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September 5, 2007

Governor Arnold Schwarzenegger
State Capitol Building
Sacramento, CA 95814

RE: Support for SB 511, 609 and 756

Dear Governor Schwarzenegger:

On behalf of the Bar Association of San Francisco, I am writing to express our support for SB 511 (requiring electronic recording of interrogations), SB 609 (requiring corroboration for jailhouse informants), and SB 756 (requiring new guidelines for eyewitness identification procedures).

DNA evidence has proven that innocent people are being convicted and sentenced to prison in far greater numbers than we ever imagined. Each time an innocent person is wrongfully convicted, the harm falls not only on that person but also on the community and the crime victims, as each wrongful conviction leaves the true perpetrator on the streets to hurt more people. Convicting the guilty while protecting the innocent is the most fundamental goal of our criminal justice system. Yet, all too often, we fall short.

The California Commission on the Fair Administration of Justice was established by California State Senate Resolution No. 44 "to study and review the administration of criminal justice in California, determine the extent to which that process has failed in the past," examine safeguards and improvements, and recommend proposals to ensure that the administration of criminal justice in California is just, fair and accurate. Chaired by John Van de Kamp, the former Attorney General and former Los Angeles County District Attorney, this bipartisan commission is composed of a victims rights advocate, prosecutors, law enforcement officers and defense attorneys.

The Commission has conducted hearings, reviewed scientific evidence, consulted experts, and listened to personal testimonials. Based on this evidence, the Commission has issued a series of unanimous recommendations for reforms needed to prevent wrongful convictions in this state. These three bills will implement the most basic and most urgently needed reforms. Specifically,

- SB 511 will require electronic recording of custodial interrogations in violent felony cases. Research has shown that recording of interrogations is the best method to detect and prevent false confessions.

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- SB 609 will require corroboration of testimony by jailhouse informants. We know that informants often lie to get out of jail. Thus, we should require some evidence to show they are telling the truth.
- SB 756 will require the Attorney General to issue guidelines for eyewitness identification procedures. Scientific research shows that there are better ways to conduct lineups than are now used.

The Bar Association of San Francisco strongly supports the legislative reforms recommended by the California Commission on the Fair Administration of Justice and urges timely passage of SB 511, 609, and 756.

Sincerely,

Nanci L. Clarence
President, Bar Association of San Francisco

cc:

Senator Gloria Romero via fax: (916) 445-0485
Senator Mark Ridley-Thomas via fax: (916) 951-8899
Senator Elaine Alquist via fax: (916) 324-0283
Assembly Member Mark Leno, Appropriations Chair, via fax: (916) 319-2113
California Commission on the Fair Administration of Justice via fax: (408) 554-5026