

Two Brooklyn men freed after 21 years in prison for wrongful murder conviction

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Two Brooklyn men who have spent the last 21 years in prison for three murders they did not commit were released on Thursday. The Brooklyn district attorney's office dropped the case after DNA evidence cast doubt on their guilt and one of the two men recanted his statements implicating the other.

Anthony Yarbough, now 39, and Sharrif Wilson, now 37, were arrested in June 1992 for the murders of Yarbough's 40-year-old mother, his 12-year-old sister, and another 12-year-old girl in a Coney Island housing project.

In 2013, new DNA evidence from under the fingernails of Yarbough's mother, Annie, was matched to semen from the unsolved 1999 rape and murder of Migdalia Ruiz of Brooklyn. As Yarbough and Wilson were already in prison at the time of this crime, the new evidence strongly suggested their innocence in the 1992 triple-murder.

The men were freed just days after the February 4 release of new report by The National Registry of Exonerations, which finds that a record 87 exonerations were recorded in the US in 2013. The registry, a joint project launched in 2012 by the University of Michigan Law School and the Center on Wrongful Convictions at Northwestern University of Law, lists 1,304 exonerations of men and women from 1989 to February 3, 2014.

Yarbough and Sharrif's cases are similar to those of hundreds of people who have spent years or decades in prison for crimes they did not commit, the victims of prosecutorial and police misconduct, false confessions and misleading or botched forensic evidence.

Anthony Yarbough, 18 at the time of the 1992 murders, arrived home after a night out and discovered the three victims choked to death with electrical cords and with multiple stab wounds. In addition to his

mother, the victims included his sister Chavonne Barnes and her friend Latasha Knox.

Brooklyn detectives placed Yarbough and Sharrif Wilson, 15 at the time, in separate rooms and coerced false confessions from the two teens. They were later convicted in separate trials.

Yarbough was sentenced to 75 years to life in prison. Prosecutors offered Wilson a deal for testifying against Yarbough and he received a sentence of nine years to life. Wilson was denied parole in each of his first six attempts. He recanted his testimony in 2005, writing to Yarbough's family that he had lied at the trial.

Following news of his exoneration, Anthony Yarbough commented, "I was extremely anxious and nervous. I didn't know what was going to happen. There were so many setbacks." He holds no animosity for Sharrif Wilson. "I'm happy that he's out," he said. "I wish him and his family nothing but the best."

The two men's cases are part of a review by Brooklyn District Attorney Kenneth P. Thompson, who came into office in January, of killings from the 1980s and early 1990s. The National Registry of Exonerations lists 29 exonerations in Brooklyn (Kings County, New York), the fifth highest number of any US county, and there are likely more to be uncovered.

The names of the two men, who spent more than half their lives in prison, will be added to the National Registry of Exonerations. The 87 known exonerations in 2013 reflect several long-term trends in exonerations in the US. The number of DNA exonerations continued to decline slowly, while the number of non-DNA exonerations rose sharply.

As in previous years, the majority of exonerations in 2013 came in cases of homicide (40), including one person sentenced to death, and rape or other sexual assault (18); 29 cases did not involve these violent

crimes. Five states accounted for nearly half of all exonerations in 2013: Texas (13), Illinois (9), New York (8), Washington (7), and California (6).

Twenty-seven of the 87 exonerations, almost a third of the total, were in cases in which no crime in fact occurred. These include cases where it was revealed that no victim was raped, deaths were accidental, and no drug or weapons offenses actually took place.

Fifteen of 2013's 87 exonerations, a record number, occurred in cases in which defendants were convicted after pleading guilty due to forced confessions or other coercion. In the past, these cases have received less attention than those in which the defendants have consistently maintained their innocence.

The report notes, "Innocent defendants who plead guilty have a much harder time getting attention and help from anybody—friends and relatives, the media, innocence projects, prosecutors, police, courts. One reason is that those who plead guilty get lesser sentences, and scarce resources are allocated first to those who might be executed or spend all or most of their lives in prison."

For the period January 1989 through 2013, several large and medium-sized counties had exoneration rates five to ten times the national average: New Orleans; Suffolk County (Boston), Kern County, California; Jefferson County, Louisiana; and Bronx County, New York. Three large urban counties have had more exonerations each than all but a few states: Cook County, Illinois (95), Los Angeles (50), and Dallas, Texas (49).

Of the 1,281 exonerations from 1989 to 2013, 92 percent were men and 8 percent were women. Nearly half—47 percent—were African-American. Half of these individuals had been in prison for at least eight years; more than 75 percent at been incarcerated for at least three years.

The registry report notes: "As a group, the defendants had spent nearly 12,500 years in prison for crimes for which they should not have been convicted—an average of 10 years each."

The National Registry of Exonerations report also profiles the cases of eight of those added to the registry in 2013. These chilling accounts include the case of Nicole Harris of Chicago, who was wrongfully convicted of killing her four-year-old son Jaquari after he was found dead on May 14, 2005, asphyxiated by an

elastic band that had come loose from a fitted bed sheet.

After being questioned by police for 27 hours—during which Harris says she was threatened, pushed, denied food, water and use of a bathroom—she gave a videotaped confession, saying she strangled the boy. She was charged with first-degree murder, convicted, and sentenced to 30 years in prison on October 26, 2005.

Harris's son Dianti told investigators that his brother liked to wrap the sheet's elastic band around his neck and jump off the bed, pretending he was Spiderman. However, the trial judge found that Dianti, six years old at the time, was incompetent to testify. Harris also contended that her trial attorney was ineffective.

After several failed appeals, in 2012 the Seventh Circuit US Court of Appeals vacated Harris's conviction and ordered a new trial. The state appealed the ruling to the US Supreme Court. On June 3, 2013, the high court refused to hear the appeal. On June 17, 2013—more than eight years after the tragic death of her young son—the prosecution dismissed the charges against her.



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