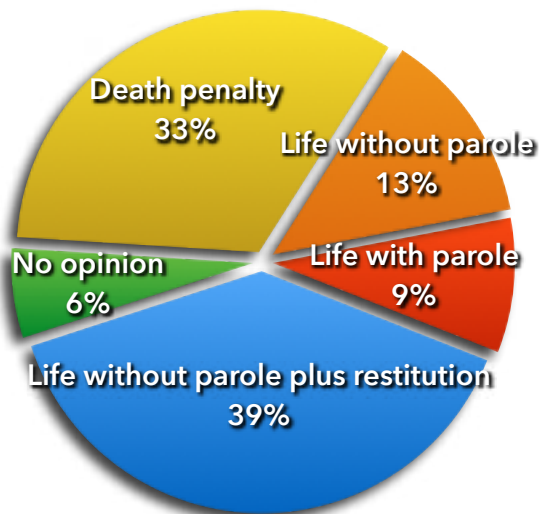
## FINANCIAL FACTS ABOUT THE DEATH PENALTY

- Oklahoma capital cases cost, on average, 3.2 times more than non-capital cases. (Study prepared by Peter A. Collins, Matthew J. Hickman, and Robert C. Boruchowitz, with research support by Alexa D. O'Brien, for the Oklahoma Death Penalty Review Commission, 2017.)
- Defense costs for death penalty trials in Kansas averaged about \$400,000 per case, compared to \$100,000 per case when the death penalty was not sought. (Kansas Judicial Council, 2014).
- A study in California revealed that the cost of the death penalty in the state has been over \$4 billion since 1978. Study considered pre-trial and trial costs, costs of automatic appeals and state habeas corpus petitions, costs of federal habeas corpus appeals, and costs of incarceration on death row. (Alarcon & Mitchell, 2011).
- Enforcing the death penalty costs Florida \$51 million a year above what it would cost to punish all first-degree murderers with life in prison without parole. Based on the 44 executions Florida had carried out since 1976, that amounts to a cost of \$24 million for each execution. (Palm Beach Post, January 4, 2000).
- The most comprehensive study in the country found that the death penalty costs North Carolina \$2.16 million per execution over the costs of sentencing murderers to life imprisonment. The majority of those costs occur at the trial level. (Duke University, May 1993).
- In Texas, a death penalty case costs an average of \$2.3 million, about three times the cost of imprisoning someone in a single cell at the highest security level for 40 years. (Dallas Morning News, March 8, 1992).

## PUBLIC OPINION AND THE DEATH PENALTY

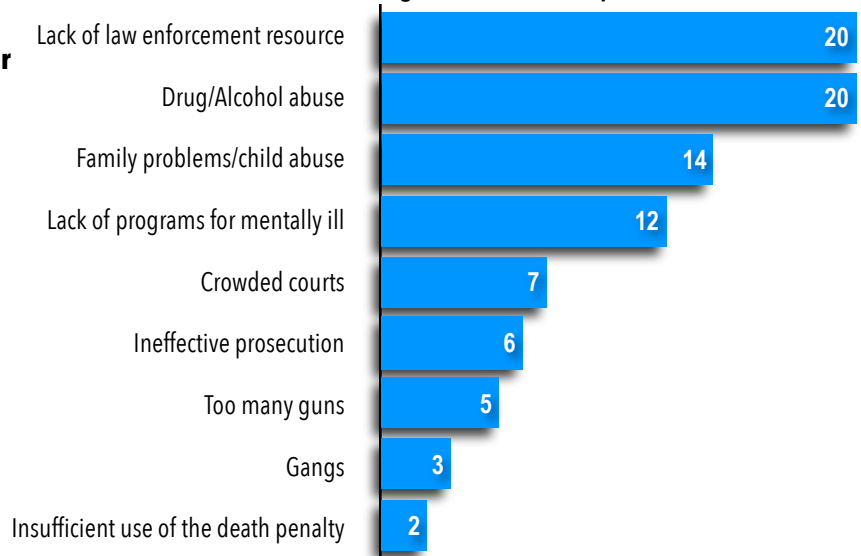
### Support for Alternatives to the Death Penalty

- A 2010 poll by Lake Research Partners found that **a clear majority of voters (61%) would choose a punishment other than the death penalty for murder.**



### What Interferes with Effective Law Enforcement?

#### Percent Ranking Item as One of Top Two or Three



- A 2009 poll commissioned by DPIC found police chiefs ranked the death penalty **last** among ways to reduce violent crime. The police chiefs also considered the death penalty the least efficient use of taxpayers' money.

