

Good morning/Good afternoon legislators, government officials and members of the general public. My name is Rahisha Bivens and I reside in New Britain, CT. I am also a student pursuing my master's degree in social work at the University of Connecticut. I am here today to testify in support of House Bill No. 5933, (RAISED) An Act Concerning the Compensation of Wrongfully Convicted and Incarcerated Persons. Currently 22 States in the U.S.A. have passed laws that allow wrongfully convicted individuals to seek compensation. It is imperative that Connecticut implement its own uniform procedure that will allow exonerated persons to receive retribution for the years of their lives that they lost. Since 1989, 200 inmates have been exonerated by DNA testing. Studies show that in 77% of these cases, inaccurate eyewitness testimony contributed to these individuals being wrongfully convicted. Other contributing factors to these wrongful convictions deliberate government misconduct, withholding or destruction of evidence and coercion of false testimonies. Many of these individuals also were assigned public defenders who were ineffective and overburdened. In 2007, James Calvin Tillman, a CT resident, was exonerated for the crime he didn't commit after already spending 18 years in confinement. You, the Connecticut legislature unanimously voted to give Mr. Tillman the financial means to resume his life by granting him \$5 million dollars. However, if Connecticut doesn't enact a procedure for wrongfully convicted individuals to pursue compensation, many exonerates may not be as fortunate.

Currently, only 45% of those exonerated based on DNA testing have received compensation. In states without compensations statutes the likelihood of exonerated individuals receiving funds are slim. In these states, exonerated individuals can pursue compensation by filing a civil lawsuit or by persuading the legislature to pass a private

compensation bill. Both of these processes place the burden of proof on the exonerated individual. The wrongfully convicted individuals are at an extreme disadvantage in this process. In essence, these exonerated are being punished indefinitely for crimes they didn't commit. Passing H.B. 5933 would provide a safety net to wrongly convicted persons that would allow them to be productive members of society.

Research indicates that many exonerated individuals face more barriers to being reintegrated into society than convicted criminals. Although they initially depart prison with a sense of optimism, many fall into depression because they don't have the comprehensive social, economic and psychological support that can help them be productive citizens. Many of these individuals leave prison with no resources to support themselves and little skills job skills. In addition, they often face discrimination from employers because records haven't been expunged. Often times they are estranged from family members. H.B. 5933 would not only provide them with the financial means to be productive but it also gives Claims Commissioner the freedom to "order payment for the expenses of employment training and counseling, tuition and fees and any other services such persons may need to facilitate such person's reintegration into the community."

In closing, the government has an obligation to compensate wrongfully convicted individuals and provide a safety net that can give these individuals a second chance at life. By adopting this law you are sending a strong message that injustice within the judicial system will not be tolerated. The passage of this bill will most certainly contribute equitable criminal justice system where socioeconomic status no longer determines the verdict.

## References

<http://www.innocenceproject.org>

[http://www.usatoday.com/news/nation/2007-04-22-dna-exoneration\\_N.htm](http://www.usatoday.com/news/nation/2007-04-22-dna-exoneration_N.htm)