

## WHY R.E.P.E.A.L.?

### EXONERATION: The Risk of Executing the Innocent

## Louisiana Leads in Wrongful Convictions

Louisiana has the highest wrongful conviction rate in the country and has sentenced more innocent people per capita to death than any other state.

**Since 1973, at least 161 people have been released after evidence revealed that they were sentenced to die for crimes they did not commit. 11 of those exonerations come from Louisiana.**

In Louisiana, there has been more than one innocent person exonerated for every three who have been executed. Wrongful convictions rob innocent people of years and decades, waste tax dollars, and re-traumatize victims. Wrongful death sentences undermine confidence in the justice system.

## What We've Learned in the DNA Era

- Hundreds of DNA exoneration cases reveal that murder cases can be riddled with problems: mistaken identification, drunk witnesses, bad lawyers, shoddy forensics, unreliable jailhouse witnesses, coerced confessions, overzealous prosecutors, and more.
- Experts estimate that 4% of those currently on death row are actually innocent.
- DNA cannot solve these problems – it can only reveal how bad they are. DNA evidence only exists in 5-10% of criminal cases.
- Some “forensic” evidence is now known to be based on junk science. Bite-mark, fire pattern and hair analysis is no longer considered real science. From “shaken-baby” to “SIDS” evidence concerning infant deaths has lost rather than gained credibility.
- Crime laboratories and coroners have come under fire for errors and even fraud in their forensics.

*“No one should be given the ability to impose a sentence of death in any criminal proceeding... We are simply incapable of devising a system that can fairly and impartially impose a sentence of death because we are all fallible human beings.”*

**-Marty Stroud, former prosecutor in Caddo Parish District Attorney's Office**

# Despite The Best Of Intentions, We Cannot Be Right 100% Of The Time

- The risk of executing an innocent person is not limited to those cases where lawyers sleep through trials. Despite the best efforts of police, prosecutors, judges, juries, witnesses, and defense attorneys, mistakes can and will happen. In a capital case, even one small mistake can be deadly
- Contrary to popular belief, the appeals process is not designed to catch many of these mistakes. Most exonerations come only because of the extraordinary efforts of people working *outside* the system – pro bono lawyers, family members, even students.
- Innocent people have spent up to 39 years awaiting execution, or come within hours of execution, before the truth came to light. Any effort to streamline the death penalty process or cut appeals will only increase the risk that an innocent person will be executed.
- One of the most extensive state death penalty studies recommended 85 reforms that were essential to decrease the risk of wrongful executions. Not a single state has implemented even a majority of those reforms.

## 147.5 Years Were Taken From Innocent People Wrongfully Sentenced To Death In Louisiana

For over 50,000 days, these innocent people lived in fear that they would be executed for crimes they did not commit. Here are just a few of their stories:

**Albert Burrell**, an intellectually disabled citizen, was wrongfully sentenced to death for a robbery and murder he did not commit. He had 13.4 years of his life taken away from him.

**John Thompson** was wrongfully sentenced to death for a murder he did not commit when prosecutors withheld exculpatory evidence. Thirty days before his execution, an investigator found microfiche evidence proving that prosecutors knew he had the wrong blood type. While on death row, Thompson suffered through seven scheduled execution dates. 18 years of his life were taken away. Thompson died in 2017 from a heart attack, having lived free as an adult less time than he was imprisoned.

**Ryan Matthews** was wrongfully sentenced to death when he was only 17 years old. He was exonerated by DNA evidence.

**Damon Thibodeaux** was wrongfully sentenced to death for a rape and murder that he did not commit. His conviction resulted from a coerced confession. DNA evidence helped to prove his innocence. He had 15 years of his life taken away from him.

**Glenn Ford** was wrongfully sentenced to death for a murder he did not commit. He was released after the prosecutor's office uncovered evidence of his innocence. He had 29.3 years of his life taken away from him; sadly, he died from cancer one year after he obtained his freedom.

For more information visit: [www.larepeal.org](http://www.larepeal.org)