#### *The Death Penalty Information Center has available more extensive reports on a variety of issues, including:*

- ["The Death Penalty in 2021: Year-End Report"](#) (December 2021)
- ["DPIC Special Report: The Innocence Epidemic"](#) (February 2021)
- ["Enduring Injustice: the Persistence of Racial Discrimination in the U.S. Death Penalty"](#) (September 2020)
- ["Behind the Curtain: Secrecy and the Death Penalty in the United States"](#) (November 2018)
- ["Battle Scars: Military Veterans and the Death Penalty"](#) (November 2015)
- ["The 2% Death Penalty: How a Minority of Counties Produce Most Death Cases at Enormous Costs to All"](#) (October 2013)
- ["Struck By Lightning: The Continuing Arbitrariness of the Death Penalty 35 Years After Its Reinstatement in 1976"](#) (June 2011)
- ["Smart on Crime: Reconsidering the Death Penalty in a Time of Economic Crisis"](#) (October 2009)
- ["A Crisis of Confidence: Americans' Doubts About the Death Penalty"](#) (2007)
- ["Blind Justice: Juries Deciding Life and Death with Only Half the Truth"](#) (2005)
- ["Innocence and the Crisis in the American Death Penalty"](#) (2004)
- ["The Death Penalty in Black & White: Who Lives, Who Dies, Who Decides"](#) (1998)



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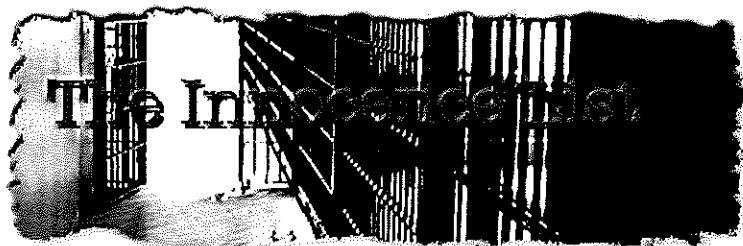
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[UPCOMING EXECUTIONS](#)

[EXECUTION DATABASE](#)

[STATE-BY-STATE](#)

**Innocence: List of Those Freed From Death Row**



Last exoneration April 19, 2018 (#162)

For inclusion on DPIC's Innocence List:

Defendants must have been convicted, sentenced to death and subsequently either-

- a. Been acquitted of all charges related to the crime that placed them on death row, or
- b. Had all charges related to the crime that placed them on death row dismissed by the prosecution or the courts, or
- c. Been granted a complete pardon based on evidence of innocence.

For a fuller description of the criteria used in this list and the reasons why these criteria were chosen, see [Section V of DPIC's most recent Innocence Report](#). See also an [excerpt below](#) from an article in the Baltimore Sun by Dan Rodricks regarding the use of the term "exonerated."

The list includes cases in which the release occurred 1973 or later.

See also DPIC's [Innocence Database](#) -Searchable database of all exonerations since 1973 - allows you to search and sort for cases by year, state, race, and other variables.

