FOR IMMEDIATE RELEASE
Thursday, October 25, 2012

Prosecutors Condemn “Wrongful Convictions” Statement

(Sacramento, Calif.) – Sutter County District Attorney and California District Attorneys Association (CDAA) President Carl V. Adams condemned a press release issued yesterday by representatives of the California Wrongful Convictions Project announcing preliminary data relative to wrongful convictions in the state of California. This press statement claims that California leads the nation in wrongful convictions and yet provides no meaningful context or appropriate criteria by which to measure such an assertion and freely admits that the completed report will not be released until next year. “Issuing a press release in late October to announce that a report will be published next year is a cheap political vehicle to try to influence the upcoming election,” said Adams.

The press statement asserts that since 1989, the project has uncovered 214 cases in which courts have exonerated the defendant or dismissed convictions. It is worth noting here that in this same time period, there have been approximately five million adult felony convictions in California, a point the press release fails to acknowledge. To arrive at their number, according to their own press statement, researchers included cases involving “official misconduct, insufficient evidence, findings of innocence, ineffective defense, and legal error.”

“The problem with this methodology,” said Adams, “is that only the ‘findings of innocence’ can reasonably be called ‘exonerations.’ In the other cases, while convictions may have been overturned or dismissed, one cannot assume that the defendant was factually innocent of the offense. Having an incompetent defense attorney does not alter whether or not a person committed a crime.”

Prosecutors further criticized the fact that raw numbers of so-called wrongful convictions from several states were provided instead of a comparison of those data to each state’s population. Although the project claims that California “leads the nation in exonerations as defined by the National Registry of Exonerations,” it makes no mention of the fact that California’s population greatly exceeds the populations of the other three states (Illinois, Texas, and New York).

“When compared, more meaningfully, to overall population, California’s rate of ‘wrongful convictions’ (3.2 per one million population) is the lowest of the states mentioned,” said Adams. “Based on the data provided in the press release and 2011 United States Census statistics, the rate in Texas is 3.9 per one million population, New York’s rate is 5.1 per one million population, and Illinois’s figure is 8.6 per one million population.”

(more)
“Yesterday’s press statement by the leaders of this project of the University of California, Berkeley, School of Law is irresponsible and misleading,” said Adams.
“Their own press release notes that the project will not be released until 2013, and yet they chose to publicize these preliminary data now. I do not believe for one moment that this statement being issued less than two weeks before Californians decide whether to retain the death penalty, and in the midst of the proponents’ campaign making wild and inaccurate claims about the frequency of persons being wrongfully placed on death row is pure happenstance. The press release is without context because the report will not be issued until next year and the data have been gravely mischaracterized.”

“District attorneys are relentless in their pursuit of justice and ensuring that no person is wrongfully convicted is at the top of every prosecutor’s mind,” concluded Adams. “That said, the fear-mongering taking place in this situation tells only a tiny part of a story that ends with prosecutors protecting California citizens from dangerous criminals and defending the public’s ability to rely on the fairness of our justice system.”

###