

Death Penalty Informational Hearing  
House Committee on Corrections and Juvenile Justice  
March 15, 2012  
Attn: the Honorable Rep. Pat Colloton

Eddie Lowery  
8814 N Farley Ave  
Kansas City, MO 64157  
eddiejames777@hotmail.com

Dear Representative Pat Colloton,

My Name is Eddie Lowery and I am an exoneree from Kansas. I was exonerated in 2003 for a crime of rape, aggravated burglary and aggravated assault, crimes which I did not commit and yet through the failure of our justice system was convicted of. I spent 10 years in prison and another 11 years registering as a sex offender until I was proven totally innocent of the crimes in which I was falsely accused.

Out of the 289 men and women exonerated by the New York Innocence project, which I am involved with, there have been 17 men exonerated from death row. A person convicted of a crime is said to be innocent until proven guilty. But today it's guilty until proven innocent. Overall, since 1973, 140 people have been fully exonerated from Death Row nationwide.

The discovery of D.N.A shows that eyewitness testimonies, circumstantial evidence, and photos are not enough evidence to decide whether a person is guilty or innocent, let alone whether that person should receive the death penalty. To further expand on this subject it has been proven that victims, prosecutors, and witnesses, can be wrong by way of D.N.A analysis. D.N.A. exonerations do not solve the problem, it only proves that there is a problem in our justice system that needs to be addressed. The D.N.A exonerations of 289 people by the New York Innocence Project has also proven that wrongful convictions are not isolated or rare events.

As a threat to me during my interrogation one detective said that if the elderly women had died in my case and Kansas had the death penalty (back in 1982) he would ask for it. Even though that was just a threat during my interrogation I was still an innocent man who still received a sentence of 11 years to life. I cannot even begin to articulate the pain and personal suffering that I have been through. My interrogation was into its eighth hour on the second day when I felt I had no other choice but to tell them what they wanted to hear in order to get out of the pressure I was under from these two detectives. I was offered no food or water during these 8 hours and when I did ask for a lawyer I was refused one. When I asked to call my company commander I was refused that call too.

I did all that I knew to do as an innocent man to cooperate with the detectives in order to prove my innocence. The pressure was too much for me and I finally gave a false confession. I gave them the details of the crime that they already told me during the interrogation, and was given choices to pick from when I didn't know what else to say. They finally called this a confession and I was arrested. I had two trials. The first trial ended in a hung jury and the second trial ended in a guilty verdict, but only after the detectives changed what I said to them to fit the events of the crime. There are just too many things wrong with our justice system to continue with the death penalty. In my humble opinion and experience I believe that the death penalty should be abolished. Thank you for your time and allowing me to share my experience with you today.

House Corrections & Juvenile Justice  
Committee  
2012 Session  
Date 3-15-12  
Attachment # 16-1