

# New York

## JUDGE SCOLDS PARENTS OF VICTIM ...

■ **SYRACUSE:** The parents of a man killed after a fight outside a bar was scolded by an upstate New York judge during a sentencing in the case. Joseph and Charlene Valentine questioned the acquittal Wednesday of 23-year-old Carl Otts, who had been facing second-degree murder and first-degree manslaughter charges in the stabbing of

their 18-year-old son Wesley in February 2008. Otts claimed he acted in self-defense after Valentine attacked his friend Christopher Barry. The Valentines criticized the jury, as well as police and prosecutors. County Judge Anthony Alo defended the jury verdict on Friday as he sentenced Barry to one year in jail for destroying evidence after the fatal fight.

### in brief

#### Blind man plunges to death

**NEW YORK** — A faulty elevator door allowed a blind man returning home from a trip to the bank to step into an empty shaft and topple to his death, authorities said Friday.

The body of 67-year-old Sheldon Scott was discovered Thursday night inside his 10-story Bronx apartment building, where he lived with his wife. Police said he was legally blind.

Scott's wife reported him missing Thursday afternoon, about four hours after he left their third-floor apartment to go to the bank. Officers who searched the building later found him in the elevator shaft.

On Friday, city inspectors discovered that a mechanism that prevents riders from pulling open an outer door until the elevator car arrives had failed. Once Scott opened the door, he fell about 15 feet.

The medical examiner's office said an autopsy found he died of

## NY's top court creates justice task force

Michael Virtanen  
The Associated Press

**ALBANY** — New York's top court has appointed a panel of state lawmakers and law enforcement officials to examine ways to prevent wrongful convictions.

Chief Judge Jonathan Lippman, citing more than 50 cases statewide over the past several years, said Friday a new state task force will have a permanent role in identifying needed reforms and ongoing monitoring.

Headed by Court of Appeals Associate Judge Theodore Jones Jr. and Westchester County District Attorney Janet Difiore, the group is to evaluate what

went wrong in cases where convictions were overturned, suggest administrative or legislative remedies and issue an initial report by Dec. 1.

"Each one of these cases represents a tragic miscarriage of justice," Lippman told judges and lawyers gathered for his Law Day address. "It is also a unique and valuable opportunity to identify and understand what went wrong with the criminal justice process. What was it that misled police and prosecutors? What was it that caused juries and courts to find an innocent person guilty beyond a reasonable doubt?"

According to the Innocence Project, a group that works to exonerate wrongly convicted

prisoners, 237 people have been cleared through DNA testing nationwide in the past 20 years. Twenty-four were in New York. Only Texas and Illinois have more DNA exonerations.

According to court officials, another 28 convictions in New York were overturned in the past several years for other reasons such as faulty eyewitness identifications, prosecution failures to turn over exculpatory evidence and mishandling of forensic evidence.

"It happens," Lippman said. "I think it's very infrequent."

Jones said they hope that's so, but they'll see.

The Innocence Project released a report in 2007 showing New York surpasses most

states in clearing wrongful convictions through DNA testing, but is behind when it comes to reforms that would prevent them in the first place.

The task force, which will begin meeting in two weeks, won't examine claims of innocence, Lippman said. Instead, it will review every case in which convicts were later cleared, and, without assigning blame, try to determine what went wrong.

Other members are state Sen. Eric Schneiderman and Assemblyman Joseph Lentol, chairs of the Senate and Assembly codes committees, and Denise O'Donnell, commissioner of New York's Division of Criminal Justice Services.

NY contingent not big fans of upstate trial