

GOVERNOR BROWN SIGNS EYEWITNESS IDENTIFICATION REFORM BILL
New Law Requires Best Practices for Conducting Photo & Live Lineups

SACRAMENTO, Calif., Sept. 30, 2018— Today California Governor Jerry Brown signed into law Senate Bill 923 which mandates statewide use of best practices by law enforcement conducting photo and live lineups. Compliance with these widely accepted best practices improves the reliability of eyewitness identifications. Failure to use these best practices increases the risk of misidentification and a wrongful conviction.

The new law, authored by Senator Scott Weiner, was sponsored by the California Innocence Coalition. Nationally, eyewitness misidentification is the leading contributor to convictions that were later overturned by DNA evidence. In California, according to the National Registry of Exonerations, eyewitness misidentification played a role in 12 out of 13 DNA-related exonerations in the state.

"In adopting this legislation California joins the 21 other states who have recognized the decades of solid social science backing these reforms," said Northern California Innocence Project (NCIP) Executive Director and co-founder Linda Starr.

"Good eyewitness identification procedures guarantee that more guilty people will be convicted and more innocent people will be freed," said Justin Brooks, Director of the California Innocence Project and a Professor of Law at California Western School of Law in San Diego. "It's in everyone's interest that identification procedures are as accurate as possible."

The California Innocence Coalition partners have won the freedom of over 50 wrongfully convicted individuals who collectively spent nearly 520 years in prison for crimes they did not commit. In total, approximately a quarter of the coalition's freed clients had eyewitness identification issues. This law will assist in preventing future injustices as a result of bad identifications.

About the California Innocence Coalition

The California Innocence Coalition consists of the three innocence projects in the state, the California Innocence Project in San Diego, the Northern California Innocence Project in Santa Clara, and the Project for the Innocent in Los Angeles. The mission of our projects is to protect the rights of the innocent and to promote a fair and effective criminal justice system by advocating for change in California laws and policy. Collectively, the California Innocence Coalition has won the freedom of over 50 wrongly imprisoned individuals who collectively spent over 517 years in prison for crimes they did not commit.

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GOVERNOR BROWN SIGNS POST-CONVICTION DISCOVERY BILL
New Law Provides Innocent People Access to Materials Available at Trial

SANTA CLARA, Calif., Sept. 18, 2018— Governor Jerry Brown signed a bill into law sponsored by the California Innocence Coalition, a group made up of three innocence organizations - the Northern California Innocence Project (NCIP) in Santa Clara, the California Innocence Project in San Diego, and the Loyola Project for the Innocent in Los Angeles.

The new law, Assembly Bill 1987, closes a loophole in the California Penal Code and now requires trial counsel to retain a copy of a client’s files for the term of his/her imprisonment where a person is convicted of a serious or violent felony resulting in a sentence of 15 years or more. It also provides more reasonable and timely access to discovery materials post-conviction.

“No access to discovery - because the file has been destroyed or because we are not permitted to access the state’s file is one of the biggest hurdles we face in investigating our cases.” said NCIP Executive Director Linda Starr. “This bill will allow us to find and pursue cases of innocence faster, avoiding the waste of years as well as resources - NCIP’s, the Court’s, and the State’s - as we negotiate and litigate access to discovery. This is common-sense legislation that will help identify and resolve wrongful convictions sooner.”

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NCIP Attorney and Policy Liaison, Missy O’Connell said, “AB 1987 supports the mission of the California Innocence Coalition to protect the rights of the innocent and promote a more efficient and effective criminal justice system. We are grateful to Assemblymember Lackey for championing this legislation and to Governor Brown for signing this bill into law.”

About the Northern California Innocence Project (NCIP)

NCIP is a non-profit clinical program of Santa Clara University School of Law whose mission is to promote a fair, effective, and compassionate criminal justice system and protect the rights of the innocent. Since its inception in 2001, NCIP has processed over ten thousand requests for inmate assistance, investigated hundreds of cases, pursued litigation or collaborative resolution in dozens, and obtained the freedom of 24 wrongfully convicted individuals. Learn more at www.ncip.org.

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