

I am testifying regarding bills that relate to wrongful convictions.
My testimony is in support of **HB 5832**, **SB 608**, **HB 5933**, and **SB 694**.
It is in opposition to **SB 692** and **HB 5034**.

I have been involved in studying and assisting with the cases of two individuals whom I know to be wrongfully convicted. I also know personally several other individuals whom I believe were convicted in error. I have looked extensively into the causes of eyewitness misidentifications. Over 80% of proven wrongful convictions have occurred because of eyewitness error. Studies have shown that certain procedures for photo and lineup identifications are much more trustworthy than procedures currently used by many police departments. Unfortunately it is necessary to mandate these better procedures before they will be utilized throughout our state. **HB 5832** will ensure not only that fewer wrongful convictions will occur, but that the actual perpetrators will be sought.

Unfortunately there are innocent individuals who are so severely harassed during interrogation that they actually confess to something they did not do. Many people can't believe this would happen, but it does. I know the family of one of these individuals. If his interrogation had been videotaped, this would never have been used in convicting him. **SB 608** could prevent overzealous police from eliciting false confessions. False convictions mean that actual perpetrators go free. In another case with which I am very familiar, a detained individual was coerced to lie about witnessing 2 individuals during another crime. Both **HB 5832** and **SB 608** might have prevented this. These wrongly convicted individuals may be exonerated soon. But the actual perpetrator has been free for many years.

CT did not have any procedure for compensation when James Tillman was exonerated after 18 years in prison for a rape he did not commit. This is not going to be the only exoneration that occurs in CT. Although it is impossible to make up for years spent in prison by innocent persons, **HB 5933** will at least compensate the person financially. Hopefully it will also make the courts more careful not to wrongfully convict. Again, a wrongful conviction means that the guilty person has gotten away with the crime.

It seems obvious that if a person is convicted of some of the charges against them but receives an acquittal, dismissal or nolle on other charges, the latter should be erased from their record, in the same way that they would be erased if all charges were acquitted, dismissed or nolle. **SB 694** makes this obvious correction.

I am opposed to the bills regarding DNA, **SB 692** and **HB 5034**. These DNA bills are wrong because an arrestee may be found not guilty, the case may be dropped, or a plea bargain may be obtained in which the charge is dropped down below the felony that would have required the DNA sample. We should not rely on the system to get rid of the DNA information in all those cases.

At this time, DNA is taken from felons when they LEAVE prison. If DNA is collected only after a person was in prison for many years, it would be useful only in clearing or convicting that person or someone else at a LATER date. If DNA is to be taken, it should be taken right after the person is CONVICTED of the A or B felony. Then it might be useful in solving old cases or exonerating someone. It could help eliminate wrongful convictions and thereby assist law enforcement in pursuing actual perpetrators. Taking DNA when people are arrested is both wrong timing and unjust. These two current bills should definitely be opposed.

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