

DOES OUR CRIMINAL JUSTICE SYSTEM CONVICT INNOCENT PEOPLE?

Yes. Our criminal justice system makes mistakes. When death is the punishment, the stakes are frighteningly high.



Kansas Mistakes Lead to Wrongful Conviction Compensation Law: HB 2579

- **13 Kansas cases are listed in the National Registry of Exonerations.** These 13 were innocent yet sentenced to prison in Kansas. The cases are from nine different Kansas counties.¹
- **3 Kansas first degree murder cases are in the Exoneration Registry:** Floyd Bledsoe (Jefferson) and Lamonte McIntyre (Wyandotte), and Olin Coones (Wyandotte). Bledsoe was released in 2015 and McIntyre in 2017 and Coones in 2020.² To date, Kansas has not had an exoneration of a death sentenced person.
- In 2018, the Legislature passed and Governor Colyer signed **HB 2579, a compensation bill** for persons who were innocent and sent to prison

13

wrongful convictions
in Kansas

“Years taken from men and women who have been wrongfully convicted cannot be given back.”

Governor Jeff Colyer when signing HB 2579

National Death Row Exonerations Continue to Climb

- **172 persons were released from death row** in the US from 1973 to Dec. 1, 2020, due to wrongful convictions.³
- **1 out of every 25** people sentenced to death is most likely innocent.⁴
- **78%** of the states with the death penalty as of Dec. 1, 2020 have had an exoneration from death row.⁵

172

U.S. death row
exonerations.

Our system of justice is administered by human beings—judges, prosecutors, defense lawyers, experts, members of law enforcement, and jurors—who make mistakes despite their best efforts and intentions.”

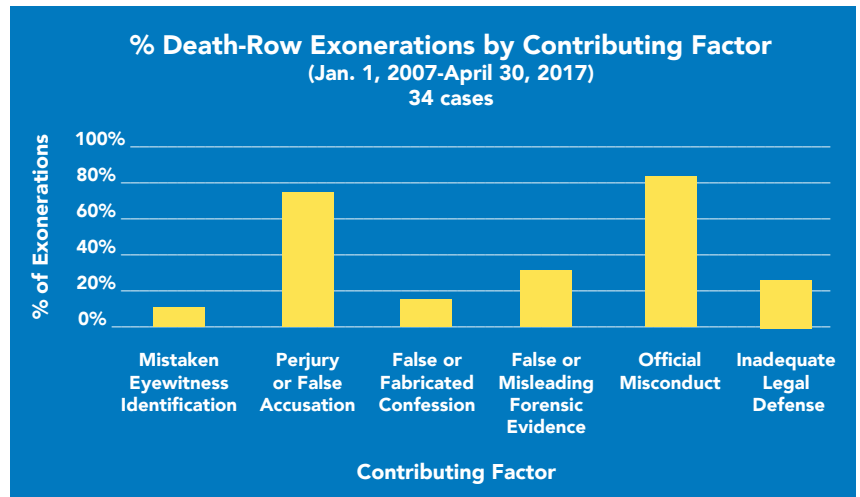
Harold Wilson, Kirk Bloodworth and Ray Krone,
death row exonerees

Factors that Cause Innocent People to be Convicted and Sentenced to Death

By category, the leading contributing causes of wrongful conviction in the death-row exonerations between 2007 and April 2017 were⁶:

- Official Misconduct (82.4%)
- Perjury or false accusation (76.5%)
- False/misleading forensic evidence (32.4%)
- Inadequate Legal Defense (23.5%)
- False/fabricated confession (17.6%)
- Mistaken eyewitness ID (11.8%)

Some cases had more than one causative factor.



Executed Despite Strong Evidence of Innocence

- **18 persons** are listed on The Death Penalty Information Center having been executed in the period 1983 to 2019 despite strong evidence of innocence. They were in 7 different states.⁷
- **Ruben Cantu** was one of these executed with doubt about his guilt. The DA in his case, Sam Millsap, now admits he never should have sought death.⁸



Ruben Cantu

“Both of us have been involved in the execution of men who may well have been innocent.”

former District Attorneys Sam Millsap and Grant Jones, Houston Chronicle 12/13/2012

**HASN'T SCIENCE (DNA)
ELIMINATED THE RISK OF
WRONGFUL CONVICTION?**

NO!

New research has called into question the reliability of some use of DNA tests to definitively identify suspects in criminal investigations. DNA testing is a human endeavor, and therefore subject to human error just like everything else. It is quite useful in excluding individuals, but its reliability in identifying a perpetrator is far from perfect.

A mere **27 of the 170+ exonerees** from death row had DNA as a major factor in their exoneration.⁹

1. <https://www.law.umich.edu/special/exoneration/>
2. <https://www.law.umich.edu/special/exoneration/>
3. <https://deathpenaltyinfo.org/policy-issues/innocence>
4. Proceedings of the National Academy of Sciences, Gross et al, March 25, 2014
5. <https://deathpenaltyinfo.org/policy-issues/innocence>
Of the 28 states with a current death penalty law, 22 have had an exoneration.
6. <https://deathpenaltyinfo.org/causes-wrongful-convictions>
7. <https://deathpenaltyinfo.org/policy-issues/innocence/innocence-by-the-numbers>
8. <https://deathpenaltyinfo.org/policy-issues/innocence/executed-but-possibly-innocent>
9. <https://deathpenaltyinfo.org/policy-issues/innocence>

