

ADDENDUM

New York Times, *Justice and Prosecutorial Misconduct*, available at <http://www.nytimes.com/2011/12/29/opinion/justice-and-prosecutorial-misconduct.html>, (“While this process is an urgent matter for Mr. Morton, it is also a test of American Justice – whether a prosecutor who flouts his duty under the Constitution to disclose crucial evidence to a defendant to a defendant is subject to any meaningful sanction.”);

USA Today, *Federal prosecutors likely to keep jobs after cases collapse*, available at http://www.usatoday.com/news/washington/judicial/2010-12-08-prosecutor_N.htm, (Asserting that the Justice Department “often classifies as mistakes violations that result in overturned convictions. Even when judges have cited prosecutors for flouting constitutional rules, the government often clears the attorneys of wrongdoing and concludes the violations were unintentional.” Also asserting that the Justice Department consistently conceals its own investigations of misconduct by federal prosecutors.);

ABA Journal, *Harmless Error? New Study Claims Prosecutorial Misconduct Is Rampant in California*, available at http://www.abajournal.com/magazine/article/harmless_error_new_study_claimsProsecutorial_misconduct_rampant/, (reviewing California Innocence Project study that revealed that, over the course of a 13-year period, courts determined that prosecutors had committed misconduct in over 700 cases and, in 159 of those case, determined that the level of misconduct was harmful enough to reverse the conviction, declare a mistrial or bar the evidence. The study also found that 67 prosecutors had been found to have committed misconduct more than once, and that the State Bar of California took disciplinary in only six misconduct cases.);

Associated Press, *Judge Considers Sanctions in Alabama Gambling Case*, available at <http://txstage.ny.atl.publicus.com/article/20110402/NEWS/110409960?Title=Judge-considers-sanctions-in-Ala-gambling-case>, (describing how judge was considering sanctions against prosecutors for improper arguments and discovery violations);

Politico.com, *Stevens Judge Wants Evidence Rules Changed*, available at http://www.politico.com/blogs/joshgerstein/0409/Stevens_Judge_wants_evidence_rules_changed.html, (detailing how judge who oversaw the conviction and then dropped-due-to-misconduct case against former senator Ted Stevens wants to implement stricter court rules to prevent the government from committing the same kind of misconduct again);

USA today, *Investigator: Prosecutors' actions in Stevens case illegal*, available at <http://www.usatoday.com/news/washington/story/2012-03-28/ted-stevens-prosecutors/53840366/1>, (reporting that special prosecutor investigating misconduct in Ted Stevens case said federal prosecutors actions were “illegal”);

Wall Street Journal, *The Backdating Embarrassment*, available at <http://online.wsj.com/article/SB10001424052748704312504575618612636493250.html>, (Detailing the moral turpitude in the selective prosecution of certain cases, quoting a former federal prosecutor who told the ABA journal “If anyone thinks it’s anything other than prosecute at any cost, then they are wrong. . . . The department has been AWOL in supervising the ethics of its prosecutors. . . . Thus it must fall to bloggers, the media and judges like Judge Wright to protect Americans from overzealous prosecutors”);

Washington Post, *Charges Dismissed Against Blackwater Guards in Iraq Deaths*, available at <http://www.washingtonpost.com/wp-dyn/content/article/2009/12/31/AR2009123101936.html>, (describing how the prosecutorial misconduct of impermissible using certain statements led to the 90 page dismissal of a case against members of a private security contractor in Iraq accused of killing 14 and wounding 20);

The Yale Law Journal Online, *The Myth of Prosecutorial Accountability After Connick v. Thompson: Why Existing Professional Responsibility Measures Cannot Protect Against Prosecutorial Misconduct*, available at <http://yalelawjournal.org/the-yale-law-journal-pocket-part/supreme-court/the-myth-of-prosecutorial-accountability-after-connick-v-thompson-why-existing-professional-responsibility-measures-cannot-protect-against-prosecutorial-misconduct/>, (surveying all fifty states’ lawyer disciplinary practices and concluding that professional responsibility measures as they are currently composed do a poor job of policing prosecutorial misconduct);

Pittsburgh Post-Gazette, *Win At All Costs*, available at <http://old.post-gazette.com/win/>, (a 10 part series delving into specific instances of many varieties of misconduct, including sentencing entrapment, renegeing on deals, allowing witnesses to commit perjury, and not disclosing that witnesses were actually informants for the government);

The Texas Tribune, *Study: Prosecutors Not Disciplined for Misconduct*, available at <http://www.texastribune.org/texas-dept-criminal-justice/michael-morton/study-prosecutors-not-disciplined-misconduct/>, (“In 91 criminal cases in Texas since 2004, the courts decided that prosecutors committed misconduct, ranging from hiding evidence to making improper arguments to the jury, according to data the Innocence Project with release today. None of those prosecutors has ever been disciplined.);

Northwestern Center on Wrongful Convictions, *False confession cases in which prosecutorial misconduct occurred*, available at <http://www.law.northwestern.edu/CWC/issues/causesandremedies/falseconfessions/FCS8.pdf>, (compilation of Illinois cases in which prosecutorial misconduct contributed to the giving of false confessions).