

# 1,317 Exonerations In China In 2014

There were 1,317 exonerations in China [by courts](#) nationwide in 2014.

On March 12, 2015 Zhou Qiang, Chief Justice of China's Supreme People's Court (SPC), delivered a report on the state of the nation's courts during the 12th National People's Congress in Beijing.

Zhou reported there were 1,317 exonerations nationwide, and reasserted his commitment to stopping wrongful convictions. Regarding the exonerations Zhou [told legislators](#), "We deeply reproach ourselves for letting wrongful convictions happen. Courts of all levels should learn a serious lesson from these cases."

As an example of Zhou discussed the case of an 18-year-old man named Huugjilt, who [was convicted](#) in a 1996 rape-murder case and executed. Huugjilt was posthumously acquitted after a retrial in December 2014. His acquittal was based on the new evidence that a serial rapist and murderer confessed to the crime, and was convicted and sentenced to death in February 2014.

Zhou said the Supreme People's Court will improve the mechanism to effectively prevent and correct wrongful convictions.

Zhou also reported on weaknesses in China's court system, and denounced that problems with judges that include incompetence, lack of conscience, and dis-



Zhou Qiang, Chief Justice of China's Supreme People's Court in Beijing on March 12, 2015 (Xie Huanchi, Xinhua)

regard for professional ethics. [He stated](#), "Some judges lack conscience and integrity, violate professional ethics and bend the law to serve personal interests, in exchange of favor and money." Zhou stated that in 2014 about 1,937 judges and court staff were punished for violating law and regulations, including 863 punished for abuse of power, and 138 of them were criminally prosecuted.

Zhou stated the SPC will boost transparency in the legal system to enhance public scrutiny, impose zero tolerance for judicial corruption, and the court will begin to blacklist officials who interfere in judicial activities. Zhou [told the legislators](#), "Judicial reforms have entered deep water. We must be courageous in breaking down the barriers of vested interests, including those within our own system. We are ready to crack a hard nut and make sacrifices if necessary."

Procurator-General Cao Jianming (equivalent of the U.S. Attorney General) also [delivered his report](#) to the People's Congress on March 12. He stressed that preventing wrongful convictions is a bottom line that prosecutors must always strive toward achieving.

He reported the Supreme People's Procuratorate (SPP) will perfect the protocol for

prosecutors to supervise police investigations and expand the channels for suspects in custody and inmates to appeal. To minimize prosecutor bias in reviewing appeals, Cao said the SPP is researching implementation of a system in which appeals from suspects in custody and convicted persons will be handled by prosecutors in a jurisdiction different than the one in which they were arrested or prosecuted.

Cao stated that law enforcement officers whose actions lead to wrongful conviction and death of suspects, such as obtaining a confession through breach of duty, will face serious prosecution.

He also said that prosecutors will be expected to strictly follow the protocol of collecting, examining and using the evidence in a case. He said prosecutors should both work to stop a case from going to court and work to correct a conviction, that is "tainted" by unclear facts, lack of evidence or unlawful procedure. Cao said the SPP will blacklist and punish prosecutors who abuse their power.



Cao Jianming, Procurator-General of China's Supreme People's Procuratorate in Beijing on March 12, 2015 (Xie Huanchi, Xinhua)

Sources:

[Chief Justice Expresses Self-Reproach](#) for Wrongful Convictions, By Wang Wei, CRJEnglish.com, March 12, 2015

[Chief Justice Denounces Corruption](#), Lack of Professionalism at Court, By Wang Wei, CRJEnglish.com, March 12, 2015



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est in wrongful convictions. ... prosecutors have a special place in the system and must be sure that they "should" charge someone with a crime, not just "can" they do it.

In my 12 years on the appellate court, I have never seen anything like this case. I hope In ever do again.

Cole's retrial is barred by double jeopardy. He has been released according to the Illinois Department of Corrections website that doesn't list him in custody.

Perhaps the worst aspect of Cole's case is no crime may have occurred: Dr. Stanfill testified at trial it is possible M.A.'s injuries were accidental.

Future defendants subjected to a prosecu-

tion as baseless as Coles' will not be able to cite the appeals court's strenuous ruling reversing his convictions, because the ruling in his case was released as an "unpublished" opinion and is not precedential in Illinois.

[Click here to read the ruling](#) and Justice Daniel L. Schmidt's concurring opinion in *People v. Steven Cole*, 2015 IL App (3d) 120992-U (5-7-2015).

Source:

[People v. Steven Cole](#), 2015 IL App (3d) 120992-U (5-7-2015) (Reversing conviction on basis of insufficient evidence, which barred Cole's retrial.)

[Appellate court tosses](#) South Peoria man's 2012 conviction for sexually assaulting a child, *Star Journal* (Peoria, Ill.), May 19, 2015

[Peorian gets 25 years](#) in child sex assault, *Star Journal* (Peoria, Ill.), November 21, 2012

[Peorian guilty in child sex assault](#), *Star Journal* (Peoria, Ill.), September 7, 2012

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