NR	Name	State	Race	Year Convicted	Year Exonerated	Years Between	Reason	DNA**
1	<a href="#">David Keaton</a>	FL	B	1971	1973	2	Charges Dismissed	
2	<a href="#">Samuel A. Poole</a>	NC	B	1973	1974	1	Charges Dismissed	
3	<a href="#">Wilbert Lee</a>	FL	B	1963	1975	12	Pardoned	
4	<a href="#">Freddie Pitts</a>	FL	B	1963	1975	12	Pardoned	
5	<a href="#">James Creamer</a>	GA	W	1973	1975	2	Charges Dismissed	
6	<a href="#">Christopher Spicer</a>	NC	B	1973	1975	2	Acquitted	
7	<a href="#">Thomas Gladish</a>	NM	W	1974	1976	2	Charges Dismissed	
8	<a href="#">Richard Greer</a>	NM	W	1974	1976	2	Charges Dismissed	
9	<a href="#">Ronald Keine</a>	NM	W	1974	1976	2	Charges Dismissed	
10	<a href="#">Clarence Smith</a>	NM	W	1974	1976	2	Charges Dismissed	
11	<a href="#">Delbert Tibbs</a>	FL	B	1974	1977	3	Charges Dismissed	
12	<a href="#">Earl Charles</a>	GA	B	1975	1978	3	Charges Dismissed	

NR	Name	State	Race	Year Convicted	Year Exonerated	Years Between	Reason	DNA"
13	<u>Jonathan Treadway</u>	AZ	W	1975	1978	3	Acquitted	
14	<u>Gary Beeman</u>	OH	W	1976	1979	3	Acquitted	
15	<u>Jerry Banks</u>	GA	B	1975	1980	5	Charges Dismissed	
16	<u>Larry Hicks</u>	IN	B	1978	1980	2	Acquitted	
17	<u>Charles Ray Giddens</u>	OK	B	1978	1981	3	Charges Dismissed	
18	<u>Michael Linder</u>	SC	W	1979	1981	2	Acquitted	
19	<u>Johnny Ross</u>	LA	B	1975	1981	6	Charges Dismissed	
20	<u>Ernest (Shujaa) Graham</u>	CA	B	1976	1981	5	Acquitted	
21	<u>Annibal Jaramillo</u>	FL	L	1981	1982	1	Charges Dismissed	
22	<u>Lawyer Johnson</u>	MA	B	1971	1982	11	Charges Dismissed	
23	<u>Larry Fisher</u>	MS	W	1984	1985	1	Acquitted	
24	<u>Anthony Brown</u>	FL	B	1983	1986	3	Acquitted	
25	<u>Neil Ferber</u>	PA	W	1982	1986	4	Charges Dismissed	
26	<u>Clifford Henry Bowen</u>	OK	W	1981	1986	5	Charges Dismissed	
27	<u>Joseph Green Brown</u>	FL	B	1974	1987	13	Charges Dismissed	
28	<u>Perry Cobb</u>	IL	B	1979	1987	8	Acquitted	
29	<u>Darby (Jesse) Tillis</u>	IL	B	1979	1987	8	Acquitted	
30	<u>Vernon McManus</u>	TX	W	1977	1987	10	Charges Dismissed	
31	<u>Anthony Ray Peek</u>	FL	B	1978	1987	9	Acquitted	
32	<u>Juan Ramos</u>	FL	L	1983	1987	4	Acquitted	
33	<u>Robert Wallace</u>	GA	B	1980	1987	7	Acquitted	
34	<u>Richard Neal Jones</u>	OK	W	1983	1987	4	Acquitted	
35	<u>Willie Brown</u>	FL	B	1983	1988	5	Charges Dismissed	
36	<u>Larry Troy</u>	FL	B	1983	1988	5	Charges Dismissed	
37	<u>Randall Dale Adams</u>	TX	W	1977	1989	12	Charges Dismissed	
38	<u>Robert Cox</u>	FL	W	1988	1989	1	Charges Dismissed	
39	<u>James Richardson</u>	FL	B	1988	1989	21	Charges Dismissed	
40	<u>Clarence Brandley</u>	TX	B	1981	1990	9	Charges Dismissed	
41	<u>John C. Skelton</u>	TX	W	1983	1990	7	Acquitted	
42	<u>Date Johnston</u>	OH	W	1984	1990	6	Charges Dismissed	
43	<u>Jimmy Lee Mathers</u>	AZ	W	1987	1990	3	Acquitted	
44	<u>Gary Nelson</u>	GA	B	1980	1991	11	Charges Dismissed	
45	<u>Bradley P. Scott</u>	FL	W	1988	1991	3	Acquitted	
46	<u>Charles Smith</u>	IN	B	1983	1991	8	Acquitted	
47	<u>Jay C. Smith</u>	PA	W	1986	1992	6	Acquitted	
48	<u>Kirk Bloodsworth</u>	MD	W	1984	1993	9	Charges Dismissed	Yes
49	<u>Federico M. Macias</u>	TX	L	1984	1993	9	Charges Dismissed	
50	<u>Walter McMillan</u>	AL	B	1988	1993	5	Charges Dismissed	
51	<u>Gregory R. Wilhoit</u>	OK	W	1987	1993	6	Acquitted	
52	<u>James Robison</u>	AZ	W	1977	1993	16	Acquitted	
53	<u>Muneer Deeb</u>	TX	O	1985	1993	8	Acquitted	

