

U.S.

## Study Puts Exonerations at Record Level in U.S.

By TIMOTHY WILLIAMS FEB. 4, 2014

The number of exonerations in the United States of those wrongly convicted of a crime increased to a record 87 during 2013, and of that number, nearly one in five had initially pleaded guilty to charges filed against them, according to a report to be released on Tuesday as part of a project led by two university law schools.

Nearly half of the exonerations — 40 — were based on murder convictions, including that of a man wrongly convicted and subsequently sentenced to death in the fatal stabbing of a fellow inmate in a Missouri prison in 1983, according to the report by the National Registry of Exonerations. The registry is a joint program of the University of Michigan Law School and the Center on Wrongful Convictions at Northwestern University School of Law.

The previous record of known exonerations in the country came in 2009, when the group reported 83. The organization said it has documented 1,300 exonerations since 1989, most of them after convictions for murder, rape or other sexual assaults.

Fewer exonerations than in the past involved DNA evidence, a circumstance the registry attributed to the police and prosecutors exhibiting greater concern about the problem of false convictions.

But the report also found that 17 percent of those exonerated in 2013 had originally pleaded guilty to a crime they did not commit — usually because the defendant had been offered a plea bargain that guaranteed a lesser sentence on the condition of a guilty plea.

A case highlighted in the report was that of Nicole Harris, a 23-year-old with two young children and a degree in psychology. She was convicted by an Illinois jury in 2005 of murdering her 4-year-old son, Jaquari, after the boy was

asphyxiated by an elastic band that had come loose from a fitted bedsheet.

The Chicago police, according to the National Registry of Exonerations, had coerced Ms. Harris into confessing by pushing her, threatening her, withholding food and water, and refusing to let her use the bathroom.

After 27 hours of questioning, Ms. Harris gave a videotaped confession in which she said she had strangled her son because he would not stop crying. She was convicted of first-degree murder and sentenced to 30 years.

The organization however found that the case had been deeply flawed, citing a ruling by the trial judge that barred testimony from Ms. Harris's surviving 6-year-old son.

The child had said that Jaquari had liked to play a game in which he would pretend to be Spider-Man and would wrap the elastic band from a sheet around his neck and leap off his bed.

Ms. Harris's appeals and a request for a new trial based on her lawyer's failure to provide effective representation were denied.

But in 2012, the United States Court of Appeals for the Seventh Circuit vacated her conviction and ordered a new trial — over the objections of the state, which appealed the decision to the Supreme Court.

In June 2013, days after the Supreme Court rejected the state's appeal, prosecutors dismissed the murder charge.

Ms. Harris, now 32, is currently applying to graduate schools, according to the organization.

A version of this article appears in print on February 4, 2014, on page A12 of the New York edition with the headline: Study Puts Exonerations at Record Level in U.S..