



SB 819: Justice Integrity

The integrity of the criminal justice system relies on accurate information, understanding of best practices, and comprehensive review in every single case. While many prosecutors do their best to deliver fair and just results to all those entering the criminal justice system, mistakes can still be made, faulty forensic evidence is identified, or the understanding of best practices in the justice system evolves. In these circumstances, there must be a mechanism to review and correct past wrongs and ensure that justice is served post-conviction.

SB 819 will provide prosecutors the ability to address wrongful convictions and sentencing post-conviction

This is particularly important now, when we are gaining a better understanding of how Black, Indigenous, and people of color are often convicted for harsher crimes or longer sentences compared to their white counterparts who commit similar acts. It is also crucial in light of data that reveals the six leading causes of wrongful conviction, including faulty and misleading forensic testimony.

Modeled after other states, including Washington and California, this bill will allow prosecutors to revisit the fairness of previous convictions and sentences, and petition the court to vacate the conviction or resentence a person when the prosecutor finds it is in the interest of justice.

Currently, even if a prosecutor and a convicted individual agree that justice was not served in a particular case, there is not a path for them to work with the courts to revisit the case. The remedies currently available post-conviction are time-consuming for the individual, the State, and the courts; costly to the State; and unavailable to prosecutors.

SB 819 adds a provision to the existing post-conviction statutes that will:

1. allow prosecutors and the convicted individual to jointly petition the court for relief when faced with a wrongful conviction or an excessive sentence and
2. establish factors that the court should consider when deciding whether to grant the petition. It gives prosecutors the ability to revisit sentences **and** the discretion in how they use this ability so that it can be tailored to each county and community.

Importantly, the bill also includes robust victim's rights provisions, above and beyond the victims' rights provisions in other states, to require that a victim not only be notified, but be provided with victim advocacy services and the right to be heard at all stages of the proceeding.

SB 819 will allow prosecutors to make sure that justice is served, mistakes are corrected, and crucial law enforcement resources are protected