

August 31, 2016

The Honorable Edmund “Jerry” Brown  
Governor of the State of California  
State Capitol, Suite 1173  
Sacramento, CA 95814

Dear Governor Brown:

On behalf of the Northern California Innocence Project, the California Innocence Project, the Loyola Project for the Innocent, and the Innocence Project, we submit this letter in support of death-row inmate Kevin Cooper’s request for executive clemency.

Since 1973, American courts have released 156 death row inmates from prison after a finding of innocence.<sup>1</sup> A recent study determined that, conservatively, 4.1% of all death row inmates in the United States are likely innocent.<sup>2</sup> In Illinois, so many innocent people were sentenced to death that the public lost confidence in the death penalty and the death penalty was abolished. The proven reality that innocent men and women have been sentenced to death should give governors pause in all remaining death penalty states.

In Mr. Cooper’s case, while post-conviction DNA test results appear to include his DNA, the defense has also uncovered facts pointing to the possibility that law enforcement mishandled key items of evidence that could undercut the reliability of those test results. Therefore, we support Mr. Cooper’s request for a reprieve of his death sentence so that an independent review of his case can be conducted, including further

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<sup>1</sup> The Innocence List, Death Penalty Information Center  
<<http://www.deathpenaltyinfo.org/innocence-list-those-freed-death-row>> last accessed August 22, 2016.

<sup>2</sup> (Gross, O’Brien, Hu, and Kennedy, *Rate of False Convictions of Criminal Defendants Who are Sentenced to Death* (April 5, 2013) Proceedings of the National Academy of Sciences  
<<http://www.pnas.org/content/111/20/7230.full>> last accessed August 22, 2016.

DNA testing and review of all lab reports. As urged by the American Bar Association in its letter to your office dated March 14, 2016, we believe that justice requires the granting of an executive reprieve until the investigation necessary to fully evaluate Mr. Cooper's guilt or innocence is completed.

Sincerely,



Hadar Harris  
Executive Director  
Northern California Innocence Project



Justin Brooks  
Director  
California Innocence Project



Paula Mitchell  
Legal Director  
Loyola Project for the Innocent



Barry Scheck  
Co-Director  
Innocence Project