

Prosecutor refuses Prade case retesting

Response to state's request doubts that new technology would exonerate former police captain

By JoAnne Viviano
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COLUMBUS: Summit County Prosecutor Sherri Bevan Walsh told state officials Friday that she won't consider releasing DNA evidence for retesting in a former Akron police captain's murder conviction until they say more specifically how doing so might make a difference in the case.

Gov. Ted Strickland and Attorney General Richard Cordray said earlier this week that DNA testing should be done on evidence collected in the case of Douglas Prade as well as in six other cases that were brought to their attention by the Ohio Innocence Project.

In a letter to Strickland and Cordray Friday, Summit County Prosecutor Sherri Bevan Walsh said her office opposes additional testing in the Prade case based, in part, on previous consultations with Cordray's office.

"I was surprised by your conclusion that new DNA technology may add greater certainty to this case," Walsh writes. "Your letter did not include any information or evidence to support your conclusion . . .

"I am respectfully requesting that the additional evidence or information you have been provided through discussions with defense attorneys be given to this office for our evaluation."

Prade, 64, was convicted in 1998 of the shooting death of his wife, Dr. Margo Prade, 41, who practiced family medicine in Akron. In May, the Ohio Supreme Court ordered a Summit County judge to decide whether new DNA testing could alter the case. That matter is pending. Prade's lawyers have argued that scientific advances in DNA testing could produce evidence of another suspect.

Strickland and Cordray had asked Walsh in a letter Tuesday to allow retesting on the doctor's lab coat, buttons from the coat, swabs from bite marks on her arm, her fingernail scrapings and a tennis bracelet.

Strickland spokeswoman Amanda Wurst said the office had received Walsh's response late Friday afternoon and was reviewing it.

"The governor and the attorney general asked prosecutors to voluntarily make DNA evidence available for additional testing to ensure innocent people are not wrongly behind bars and that guilty people are," she said.

Cordray spokeswoman Kimberly Kowalski said the Attorney General's Office is in discussions with various prosecutors and had no further comment.

Walsh writes in her letter that a DNA expert from the attorney general's Bureau of Criminal Identification and Investigation supported her office's position that further testing would not produce greater certainty in the case. An affidavit dated July 28 shows that the expert reviewed the lab coat and the "possible bite mark on Margo Prade's lab coat."

Walsh writes that the fingernail clippings had been tested previously and that those DNA results had excluded Douglas Prade. She says the tennis bracelet had been returned to a family member after Prade's trial.

Prade was sentenced to 20 years to life and is being held at the Madison Correctional Institution in London, Ohio.

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