

**Authorized Federal Capital Prosecutions Which Resulted in
Defendant Being Found Not Guilty or Innocent -6/10/16**

Brown, Reginald

E.D. MI CR No. 92-81127

Innocent

Name of AG Barr

Race & gender of def

B

M

Victim R

BF BM

Date of DP notice 8/11/1993

involves eight drug-related gun murders by an innocent gang member. After insisting for nearly two years he had murdered four people, including a child, the government dismissed capital murder charges against a Detroit man and began prosecuting a co-defendant for the same killings. All involved are African-American.

McKelton, Antonio

E.D. MI CR No. 98-80348

Innocent

Name of AG Reno

Race & gender of def

B

M

Victim R

BM

Date of DP notice 8/31/1998

a bank robbery in which an employee was killed while servicing an ATM machine. McKelton was serving a state sentence for the armed robbery of a jewelry store and was suspected in six other robberies at jewelry stores. McKelton's fingerprint was on the clip inside the gun. The black victim had fired one shot off as he dove to the ground. McKelton, also a black man, suffers from Hodgkin's disease. The defense and the prosecutor jointly petitioned the Attorney General's Committee to withdraw the death penalty request. The request was first denied but was eventually granted. The indictment was later dismissed when additional evidence was uncovered. Two others were subsequently charged.

Rice, Darrell David

W.D. VA CR No. 02-CR-26

Innocent

Name of AG Ashcroft

Race & gender of def

W

M

Victim R

WF

Date of DP notice 1/31/2003

the 1996 murders of two young female hikers in Virginia's Shenandoah National Park by cutting their throats. The victims were found bound and gagged. According to Attorney General Ashcroft, who announced pursuit of the death penalty himself, Rice has said he hates women and enjoys assaulting the vulnerable and that the two women deserved to die because they were lesbians. Review of tape recordings indicate Rice said only that the government was portraying him that way. Rice is currently serving a 135 month sentence in federal prison for the 1997 attempted abduction of a female bicyclist in the park. Attorney General Ashcroft stated at a news conference: "We're inclined to prosecute hate crimes like this one, prosecute them to the fullest." All involved are white. Days before the October 2003 trial date the trial was postponed when the FBI "found a new hair" and also re-examined a hair linking Rice to the women and admitted there was no connection. The new hair did not come from Rice or the women. There is male DNA on both ligatures that did not come from Rice. Eventually, the prosecution was dismissed.