



The Wrongful Convictions Blog

addressing wrongful conviction and actual innocence issues in an international forum

BLOG EDITOR



Mark Godsey

Daniel P. & Judith L. Carmichael Professor of Law, University of Cincinnati College of Law; Director, Center for the Global Study of Wrongful Conviction; Director, [Rosenthal Institute for Justice/Ohio Innocence Project](#)

| [Email](#)

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CONTRIBUTING EDITORS

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Judge Rules Imprisoned Former Akron Police Captain “Actually Innocent” in Former Wife’s Murder

Posted on [January 29, 2013](#) by [Nancy Petro](#) | [Leave a comment](#)

Summit County Common Pleas Judge Judy Hunter has declared former Akron police Capt. Douglas Prade “actually innocent of aggravated murder” in the killing of his former wife, Dr. Margo Prade. Prade was convicted of her murder in 1997. The judge has ruled that Prade “shall be discharged from prison forthwith.”

Prade was convicted primarily on the testimony of a forensic dentist who indicated that a bite mark made through a lab coat and blouse—which left an impression on Dr. Prade’s arm—came from Douglas Prade.

The Ohio Innocence Project got involved in the case and fought to get DNA testing on the bite area of the lab coat. DNA Diagnostics Center in Fairfield, Ohio, conducted the testing pro bono and determined conclusively that the bite area DNA did not belong to Douglas Prade.

DNA-proven wrongful convictions have revealed the unreliability of bite-mark comparisons in identifying a perpetrator in many cases following Prade’s conviction.

According to ABC News, Summit County Prosecuting Attorney Sherri Bevan Walsh will appeal the decision. If

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Justin Brooks

Professor, California Western School of Law; Director, [California Innocence Project](#)

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Hunter’s decision were to be overruled, Prade would be entitled to a new trial.

Congratulations to Carrie Wood, the Ohio Innocence Project (OIP) attorney who has worked for years on the case, as well as Mark Godsey, Director of the OIP and the entire OIP team.

Read Phil Trexler’s article in the Akron Beacon Journal [\(here\)](#).

Read the ABC News report [\(here\)](#).

Read Summit County Common Pleas Judge Judy Hunter’s ruling [\(here\)](#).

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Cheah Wui Ling

Assistant Professor, Faculty of Law, National University of Singapore

| [Email](#)

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Daniel Ehighalua

Nigerian Barrister; Project Director, Innocence Project

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Nigeria

[Email](#)



C Ronald Huff

Professor of Criminology,
Law & Society and
Sociology, University of
California-Irvine

[Email](#)

|

[Profile](#)



Phil Locke

Science and Technology
Advisor, Ohio Innocence
Project and Duke Law
Wrongful Convictions Clinic

[Email](#)

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Dr. Carole McCartney

Senior Lecturer, School of
Law, University of Leeds;
Founder, [University of
Leeds Innocence Project](#)

|

[Email](#)

|

[Profile](#)



Nancy Petro

Author and Advocate
[Email](#)



Kana Sasakura

Associate Professor, Faculty
of Law, Konan University;

Visiting Scholar, University
of Washington School of
Law; Innocence Project
Northwest (IPNW)

[Email](#)

|

[Profile](#)



Dr. Robert Schehr

Professor, Department of
Criminology & Criminal
Justice, Northern Arizona
University; Executive
Director, Arizona Innocence
Project

[Email](#)

|

[Profile](#)



Shiyuan Huang

Associate Professor,
Shandong University Law
School; Visiting Scholar,
University of Cincinnati
College of Law

[Email](#)

|

[Profile](#)



Ulf Stridbeck

Professor of Law, Faculty of Law, University of Oslo, Norway

[Email](#)

|

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Martin Yant

Author and Private Investigator

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Tuesday, 14 February 2012 20:15
Prade DNA Testing Continues

The effort by Akron convicted murderer Doug Prade to win a new trial continued in Summit County Common Pleas Judge Judy Hunter's courtroom on Tuesday. Prade's attorneys and the Summit County Prosecutor conducted a status hearing that lasted nearly two hours to discuss DNA testing that is ongoing as Prade tries to prove his claim that he didn't kill his ex-wife Dr. Margo Prade in 1997. Prade, a former Akron police officer, has been trying for several years to obtain DNA evidence he claims will clear him as Dr. Prade's killer. Attorneys for the Innocence Project participated in the status hearing. The DNA testing will continue, and another status hearing has been scheduled for April 18th.

