


11
comments

Douglas Prade should not go back to prison simply because of a deadline: editorial



Douglas Prade sits in jail for now awaiting a decision from the Ninth District Court of Appeals on whether he is entitled to a new trial in the 1997 slaying of his former wife, Dr. Margo Prade. (Chuck Crow, *The Plain Dealer*)

Print (http://blog.cleveland.com/opinion_impact/print.html?entry=/2014/08/douglas_prade_should_not_go_ba.html)

 (<http://connect.cleveland.com/staff/neomgeditorial/index.html>) By Editorial Board
(<http://connect.cleveland.com/staff/neomgeditorial/posts.html>)
on August 01, 2014 at 7:30 AM, updated August 01, 2014 at 11:09 AM

We don't know if Douglas Prade, the former Akron police captain originally convicted of the 1997 killing of his ex-wife, Margo Prade, is as innocent as Dr. Richard Kimble in "The Fugitive" or as guilty as Hannibal Lector, the fictional cannibal.

But we do know that Prade, **who was released from prison in 2013** (http://www.cleveland.com/metro/index.ssf/2013/01/douglas_prade_former_akron_pol.html) by now-retired Summit County Common Pleas Judge Judy Hunter, doesn't deserve a trip back to prison if judges on the 9th Ohio District Court of Appeals fail to meet a 30-day deadline to rule on Hunter's order for a new trial. Hunter had granted Prade another trial if her order releasing him from prison was overturned on appeal, as it has been.

Furthermore, it seems to us that the only way to ensure that Prade is justly re-imprisoned is to grant him a new trial based on the recent DNA evidence that Hunter ruled exonerated him -- even though the 9th Ohio appellate court disagreed about the weight of that evidence, and the Ohio Supreme Court recently **declined to review** (http://www.cleveland.com/open/index.ssf/2014/07/ohio_supreme_court_declines_to.html) that decision.

At the very least, Prade ought not to go back to prison simply because of an arbitrary deadline.

Prade is currently in Summit County jail, but Summit County Common Pleas Judge Christine Croce says he must return to state prison if the appellate court takes longer than 30 days to rule on Hunter's order for a new trial.

ABOUT OUR EDITORIALS

Editorials express the view of the **editorial board** (http://www.cleveland.com/opinion/index.ssf/2008/10/the_plain_dealer_editorial_tea.html) of

Editorial Cartoon



(http://www.cleveland.com/darcy/index.ssf/2014/08/house_lawsuit_is_sharknado_bad.html)

House lawsuit is Sharknado bad
(http://www.cleveland.com/darcy/index.ssf/2014/08/house_lawsuit_is_sharknado_bad.htm)

... **Jeff Darcy cartoons**
(http://www.cleveland.com/darcy/index.ssf/2014/08/house_lawsuit_is_sharknado_bad.html)

Opinion Features



Read letters to the editor

(<http://blog.cleveland.com/letters/index.html>)



Submit a letter to the editor

(<http://www.cleveland.com/plaindealer/letter-to-editor/>)



How to submit an opinion article
(http://www.cleveland.com/opinion/index.ssf/2013/how_to_submit_an_opinion_ar)

Active Discussions

- 1 Revelations interrupt a day of campaigning for Ed FitzGerald, add another hurdle in his bid for governor (http://www.cleveland.com/open/index.ssf/2014/08/revelations_interrupt_a_day_of.html#incart_most_comments)
(273 comments)
- 2 New Hall of Fame category will give Art Modell supporters renewed hope for induction (http://www.cleveland.com/browns/index.ssf/2014/08/new_hall_of_fame_category_coul.html#incart_most)

While it is true that the court keeps its own clock, in this case, we urge the appeals court to give its answer within 30 days.

Prade, who has maintained his innocence, had been serving a life sentence for shooting and killing his ex-wife, a doctor, outside of her office. Although there was ample circumstantial evidence against him, a bite mark on her arm was one of the key pieces of evidence in his 1998 trial.

However, last year Hunter ruled after a hearing that advanced DNA testing now available does not link Prade's DNA to the bite mark that led some jurors to convict him.

No "reasonable juror" could have found him guilty, she concluded before she freed Prade. "There is no just reason for delay," Hunter wrote.

