

Testimony of Ray Krone
Arizona Death Row Exoneree

In Support of HB 6425 and SB 1035

My name is Ray Krone, I am the 100th death row inmate in America freed due to my innocence. Today I'm the Director of Training and Communications for a group called Witness to Innocence, which is consisted solely of death row survivors, people that were sentenced to death for something they didn't do.

I'm from a small agriculture town in southern Pennsylvania. I was in a church choir, was an acolyte, I played Little League baseball, Pee Wee football, did good in high school, graduated, enlisted for six years in the U.S. Air Force. When I got out of the Air Force in Phoenix, Arizona I got a job at the U.S. Post Office, bought my own home, living the American dream, if you will. I've been an honest citizen, no record, not even traffic violations.

One day I was questioned about a murder of a local bar maid at a bar that I played darts at, that I played on their volleyball team for. Within two days I was arrested for that murder based on testimony from the local medical examiner who said a mark on the body matched my teeth. Just seven months after that murder I was sitting trial with the court-appointed attorney that was granted \$5,000 to defend me. Of course, I had nothing to worry about it. I didn't do anything. I was sure, I believed in the system. I actually supported the death penalty.

After the three and a half day trial, I was convicted and sentenced to death because I didn't show remorse. How do you show remorse for a crime you didn't commit? And so I went to death row and was there for three years.

My case was overturned because the prosecutor withheld evidence. I got a new trial. By the second trial my family realized this was serious, and they mortgaged their home, cashed in their retirement funds. Friends of my high school took up donations, and churches took up donations. My second cousin spent more than \$100,000 on legal fees. I had a luxury few on death row have: I was able to hire my own attorney. My second trial lasted six and a half weeks. Over 30 experts testified, 500 exhibits were introduced. And after that six and a half weeks I was again found guilty because the jury said it was too hard for them to understand the DNA, and they believed the bite mark expert by the prosecutor. However, this time the judge ruled that there was a residual doubt in my guilt. He sat there for six and a half weeks and listened to all the testimony; he wasn't sure I did it. He said this case will haunt him for the rest of his life. And so he sentenced me to 25 to life instead sending me back to death row.

As horrible as death row was, I tell you – prison is worse. When I was on death row I saw people taken off and executed. There was nobody kicking and screaming saying I want to live. I don't want to die. You make peace with dying. It was easier to die than to live in prison. It was easier to be killed because you no longer have to think about your consequences of what you've done. The ultimate punishment is sitting everyday in prison knowing you're never going to get out. It's your fault. You deserved it.

Thankfully, in 2001, the legislature in Arizona passed legislation allowing inmates to request DNA testing on the evidence that had not previously been tested if it might have bearing on their innocence. I was one of the first cases that filed for post-conviction relief - to have testing done on the victim's pants and underwear that had never been tested. It was always available and stored in a police evidence locker in that courtroom, but had never been tested. DNA testing was done from the victims' pants and from her underwear. That DNA matched on both those sources and it was not mine and it was not the victim's. So that DNA was taken and plugged into the nationwide DNA data bank and it did come back with a match to a man who had a history of sexual assault against women and children, a man who was on parole at the time of this murder and lived right behind the bar where the murder took place.

I was lucky to have this DNA evidence. DNA evidence is available in only about 15% of murders. Even after DNA showed this man was the offender and I was innocent, I still had to fight to be released. Once a man is convicted of a crime, it is tremendously difficult to exonerate him. But eventually, after 10 years, three months, and eight days, I was released to reunite with my family and my friends, start my life all over again at the age of 45 and wondering why did this happen? What was the point? I was perfectly happy being a mailman. I certainly expected to retire in my mid-fifties after 30 years of serving in our government. Instead, now I find myself sometimes having to testify and relive that nightmare for me, and not just for me, but for what my family went through.

But for those innocent people like me, and there's a multitude of them. We still had a chance at life, a chance to be released, a chance to be reunited with our family. I know that Connecticut has a fine criminal justice system. But mistakes happen for all sorts of reasons. It happened to me, I assure you, wrongful convictions can happen to anyone. Thank you.