Published in Local

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Monday, 23 January 2012 13:05
Prade Still Waits For DNA

Former Akron Police Captain Doug Prade got his wish more than a year ago: Additional DNA testing that he says will prove he did not murder his ex-wife, Dr. Margo Prade, in 1998.

It's now been 14 months since the items designated for testing were sent to a private lab near Dayton and no results have been released.

AkronNewsNow talked with Summit County Assistant Prosecutor Mary Ann Kovach and Attorney Carrie Wood with the Ohio Innocence Project, which now represents Prade. Both lawyers emphasized that they cannot talk specifically about the Prade case, but both still offered insight about the length of time it takes for DNA testing to be complete.

DNA Testing Kovach and Wood by Akron NewsNow

Kovach says she would expect the more complicated Mitochondrial DNA or YSTR testing to take several months.

"But it shouldn't take a year," said Kovach. "To me, that's a long time, unless they're testing so many objects. They can only run so many tests at a time."

Wood says people, including some court officials, believe that locating, removing, testing and analyzing the one-of-a-kind identifier takes about as long as it does on television shows, something that she says is simply not true.

"It depends on the type of DNA testing," said Wood. "It depends on the type of evidence. It depends on the age of the evidence and the age of the case. It depends on the type of DNA that you're trying to extract."

Wood also says that sometimes initial testing creates additional questions that need to be answered, so it's difficult to predict.

Another high profile Summit County case is also on hold while post-conviction DNA testing is conducted. Denny Ross convinced the court that the tests are necessary. His retrial for the 1999 murder of Hannah Hill remains scheduled for March. A hearing will be held Tuesday.

The Prade case is expected to be updated next month.

Published in Local
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http://s1.zetaboards.com/Liestoppers_meeting/topic/1198739/1/

This case (just in today) is definitely among the most interesting. Captain Douglas Prade of the Akron Police Force was convicted ten years ago of his wife's murder. The forensic evidence consisted of a set of lower teeth marks which the State's forensic expert said were those of the defendant. However, the teeth marks had also torn the victim's coat and saliva drippings were found. DNA testing was applied. It absolved the defendant and his expert stated that the defendant was incapable of administering the bite wounds, but there were parallels. The jury convicted despite the evidence of an alibi witness that she had been with the defendant working out at the gym during the entire period of the killing.

There is also a somewhat blurred video tape of the murderer in the parking lot where the crime was committed. This, apparently, shows a much smaller and lighter person (possibly a woman) than Captain Prade. The prosecution successfully argued that appearances can be deceiving. Prade also passed a police polygraph test; but the prosecution relies on a penciled list (allegedly compiled some weeks before the shooting) which details how he could spend his wife's insurance money.

During the last eight years Prade has repeatedly appealed to have advanced forensic tests applied to the parking lot tape and the DNA specimens. It is hoped that the current state of DNA science will identify Mrs. Prade's real killer.

He lost again yesterday on the grounds that, if accepted, the DNA evidence as analyzed ten years ago, already proved that he was innocent. The jury didn't buy it then so the court doesn't have to accept it as conclusive now. The teeth marks pointed one way, the DNA another. The jury took the bets and made its choice.

If accepted as precedent, this Ohio decision could preclude all further re-litigation of convictions obtained in the full face of favorable (even seemingly conclusive) forensic evidence.

The court would not appear to have addressed the further issue that the DNA could, at the present time, not only exclude Prade but truly identify a third party.

The Innocence Project has nearly fifty cases on its Ohio platter, but sooner or later the country is likely to be hearing more about this one.

February 18, 2009

UPDATED: 1:20 pm EST February 18, 2009

[HTTP://SMITHFORENSIC.BLOGSPOT.COM/2010/05/DOUGLAS-PRADE-PARTIAL-VICTORY-CASE-SENT.HTML](http://SMITHFORENSIC.BLOGSPOT.COM/2010/05/DOUGLAS-PRADE-PARTIAL-VICTORY-CASE-SENT.HTML)

TUESDAY, MAY 4, 2010

DOUGLAS PRADE: PARTIAL VICTORY; CASE SENT BACK TO COUNTY TO DETERMINE IF NEW DNA TESTING COULD EXCLUDE HIM AS KILLER; AKRON BEACON JOURNAL;



"THE HIGH COURT'S 4-2 MAJORITY DECISION, WHICH WAS ANNOUNCED TUESDAY MORNING, DOES NOT GRANT PRADE'S REQUEST FOR NEW DNA TESTS.