NR	Name	State	Race	Year Convicted	Year Exonerated	Years Between	Reason	DNA**
54	<u>Andrew Golden</u>	FL	W	1991	1994	3	Charges Dismissed	
55	<u>Adolph Munson</u>	OK	B	1985	1995	10	Acquitted	
56	<u>Robert Charles Cruz</u>	AZ	L	1981	1995	14	Acquitted	
57	<u>Rolando Cruz</u>	IL	L	1985	1995	10	Acquitted	Yes
58	<u>Alejandro Hernandez</u>	IL	L	1985	1995	10	Charges Dismissed	Yes
59	<u>Sabrina Butler</u>	MS	B	1990	1995	5	Acquitted	
60	<u>Joseph Burrows</u>	IL	W	1989	1996	7	Charges Dismissed	
61	<u>Verneal Jimerson</u>	IL	B	1985	1996	11	Charges Dismissed	Yes
62	<u>Dennis Williams</u>	IL	B	1979	1996	17	Charges Dismissed	Yes
63	<u>Roberto Miranda</u>	NV	L	1982	1996	14	Charges Dismissed	
64	<u>Gary Gauger</u>	IL	W	1993	1996	3	Charges Dismissed	
65	<u>Troy Lee Jones</u>	CA	B	1982	1996	14	Charges Dismissed	
66	<u>Carl Lawson</u>	IL	B	1990	1996	6	Acquitted	
67	<u>David Wayne Grannis</u>	AZ	W	1991	1996	5	Charges Dismissed	
68	<u>Ricardo Aldape Guerra</u>	TX	L	1982	1997	15	Charges Dismissed	
69	<u>Benjamin Harris</u>	WA	B	1985	1997	12	Charges Dismissed	
70	<u>Robert Hayes</u>	FL	B	1991	1997	6	Acquitted	
71	<u>Christopher McCrimmon</u>	AZ	B	1993	1997	4	Acquitted	
72	<u>Randal Padgett</u>	AL	W	1992	1997	5	Acquitted	
73	<u>Robert Lee Miller, Jr.</u>	OK	B	1988	1998	10	Charges Dismissed	Yes
74	<u>Curtis Kyles</u>	LA	B	1984	1998	14	Charges Dismissed	
75	<u>Shareef Cousin</u>	LA	B	1996	1999	3	Charges Dismissed	
76	<u>Anthony Porter</u>	IL	B	1983	1999	16	Charges Dismissed	
77	<u>Steven Smith</u>	IL	B	1985	1999	14	Acquitted	
78	<u>Ronald Williamson</u>	OK	W	1988	1999	11	Charges Dismissed	Yes
79	<u>Ronald Jones</u>	IL	B	1989	1999	10	Charges Dismissed	Yes
80	<u>Clarence Dexter, Jr.</u>	MO	W	1991	1999	8	Charges Dismissed	
81	<u>Warren Douglas Manning</u>	SC	B	1989	1999	10	Acquitted	
82	<u>Alfred Rivera</u>	NC	L	1997	1999	2	Charges Dismissed	
83	<u>Steve Manning</u>	IL	W	1993	2000	7	Charges Dismissed	
84	<u>Eric Clemmons</u>	MO	B	1987	2000	13	Acquitted	
85	<u>Joseph Nahume Green</u>	FL	B	1993	2000	7	Charges Dismissed	
86	<u>Earl Washington</u>	VA	B	1984	2000	16	Pardoned	Yes
87	<u>William Nieves</u>	PA	L	1994	2000	6	Acquitted	
88	<u>Frank Lee Smith</u> - died prior to exoneration	FL	B	1986	2000 **	14	Charges Dismissed	Yes
89	<u>Michael Graham</u>	LA	W	1987	2000	13	Charges Dismissed	
90	<u>Albert Burrell</u>	LA	W	1987	2000	13	Charges Dismissed	
91	<u>Oscar Lee Morris</u>	CA	B	1983	2000	17	Charges Dismissed	
92	<u>Peter Limone</u>	MA	W	1968	2001	33	Charges Dismissed	
93	<u>Gary Drinkard</u>	AL	W	1995	2001	6	Charges Dismissed	
94	<u>Joaquin Jose Martinez</u>	FL	L	1997	2001	4	Acquitted	

