

WRONGFUL CONVICTION IN CALIFORNIA

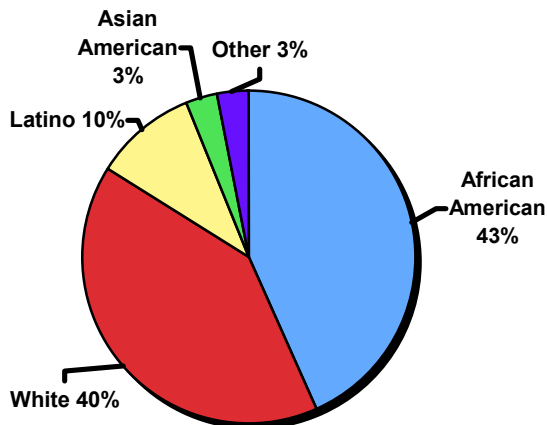
FACTS ABOUT JUSTICE GONE WRONG

The Problem of Wrongful Conviction

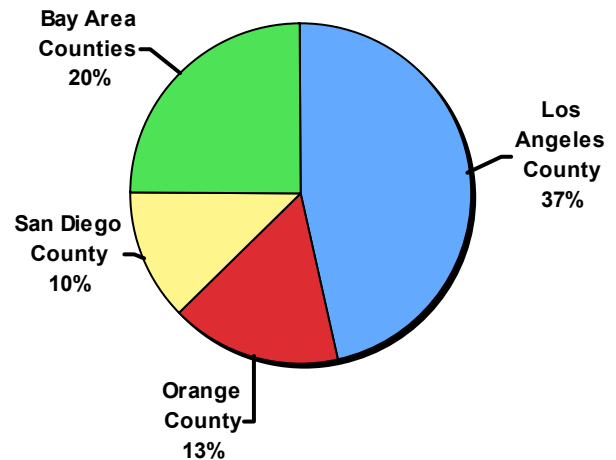
- ✦ In California, more than 200 people have been wrongfully convicted of murder, rape, or other serious offenses since 1989.
- ✦ Across the country, 123 people have been exonerated and released from death row since 1978.
- ✦ The average time spent in prison by persons who were later found to be wrongfully convicted is twelve years. The average time spent in prison by persons who were sentenced to death and later found to be wrongfully convicted is nine years.
- ✦ There are approximately 650 current death row inmates in California. Since 1981, six people have been freed from death row as a result of proven wrongful convictions.

A 2004 study of over 30 cases of wrongful conviction in California indicates that African Americans have been wrongfully convicted at a much higher rate than people of other races and that the majority of wrongful convictions occur in just a few counties:

Breakdown of Race in Sample



Breakdown of Geography in Sample



The Causes of Wrongful Conviction

The three primary causes of wrongful conviction are:

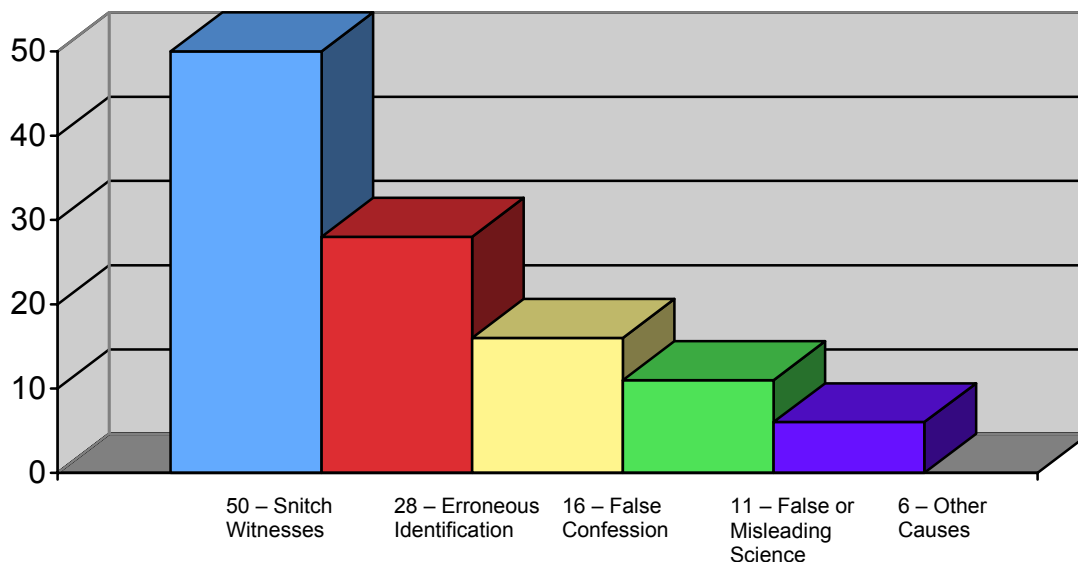
- ✦ False and unreliable evidence
- ✦ Illegal conduct and serious errors by police and prosecutors
- ✦ Lack of adequate defense

These factors rarely operate in isolation.

The Center on Wrongful Convictions of Northwestern University School of Law identifies four types of false or unreliable evidence:

- ✦ False testimony by informant or “snitch” witnesses
- ✦ Incorrect eyewitness identification
- ✦ False confessions
- ✦ False or unreliable forensic evidence or “junk science”

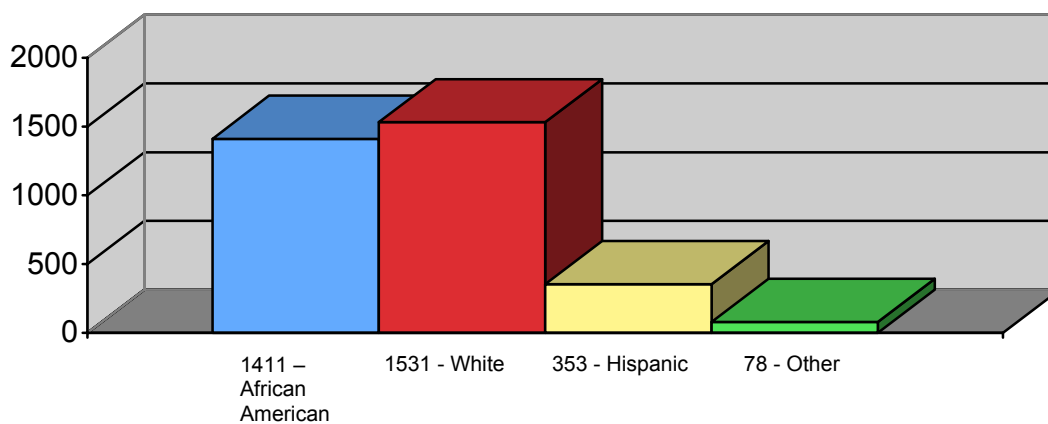
In a study of major causes of wrongful convictions in U.S. death penalty cases since 1978, the Center on Wrongful Convictions illustrated these four types of false or unreliable evidence in 111 cases:



Facts About the Death Penalty and Wrongful Conviction

- ✦ Many studies show that the death penalty is applied in an arbitrary manner with grave disparities according to race and geography.
- ✦ In 96% of the 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.
- ✦ With 650 inmates, California has the highest death row population of any other state (almost 20% of the people on death row in the U.S. are in California).

Death Row Population by Race



What is being done about Wrongful Conviction

- ✦ The newly formed *California Commission on the Fair Administration of Justice* was created in 2004 by the California State Senate to investigate the problems inherent in the criminal justice system and make recommendations for change by December 31, 2007.

For more information, please visit www.stopwrongfulconvictions.org