IT SENDS THE CASE BACK TO SUMMIT COUNTY COMMON PLEAS COURT TO DECIDE THE ISSUE OF WHETHER A NEW TESTING METHOD COULD DETECT INFORMATION THAT A PRIOR DNA TEST COULD NOT."

REPORTER ED MEYER: AKRON BEACON JOURNAL;

BACKGROUND: In one of Akron's most notorious murders, Prade's former wife, Dr. Margo Prade, 41, was found by her medical assistant slumped behind the wheel of her van in her office parking lot on Wooster Avenue on the morning before Thanksgiving in 1997. Autopsy findings revealed she was shot six times. After a lengthy trial, Douglas Prade was convicted in September 1998 of all charges in his indictment: aggravated murder, six counts of wiretapping and one count of possession of criminal tools. Common Pleas Judge Mary Spicer, now retired, sentenced him to life in prison without the possibility of parole for 26 years. Prade, now 64, is serving his sentence at Marion Correctional Institution. The issue addressed by the high court involved a bite mark the killer apparently made on Dr. Prade's left arm — through her lab coat and blouse — as she was attempting to defend herself inside the van moments before the shooting. Although DNA tests were performed on that evidence in preparation for the 1998 trial, only Dr. Prade's DNA profile was found. Profuse bleeding on the doctor's lab coat had overwhelmed any traces of DNA that

might have been embedded in the bite mark by the perpetrator. In December, Douglas Prade's attorney, David B. Alden, argued before the high court that DNA technology now can detect a small amount of male DNA, even if it is mixed in with vast amounts of female DNA. If another person's DNA is found inside the bite mark, Alden said, a reasonable conclusion would be that Douglas Prade was not the killer. (Akron Beacon Journal)

"In a partial victory for former Akron Police Capt. Douglas Prade, the Ohio Supreme Court has sent his case back to Summit County to determine whether new DNA testing of forensic evidence from his 1998 murder trial could exclude him as the killer," reporter Ed Meyer's story published earlier today in the Akron Beacon Journal under the heading, "High court sends Prade DNA case back to Summit County," begins.

"The high court's 4-2 majority decision, which was announced Tuesday morning, does not grant Prade's request for new DNA tests," the story continues.

"It sends the case back to Summit County Common Pleas Court to decide the issue of whether a new testing method could detect information that a prior DNA test could not.

In one of Akron's most notorious murders, Prade's former wife, Dr. Margo Prade, 41, was found by her medical assistant slumped behind the wheel of her van in her office parking lot on Wooster Avenue on the morning before Thanksgiving in 1997.

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The high court's majority decision, written by Justice Evelyn Lundberg Stratton, noted that "the victim's DNA overwhelmed the killer's DNA due to the limitations of the 1998 testing methods. Therefore, the exclusion [of Douglas Prade] was meaningless, and the tests cannot be deemed to have been definitive."

Brad Gessner, head of the criminal division of the Summit County Prosecutor's Office, declined to comment on whether the agency will continue to oppose new state-funded DNA tests in the Prade case.

Gessner said the high court's ruling puts the onus on Prade to prove that such tests are needed.

"Doug Prade will now have to prove how this [new test] would have changed the decision of his jury. From the investigation," Gessner said, "this was not a clean lab coat.

"It's unknown how long it had been since it had been laundered. Anyone who touched, hugged, brushed against her lab coat or came in contact with Dr. Margo Prade, when she met her patients or did her rounds, is likely to have left skin-cell DNA."

The high court ruling reversed prior decisions by the trial court and Akron's 9th District Court of Appeals that the 1998 test performed on the lab coat was definitive.

Justice Maureen O'Connor, who was the Summit County prosecutor at the time of the murder, recused herself from hearing the case in December.

O'Connor was replaced by Judge Patricia A. Delaney, who sits on the 5th District Court of Appeals in Canton.

The April 2 death of Chief Justice Thomas Moyer put the Prade ruling in the hands of six justices instead of the full seven-member court.