NR	Name	State	Race	Year Convicted	Year Exonerated	Years Between	Reason	DNA"
95	<u>Jeremy Sheets</u>	NE	W	1997	2001	4	Charges Dismissed	
96	<u>Charles Fain</u>	ID	W	1983	2001	18	Charges Dismissed	Yes
97	<u>Juan Roberto Melendez</u>	FL	L	1984	2002	18	Charges Dismissed	
98	<u>Ray Krone</u>	AZ	W	1992	2002	10	Charges Dismissed	Yes
99	<u>Thomas Kimbell, Jr.</u>	PA	W	1998	2002	4	Acquitted	
100	<u>Larry Osborne</u>	KY	W	1999	2002	3	Charges Dismissed	
101	<u>Aaron Patterson</u>	IL	B	1986	2003	17	Pardoned	
102	<u>Madison Hobbey</u>	IL	B	1987	2003	16	Pardoned	
103	<u>Leroy Orange</u>	IL	B	1984	2003	19	Pardoned	
104	<u>Stanley Howard</u>	IL	B	1987	2003	16	Pardoned	
105	<u>Rudolph Holton</u>	FL	B	1988	2003	16	Charges Dismissed	
106	<u>Lemuel Prion</u>	AZ	W	1999	2003	4	Charges Dismissed	
107	<u>Wesley Quick</u>	AL	W	1997	2003	6	Acquitted	
108	<u>John Thompson</u>	LA	B	1985	2003	18	Acquitted	
109	<u>Timothy Howard</u>	OH	B	1976	2003	26	Charges Dismissed	
110	<u>Gary Lamar James</u>	OH	B	1976	2003	26	Charges Dismissed	
111	<u>Joseph Amrine</u>	MO	B	1986	2003	17	Charges Dismissed	
112	<u>Nicholas Yarris</u>	PA	W	1982	2003	21	Charges Dismissed	Yes
113	<u>Alan Gell</u>	NC	W	1998	2004	6	Acquitted	
114	<u>Gordon Steidl</u>	IL	W	1987	2004	17	Charges Dismissed	
115	<u>Laurence Adams</u>	MA	B	1974	2004	30	Charges Dismissed	
116	<u>Dan L. Bright</u>	LA	B	1996	2004	8	Charges Dismissed	
117	<u>Ryan Matthews</u>	LA	B	1999	2004	5	Charges Dismissed	Yes
118	<u>Ernest Ray Willis</u>	TX	W	1987	2004	17	Charges Dismissed	
119	<u>Derrick Jamison</u>	OH	B	1985	2005	20	Charges Dismissed	
120	<u>Harold Wilson</u>	PA	B	1989	2005	16	Acquitted	
121	<u>John Ballard</u>	FL	W	2003	2006	3	Acquitted	
122	<u>Curtis McCarty</u>	OK	W	1986	2007	21	Charges Dismissed	Yes
123	<u>Michael McCormick</u>	TN	W	1987	2007	20	Acquitted	
124	<u>Jonathon Hoffman</u>	NC	B	1995	2007	12	Charges Dismissed	
125	<u>Kennedy Brewer</u>	MS	B	1995	2008	13	Charges Dismissed	Yes
126	<u>Glen Chapman</u>	NC	B	1994	2008	14	Charges Dismissed	
127	<u>Levon Jones</u>	NC	B	1993	2008	15	Charges Dismissed	
128	<u>Michael Blair</u>	TX	O	1994	2008	14	Charges Dismissed	Yes
129	<u>Nathson Fields</u>	IL	B	1986	2009	23	Acquitted	
130	<u>Paul House</u>	TN	W	1986	2009	23	Charges Dismissed	
131	<u>Daniel Wade Moore</u>	AL	W	2002	2009	7	Acquitted	
132	<u>Ronald Kitchen</u>	IL	B	1988	2009	21	Charges Dismissed	
133	<u>Herman Lindsey</u>	FL	B	2006	2009	3	Acquitted	
134	<u>Michael Toney</u>	TX	W	1999	2009	10	Charges Dismissed	
135	<u>Yancy Douglas</u>	OK	B	1995	2009	14	Charges Dismissed	

