



WRITTEN TESTIMONY

**SUBMITTED BY ANA YÁÑEZ-CORREA, EXECUTIVE DIRECTOR
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REGARDING SENATE BILL 167

SENATE COMMITTEE ON CRIMINAL JUSTICE

MARCH 20, 2007

Dear Members of the Committee,

My name is Ana Yáñez-Correa. I am the Executive Director of the Texas Criminal Justice Coalition. Thank you for allowing me this opportunity to present testimony regarding Senate Bill 167 by Senator Ellis.

Since DNA testing has become an available tool for determining a defendant's innocence, it has been used to exonerate almost 200 people throughout the nation. Dallas County alone has seen 12 recent DNA-based exonerations, and another is expected soon. Many individuals exonerated of crimes have difficulty collecting compensation for wrongful imprisonment. Texas' post-conviction statute should remove barriers to collecting compensation after exoneration.

WHAT DOES S.B. 167 DO?

Current state law requires that a certification of an individual's actual innocence of a crime be signed by the prosecutor who represents the state in the county in which the sentence was rendered. Oftentimes, this is the prosecutor who tried the defendant's case. S.B. 167 would remove the obligation of an applicant for compensation for a wrongful conviction to acquire the signature of that prosecuting attorney.

S.B. 167 RESTORES FAITH IN THE SYSTEM BY ALLOWING INNOCENT PEOPLE TO RESTORE THEIR LIVES.

There have been instances in Texas where, after years of serving sentences for crimes they did not commit, wrongfully convicted individuals are released on parole and forced to live under strict conditions and intense supervision. Some have even been forced to re-enter the community as registered sex offenders. A wrongful conviction, in other words, bears an astonishingly harsh social stigma – in addition to other tremendous hardships that severely limit individuals' ability to find employment and housing and to restore normalcy to their lives.

Texas law, therefore, should not in any way inhibit an individual who has been wrongfully convicted from receiving compensation or official certification of actual innocence. In addition, we believe that Texas should create a state entity that identifies and publicizes the common causes of wrongful convictions so as to prevent the incarceration of more innocent people in the future.

Also, in order to bring our state in line with others, Texas should remove the \$500,000 cap for payments to the wrongfully convicted to aid them in restoring their lives (shelter, employment, medical care) post-exoneration.

I appreciate the opportunity to testify before this committee, and to offer our organization's ideas about this important issue. I would also like to commend Senator Ellis for his efforts to remove the many obstacles to truth and justice in Texas' criminal justice system, especially for individuals with limited resources.