

June 2012

Dear Clients and Friends:

In the May 21 issue of the San Diego Union Tribune on page A8, there was an article about false convictions in our criminal courts. The number and percentage of wrongly convicted defendants is troubling, and even more so when you consider we've only recently begun to use DNA evidence to go back and check whether a convict was actually guilty. In case you missed the article, here are the statistics.

More than 2,000 people who were falsely convicted of serious crimes have been exonerated in the United States in the last 23 years. Out of that group detailed information has been obtained on 873 defendants who spent a combined total of more than 10,000 years in prison, an average of more than 11 years each.

Nine out of ten are men, and half are African-American. Nearly half of the group where we have detailed records were homicide cases, including 101 death sentences.

DNA evidence led to exoneration in nearly one-third of the 416 homicides and in nearly two-thirds of the 305 sexual assaults. In cases which were studied in detail, the most common factor leading to false convictions was perjured testimony or false accusations. Mistaken eyewitness identification occurred in 43% of those cases, and in 24% there was false or misleading forensic evidence.

There are many, many more false convictions than the small percentage we have been able to examine and exonerate. The Innocence Project is one group working both with individual cases and to reform the criminal justice system. For more information, you can visit their website at <http://www.innocenceproject.org>.

Regards,



Charles M. Shackelford