**Use of the term "exonerated":** Columnist Dan Rodricks of the Baltimore Sun asked DPIC about its list of exonerated individuals. DPIC's then-Executive Director Richard Dieter responded, and that response was reprinted in Mr. Rodricks' column, July 5, 2009:

With respect to your question about our list of exonerated individuals, we use very strict and objective criteria for inclusion of cases on this list. Basically, the list is determined by the decisions of courts and prosecutor offices, not by our subjective judgment. As we state in a number of places on our Web site and in our reports, the criteria for inclusion on the list is:

Defendants must have been convicted, sentenced to death and subsequently either- a) their conviction was overturned AND

- i) they were acquitted at re-trial or
- ii) all charges were dropped
  
- b) they were given an absolute pardon by the governor based on new evidence of innocence.

The list includes cases where the release occurred in 1973 or later, which was the time that states resumed sentencing people to death after the U.S. Supreme Court had struck down the death penalty. The list originated from a request from Congress asking us to identify the risks that innocent people might be executed. The original list that we prepared was published as a Staff Report of the House Subcommittee on Civil and Constitutional Rights. The list has been favorably referred to by Justices of the U.S. Supreme Court and other federal courts, as well as by many public officials around the country.

We believe the term "exonerated" is entirely appropriate to refer to the individuals on this list, which now numbers [159] individuals. Exonerate means to clear, as of an accusation, and seems to come from the Latin "ex" and "onus" meaning to unburden. That is precisely what has occurred in these cases. The defendants were convicted, given a burden of guilt, and then that burden was lifted when they were acquitted at a re-trial or the prosecution dropped all charges after the conviction was reversed. These are not individuals who received a lesser sentence or who remained guilty of a lesser charge related to the same set of circumstances. All guilt was lifted by the same system that had imposed it in the first place. Our justice system is the only objective source for making such a determination.

This notion of innocence, that an individual is innocent unless proven guilty, is a bedrock principle of our constitution and our societal protection against abusive state power. One does not lose the status of innocence merely because a prosecutor or other individuals retain a suspicion of guilt. Of course, it is true that this list makes no god-like determination of knowing exactly what happened in the original crime. Such perfect knowledge of past events is impossible, either to absolutely prove that a person did or did not do an act. We do not try to make a subjective judgment of what we think happened in the crime. We are merely reporting that in a great many cases the justice system convicted an individual and sentenced them to death, but when the process that arrived at that conclusion was reviewed, the conviction and sentence were thrown out. The individual, who often came close to execution, could not even be convicted of a traffic violation. Surely, that should be a cause of concern in applying the death penalty.

