



Written by [Rebecca Terrell](#) on January 6, 2011

DNA Tests Free Texas Man After 30 Years in Prison

A Texas man is finally free after serving 30 years in prison for a crime he did not commit. Dallas County Judge Don Adams this week declared Cornelius Dupree, Jr., 51, innocent of rape and robbery because recently obtained DNA testing proves he could not have been involved.

Dupree [served more time](#) than any other person cleared in Texas by DNA evidence, and nationwide only two other people exonerated by DNA have served longer prison terms.

Dupree and a friend, Anthony Massingill, were arrested in late 1979 and misidentified by the two victims of a carjacking, robbery, and rape incident. Both men maintained their innocence but were found guilty of aggravated robbery with a deadly weapon on April 3, 1980. Dupree received a 75-year sentence and has unsuccessfully appealed the conviction several times in the past three decades.



[The Innocence Project](#), a New York-based organization that specializes in DNA testing for cases of wrongful conviction, conducted the investigation when it discovered that physical evidence from the crime still existed. It completed initial testing on July 30, 2010, eight days after Dupree was released on parole. Based on the genetic proof, the organization obtained permission from the Board of Pardons and Paroles for Dupree to be excused from house arrest. However, this latest ruling in Dallas County exonerates him. Once the Texas Court of Criminal Appeals approves the finding of innocence, Dupree will be a completely free man.

The evidence also clears Dupree's friend, Massingill, who awaits his own exoneration hearing yet remains incarcerated for another rape conviction. [Texas Wesleyan Innocence Project](#), which represents Massingill, plans to begin DNA testing in that case soon.

"A staggering 75 percent of wrongful convictions of people later cleared by DNA evidence resulted from misidentifications," said Barry Scheck, co-director of the Innocence Project. "Cornelius Dupree spent the prime of his life behind bars because of mistaken identification."

The Innocence Project began investigating Dupree's case in 2006, though he had contacted the organization several years earlier. [The Dallas Observer](#) quoted the IP's director of communication, Paul Cates, explaining why cases like this take so long to process:

We have a big backlog, so it takes us a while to sort through the material to see whose case can be helped by DNA testing and whose can't. The DA's office was cooperative. It just took four years



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to find out if physical evidence existed, then test it, then test everyone else's again and go through all the procedures. It takes an inordinate amount of time.

According to a recent [report](#), 29 other people were exonerated in 2010 by [The Innocence Network](#), a group of organizations that works in conjunction with The Innocence Project to overturn wrongful convictions. The individuals profiled in the report hail from 14 states and two countries, and together served more than 426 combined years in prison before being freed. There were 27 exonerations in 2009.

Shortly after his release in July, Dupree married his fiancée, Selma Perkins, reports the [Star-Telegram](#). They met about 20 years ago while Dupree was in prison. The article explains that now that Dupree has been found innocent, his wrongful imprisonment entitles him under Texas law to a lifetime annuity as well as eligibility for a tax-exempt payment equal to \$80,000 for each of the 30 years he spent in prison.

Related article: [The Human Cost of Politically Correct Justice](#)

Photo of Cornelius Dupree: AP Images



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