

DEATH PENALTY FOCUS

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**"DID THIS MAN DIE FOR ANOTHER MAN'S CRIME?" CHICAGO TRIBUNE SERIES
RAISES SPECTER OF YET ANOTHER INNOCENT PERSON EXECUTED**

June 24, 2006 -- For the fourth time in 19 months, newly discovered evidence has emerged that an innocent person may have been wrongfully executed.

The Chicago Tribune reported in its Sunday editions that evidence shows Carlos DeLuna, executed Dec. 7, 1989 for the murder of Wanda Lopez in Corpus Christi, Texas was not in fact the killer. The newspaper pointed to another man, Carlos Hernandez, who admitted repeatedly that he alone killed Lopez. A prosecutor denied the very existence of Hernandez, despite the fact that he knew about Hernandez from a previous murder that he had prosecuted. Furthermore, Hernandez was well known because of his lengthy criminal history, which included knife assaults similar to the one that killed Lopez. The series marks the fourth time since December 2004 that a major U.S. newspaper has called into question whether an innocent person was executed. Three of the questionable executions occurred in Texas while one occurred in Missouri:

- In December 2004, a Chicago Tribune series on junk science concluded that Cameron Todd Willingham, executed earlier that year, had been convicted on the basis of discredited arson analysis. A recent report by the Innocence Project, conducted by a team of leading arson experts, supports the Tribune story.
- In May 2005, the St. Louis Post-Dispatch reported that Larry Griffin, executed June 21, 1995 for the murder of Quinten Moss, may well have been innocent. A man wounded in the shooting said Griffin was not the gunman. A police officer on the scene revised his account, first given at trial. And St. Louis Circuit Attorney Jennifer Joyce has re-opened an investigation of the case.
- In November 2005, the Houston Chronicle reported on the case of Ruben Cantu, executed in 1993. The Chronicle reported that the person who identified Cantu said that he only did so because he believed the police wanted him to select Cantu. Sam Millsap, the Bexar County District Attorney when Cantu was prosecuted, has said that he has no reason to doubt the recantation, and regrets that a death sentence was sought in the case. The current Bexar County district attorney is investigating the case.

"The execution of even one innocent person is too many and now we are dealing with four very troubling reports in less than two years" said Lance Lindsey, Executive Director of Death Penalty Focus. "Prosecutorial and police misconduct, ineffective assistance of counsel and flawed testimony characterized each of these cases, and faulty eyewitness identification and lack of credible evidence were factors in at least three of the four cases now under investigation. How can we continue to trust a death penalty system that is plagued with so many serious problems?"

Mike Farrell, President of Death Penalty Focus added that the *Chicago Tribune's* series **"demonstrates the need for an immediate halt to all executions while the *California Commission on the Fair Administration of Justice* reviews California's criminal justice system and suggests reforms intended to prevent the execution of the innocent."**

Death Penalty Focus is a non-profit organization dedicated to abolishing the death penalty.