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NR	Name	State	Race	Year Convicted	Year Exonerated	Years Between	Reason	DNA**
136	<a href="#">Paris Powell</a>	OK	B	1997	2009	12	Charges Dismissed	
137	<a href="#">Robert Springsteen</a>	TX	W	2001	2009	8	Charges Dismissed	
138	<a href="#">Anthony Graves</a>	TX	B	1994	2010	16	Charges Dismissed	
139	<a href="#">Gussie Vann</a>	TN	W	1994	2011	17	Charges Dismissed	
140	<a href="#">Joe D'Ambrosio</a>	OH	W	1989	2012	23	Charges Dismissed	
141	<a href="#">Damon Thibodeaux</a>	LA	W	1997	2012	15	Charges Dismissed	Yes
142	<a href="#">Seth Penalver</a>	FL	W	1999	2012	13	Acquitted	
143	<a href="#">Reginald Griffin</a>	MO	B	1983	2013	30	Charges Dismissed	
144	<a href="#">Glenn Ford</a>	LA	B	1984	2014	30	Charges Dismissed	
145	<a href="#">Carl Dausch</a>	FL	W	2011	2014	3	Acquitted	
146	<a href="#">Henry McCollum</a>	NC	B	1984	2014	30	Charges Dismissed	Yes
147	<a href="#">Leon Brown</a>	NC	B	1984	2014	30	Charges Dismissed	Yes
148	<a href="#">Ricky Jackson</a>	OH	B	1975	2014	39	Charges Dismissed	
149	<a href="#">Wiley Bridgeman</a>	OH	B	1975	2014	39	Charges Dismissed	
150	<a href="#">Kwame Ajamu</a>	OH	B	1975	2014	39	Charges Dismissed	
151	<a href="#">Debra Milke</a>	AZ	W	1990	2015	25	Charges Dismissed	
152	<a href="#">Anthony Hinton</a>	AL	B	1985	2015	30	Charges Dismissed	
153	<a href="#">Willie Manning</a>	MS	B	1996	2015	19	Charges Dismissed	
154	<a href="#">Alfred Brown</a>	TX	B	2005	2015	10	Charges Dismissed	
155	<a href="#">Lawrence William Lee</a>	GA	W	1987	2015	28	Charges Dismissed	
156	<a href="#">Derrai Wayne Hodgkins</a>	FL	W	2013	2015	2	Acquitted	
157	<a href="#">Isaiah McCoy</a>	DE	B	2012	2017	4	Acquitted	
158	<a href="#">Rodricus Crawford</a>	LA	B	2012	2017	5	Charges Dismissed	
159	<a href="#">Ralph Daniel Wright, Jr.</a>	FL	B	2014	2017	3	Acquitted	
160	<a href="#">Rickey Dale Newman</a>	AR	W	2002	2017	16	Charges Dismissed	
161	<a href="#">Gabriel Solache</a>	IL	L	2000	2017	17	Charges Dismissed	
162	<a href="#">Vicente Benavides</a>	CA	L	1993	2018	25	Charges Dismissed	

Note: [James Bo Cochran](#) (AL) and [Timothy Hennis](#) (NC) were originally on this list but are excluded following further research and developments.

**Average number of years between being sentenced to death and exoneration: 11.3 years**

**Number of cases in which DNA was a substantial factor in establishing innocence: 20**

\*The list is ordered by the year of the inmate's release. Occasionally new cases of earlier releases are discovered. Thus, the number assigned to a person above may differ from his or her number in various published DPIC reports.

\*\*DPIC refers to the [Innocence Project's](#) (Cardozo Law School, NY) criteria for whether a post-conviction exoneration was the result of DNA testing.

The Innocence Project requires that both:

- DNA testing played a role in the defendant's reversal, **AND**
- the results of the testing were central to the inmate's defense and to the identity of the perpetrator.

Sources: DPIC uses a number of resources when adding cases to the above list, including court opinions, media coverage, and conversations with those directly involved in the cases. The earlier cases in the list are based heavily on the research of Hugo Adam Bedau and Michael L. Radelet. (See, e.g., Hugo Bedau and Michael Radelet, "Miscarriages of justice in potentially capital cases," 40 *Stanford Law Review* 21 (1987); M. Radelet, H. Bedau, and C. Putnam, *In Spite of Innocence*, Northeastern University Press (1992); see also M. Radelet et al., "Prisoners released from death rows since 1970 because of doubts about their guilt," 13 *Thomas M. Cooley Law Review* 907 (1996)).