The appellate court may disagree with Hunter's findings on Prade's guilt, but it can't disagree with her conclusion about a need for speed. It must expedite its decision.

The Plain Dealer and Northeast Ohio Media Group -- the senior leadership and editorial-writing staff. As is traditional, editorials are unsigned and intended to be seen as the voice of the newspaper.

• Talk about the topic of this editorial in the comments below.

• **Send a letter to the editor,** (<http://www.cleveland.com/plaindealer/lettertoeditor.ssf>) which will be considered for print publication.

• Email general questions or comments about the editorial board to **Elizabeth Sullivan** (<mailto:esullivan@plaind.com>), opinion director for the Northeast Ohio Media Group.

comments
(74 comments)

3 Which Cleveland Cavaliers player or coach deserves a statue?
(http://www.cleveland.com/cavs/index.ssf/2014/08/which_cleveland_cavaliers_play.html#incart_most-comments)
(33 comments)

4 Roger Goodell explains why Josh Gordon is facing a year ban when Ray Rice got only two games for domestic violence (http://www.cleveland.com/browns/index.ssf/2014/08/roger_goodell_explains_why_jos.html#incart_most-comments)
(995 comments)

5 Call about suspicious car led Westlake police to Cuyahoga County Executive Ed FitzGerald and an unidentified woman in 2012, records show (http://www.cleveland.com/open/index.ssf/2014/08/call_about_suspicious_car_led.html#incart_most-comments)
(424 comments)

See more comments »
(<http://www.cleveland.com/interact/>)

Tweet 4 Like 0 Share 0


Reddit Email

(http://www.facebook.com/sharer.php?u=http%3A%2F%2Fwww.cleveland.com%2Fopinion%2Findex.ssf%2F2014%2F08%2Fdouglas_prade_should_not_go_ba.html)


(http://twitter.com/share?url=http%3A%2F%2Fwww.cleveland.com%2Fopinion%2Findex.ssf%2F2014%2F08%2Fdouglas_prade_should_not_go_ba.html)

(mailto:)

Most Read

 Cleveland Browns receiver Josh Gordon does not deserve to be suspended for a year -- Terry Pluto
(http://www.cleveland.com/pluto/index.ssf/2014/07/cleveland_browns_receiver_josh.html#incart_most-read)

 Cleveland Indians trade SS Asdrubal Cabrera to Washington Nationals for Zach Walters
(http://www.cleveland.com/tribe/index.ssf/2014/07/cleveland_indians_asdrubal_cab_7.html#incart_most-read)

 Call about suspicious car led Westlake police to Cuyahoga County Executive Ed FitzGerald and an unidentified woman in 2012, records show
(http://www.cleveland.com/open/index.ssf/2014/08/call_about_suspicious_car_led.html#incart_most-read)

 Cleveland Indians trade pitcher Justin Masterson to the St. Louis Cardinals
(http://www.cleveland.com/tribe/index.ssf/2014/07/cleveland_indians_trade_pitcher.html#incart_most-read)

 Cleveland Cavaliers only team left in Kevin Love sweepstakes: Report
(http://www.cleveland.com/cavs/index.ssf/2014/07/cleveland_cavaliers_only_team.html#incart_most-read)

Related Stories



Ohio Supreme Court won't hear convicted killer Douglas Prade's appeal to remain free

(http://www.cleveland.com/open/index.ssf/2014/07/ohio_supreme_court_declines_to.html#i)



Douglas Prade ordered back to jail while appeals court mulls plea for new trial


(http://www.cleveland.com/metro/index.ssf/2014/07/douglas_prade_ordered_back_to.html#i)

11 comments

Sign in

Comment input field with "Post comment as..." button

Newest | Oldest

 Cal Nighy (<http://connect.cleveland.com/user/CalNighy/index.html>) 11 hours ago
(<http://connect.cleveland.com/user/CalNighy/index.html>)
Judge Hunter's decision was a stunner. It was no surprise that she was unanimously reversed on appeal.

How many people with a first degree murder charge pending against them are walking around free? None, that I have ever heard of.

This is a no-brainer. Give him a new trial if the evidence requires it, but, in the meantime, lock him up.