



Legislation Text

File #: Res 0698-2015, **Version:** *

Res. No. 698

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, legislation to establish an Innocence Inquiry Commission to investigate credible post-conviction claims of innocence.

By Council Members Palma, Cabrera, Koslowitz, Espinal, Miller, Cornegy, Rodriguez, Williams, Mendez, Barron, Rosenthal, Cumbo, Johnson, Rose, Menchaca, King and the Public Advocate (Ms. James)

Whereas, Since the advent of new DNA testing methods in the late 1980s, organizations around the world have formed to help innocent people overturn wrongful convictions; and

Whereas, According to the advocacy group the Innocence Project, 329 people in 37 states in the United States have been exonerated through post-conviction DNA testing since 1989, including 29 in New York State; and

Whereas, The 329 people who regained freedom after their overturned convictions had been imprisoned an average of 14 years; and

Whereas, The Innocence Project has identified the most common causes of wrongful convictions as eyewitness misidentification, flawed forensics, false confessions, government misconduct, informants with questionable incentives, and inadequate defense; and

Whereas, While many independent, non-profit organizations have led the push to exonerate the innocent, state governments have also taken steps in recent years to address this injustice; and

Whereas, In 2009, New York Chief Judge Jonathan Lippman created the Justice Task Force to study the causes of wrongful convictions and to develop recommended reforms for the criminal justice system; and

Whereas, California, Connecticut, Illinois, Pennsylvania, and Wisconsin have also created similar commissions; and

Whereas, North Carolina has gone beyond other states, having created the Innocence Inquiry Commission in 2006, the first and still only state-created investigative commission set up to evaluate post-conviction claims of factual innocence; and

Whereas, Unlike a court of appeals, the Innocence Inquiry Commission is empowered to review new evidence such as DNA and updated testimony; and

Whereas, To date, North Carolina's Innocence Inquiry Commission has exonerated eight men; and

Whereas, Building on the foundation of the Justice Task Force created by Chief Judge Lippman, New York State should take the logical next step and establish an Innocence Inquiry Commission that is authorized to investigate claims and exonerate individuals based on proof of innocence; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign, legislation to establish an Innocence Inquiry Commission to investigate credible post-conviction claims of innocence.

LS #4481

5/6/2015

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