

# DEATH PENALTY INFORMATION CENTER

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## JOHN BALLARD IS 123<sup>rd</sup> DEATH ROW INMATE FREED

### *Florida Man Acquitted of All Charges*

WASHINGTON, DC – After three years on Florida’s death row, John Ballard has become the nation’s 123<sup>rd</sup> person freed from death row according to the Death Penalty Information Center (DPIC). The Florida Supreme Court unanimously overturned Ballard’s conviction and acquitted him of all charges on Thursday, February 23, concluding that the state did not present enough evidence to convict Ballard and that the trial judge should have dismissed the case immediately. Shortly after the Florida Supreme Court’s decision was announced, the State Attorney General’s office said that it would not challenge the ruling. Ballard was released from Union Correctional Facility on Saturday, February 25.

“This case demonstrates that innocent people still face a significant risk of execution in this country,” said Richard Dieter, Executive Director of DPIC, “For every eight people executed, we find one person on death row who should never have been even convicted.”

In 1999, Ballard was convicted of murdering two of his acquaintances, Willie Patin and Jennifer Jones, a known drug dealer who had previously been targeted during a drug-related drive-by shooting. The state’s case was based entirely on circumstantial evidence consisting of a single hair and a fingerprint. Both pieces of evidence presented against Ballard could have been left during his many visits to the victims’ apartment. Bloody fingerprints and approximately 100 other hair samples were also found associated with the crime scene, and none of them belonged to Ballard, who has always maintained his innocence.

Ballard is the first person to be exonerated and freed from death row in 2006, and the 22<sup>nd</sup> person to be freed from Florida’s death row. Florida leads the nation in death row exonerations. For a list of those exonerated since 1973, and for the criteria used in establishing this list, see <http://www.deathpenaltyinfo.org/article.php?did=412&scid=6>.

Ballard’s exoneration comes just weeks after the issue of innocence was addressed during a hearing hosted by the U.S. Senate Subcommittee on the Constitution, Civil Rights, and Property Rights. During the hearing, testimony delivered by John McAdams of Marquette University questioned DPIC’s innocence list. Senators Sam Brownback and Russell Feingold offered DPIC the opportunity to respond by supplementing the record. **DPIC’s statement responding to McAdams’ testimony and describing the objective factors that determine the list has been added to the record and is attached for your review.**

To arrange an interview with DPIC’s executive director, please contact Brenda Bowser Soder at (202) 289-2275 or [bbsoder@deathpenaltyinfo.org](mailto:bbsoder@deathpenaltyinfo.org).

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