

Family of wrongfully convicted man gets \$5.2M settlement

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COLUMBUS — Barberton city officials and the family of Clarence Elkins settled a civil lawsuit in U.S. District Court on Tuesday for \$5.2 million, ending a four-year legal battle, attorneys for Elkins confirmed Tuesday.

Clarence Elkins was wrongfully convicted and imprisoned for the 1998 rape and murder of his mother-in-law, Judith Johnson, and rape and beating of his niece, Brooke Sutton. He served nearly eight years in prison before DNA evidence — collected by Elkins behind bars — pointed to Earl Mann as the true killer. Mann eventually pleaded guilty and Elkins was exonerated and won a \$1.07 million settlement from the state.

The civil lawsuit alleged that Elkins' rights were violated by Barberton officers who failed to disclose a memo that indicated Mann was involved.

Attorneys for the city of Barberton were unavailable.

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