

STATEMENT IN SUPPORT OF HJR-1
By Jeffrey Ellis ~ Director, Oregon Capital Resource Center

In his final hours on death row, Cameron Todd Willingham and his attorneys tried frantically to show the governor of Texas a new scientific report proving his innocence. Willingham was convicted of murdering his two young children by arson. The forensic science that supposedly proved the fire was intentionally set was, in fact, completely invalid. There was no arson—only an accidental fire. During his trial, Mr. Willingham refused prosecutors' offer to give him life in prison instead of the death penalty. He told them he was innocent, and he wouldn't agree to any deals.

In an entirely separate case with remarkably similar “arson expert” testimony, Ernest Willis was also sent to death row in Texas also for the murder of family members. The only meaningful difference between the two cases is what happened next. Ernest Willis was exonerated. He is free. Willingham is buried at Rose Hill Cemetery in Oklahoma.

If both men had been sentenced to life without parole, both would be free now.

Since 1973, over 1300 people have been executed. In that same time, more than 140 people have been freed after evidence revealed that they were sentenced to die for crimes they did not commit. **That's almost one innocent person exonerated for every ten who've been executed. If Oregon continues with the death penalty, we will eventually execute an innocent person.**

Wrongful convictions occur in Oregon, just as they do in other states. Christopher Boots and Eric Proctor were convicted of a murder they did not commit. On June 7, 1983, Boots, 19, and Proctor, 18, stopped at a 7-Eleven in Springfield, Oregon. Finding no clerk in the store, they left. After dropping Proctor off at home, Boots returned to the store, where in a walk-in cooler he found the body of Raymond Oliver, the clerk, who had been bound with tape and shot. Boots immediately dialed 911, and soon discovered that he and Proctor were the prime suspects in the murder. Like the Willingham case, the State's case rested on supposedly reliable scientific evidence. “High velocity blood spatter” from the victim was allegedly found on the clothes of both men. Both men were convicted. Years later, DNA testing proved that the blood on Boots' and Proctor's clothing did not come from the victim. The case was then reinvestigated and the killer's true identity revealed. Boots and Proctor likely would have faced the death penalty, but for the fact that law had been declared unconstitutional only two years earlier. The death penalty in Oregon was reinstated in 1984.

At least four other individuals were innocent, but convicted of murder in Oregon. This list of wrongful convictions includes one man who pled guilty to avoid the death penalty.

There is only one way to guarantee that Oregon does not execute an innocent person: replace the death penalty with life in prison.