The story can be found at:

http://www.ohio.com/news/break_news/92783649.html

Harold Levy...hlevy15@gmail.com;

<http://ericmansfield.blogspot.com/2007/11/doug-prade-and-infamous-polygraph.html>

Twitter / ericmansfield

Eric Mansfield

Tuesday, November 20, 2007

Doug Prade and the infamous polygraph

I knew about Doug Prade's polygraph just days after he took the test in November of 1997. In fact, most of the police department and those close to the case did too.

What we didn't know -- at least definitely until now -- is whether the Akron Police Captain truly passed that test, which Doug boasted to those around him, or whether he actually failed it and gave investigators clues that pointed to his involvement in the murder of his ex-wife, Dr. Margo Prade, 10 years ago this week (which is why I'm now airing the story).

Shortly after Doug's conviction in 1998, I made a public records request for the whole kit-n-caboodle. Everything. Every interview and tape and photo and dental impression and the unseen polygraph results. I knew my request would get shot down, but I had to try. Initially, I got a whole lotta nothing because the case was headed for appeals.

Still, I got my request on the record and a few months ago, I finally got the lie detector results.

The irony of it all is that a decade later, I now see that Doug Prade did pass the test .. sort of. The first line of the official report says that he was "cleared" of any involvement in the case. Later though, the results show that Prade was "deceptive" on two key questions .. information that only the killer would know.

Investigators can now say publicly that they purposely misled Prade into believing he'd passed the test in order to "put him at ease" while they continued to investigate.

My story tonight on Channel 3 News at 11 will go into more detail on those questions, and I'm posting the 8-page polygraph report in its entirety on wkyc.com so those who'd like to read it for themselves can find it.

Bill Evans, the polygraph expert who administered that test, was quite forthcoming about Doug's demeanor that day and how poorly he did on the test.

I also received dozens of investigative documents related to the one-on-one interviews conducted with Doug both before and after he was arrested. More on what those reveal later.

Gotta run .. see ya at 11 .. and I'll have more tomorrow on the inside story of the polygraph.

Posted by Eric Mansfield at 2:55 PM

Doug Prade failed polygraph test after murder

10:49 AM, Nov 21, 2007

Margo Prade's ex-husband, Akron Police Captain Douglas Prade, was arrested three months after her death and later convicted of her murder. While it took investigators three months to interview hundreds of people and rule out dozens of suspects before making an arrest, Channel 3 News has obtained new information that detectives had hard clues that pointed to Doug Prade as the killer just days after the homicide. Prade took a polygraph examination three days after the shooting. ([See the results of that test here.](#)) [LINK NOT WORK 120228] He consented to the test without an attorney present and answered questions for nearly two hours about his relationship with Margo and his knowledge of her murder. A few days later, police supervisors told Prade that he had passed the test and then issued a press release that stated that he had been "cleared" of having any connection to the case. A decade later, police and the polygraph examiner can now reveal that Prade actually failed the polygraph and that his answers provided key details of his involvement in the killing. "He didn't do well," recalled Bill Evans, who conducted the test that day on behalf of a request by the Akron Police Internal Investigations unit. "There were areas on the test, as I reported, that were clearly indicative of 'deception' as we call it." Doug Prade's responses registered as deceptive on the questions of "do you know who killed Margo?" and on the specific caliber of the murder weapon. At the time of the polygraph, Evans, Akron Police Officer Craig Gilbride, and the killer were the only ones who knew that Margo had been killed with a .38 revolver. "Doug spiked on that question," Gilbride recalled. "(The polygraph was) an investigative tool that seems to indicate that he (Prade) has knowledge of what transpired, so it kind of put us in the right direction." So was telling Doug Prade that he'd been "cleared" following the polygraph all just a hoax? "Yes it was," Gilbride said. "Just to put him a little more at ease, I think, and see what his reaction would be. What he'd do afterwards." Investigators later used bite mark evidence to gain a conviction and a life sentence, but the polygraph results were never shown to jurors or the public until now. "I can't tell you whether he's the killer or not," Evans said. "All I know is that he responded deceptively to questions on the test that he shouldn't have." When asked if he has any doubt that the right man is behind bars for murder, Gilbride said "absolutely none." Doug and Margo Prade shared two daughters, Sahara and Kenya, who were raised by Margo's mother in the Akron area.