

ONE HUNDREDTH LEGISLATURE
FIRST SESSION
LEGISLATIVE RESOLUTION 214

Introduced by Chambers, 11;

WHEREAS, no one benefits from a wrongful conviction except the actual perpetrator of crime, who eludes justice; and

WHEREAS, convicting the guilty and protecting the innocent are two fundamental goals of the constitutional criminal justice system; and

WHEREAS, postconviction DNA testing, on April 23, 2007, proved the innocence of the 200th wrongfully convicted person; and

WHEREAS, the examination of convictions proved erroneous by DNA evidence enables us to learn what aspects of the criminal justice process lead to wrongful convictions in all criminal cases; and

WHEREAS, recognizing and understanding the causes of wrongful convictions enables us to identify means of improving the accuracy and reliability of criminal investigations and strengthening criminal prosecutions, and thus minimize the possibility of misdirected criminal investigations and wrongful convictions; and

WHEREAS, such a process of examination, communication, and remediation by criminal justice system leaders can help ensure both the fair administration of justice and the public's faith and confidence in the criminal justice system; and

WHEREAS, the Conference of Chief Justices and the Conference of State Court Administrators endorses the creation of state entities to prevent the conviction of persons charged with criminal acts they did not commit; and

WHEREAS, the American Bar Association has urged federal, state, and territorial governments to identify and remedy the causes of wrongful conviction.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDREDTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Legislature expresses support of all efforts to learn from DNA exonerations to increase the accuracy and reliability of criminal investigations, strengthen prosecutions, protect the innocent, and enhance public safety.