

THE JUSTICE PROJECT

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September 19, 2007

Governor Arnold Schwarzenegger
State Capitol Building
Sacramento, CA 95814

Dear Governor Schwarzenegger:

I am writing to urge you to sign three critical pieces of criminal justice reform legislation into law — Senate Bills 511, 609, and 756 — that are designed to improve fairness and accuracy in the criminal justice system by making practical changes to eyewitness identification procedures, reforming the process by which confessions are obtained, and regulating the use of in-custody informant or jailhouse “snitch” testimony.

Study after study has shown that faulty eyewitness identification, false confessions, and unreliable snitch testimony are three leading causes of wrongful conviction in California and nationwide. We have also learned that most of the changes required to greatly improve the accuracy of our criminal justice system are not unreasonably time-consuming or costly. Implementation of these bills will result in stronger prosecutions, more efficient proceedings, and more reliable outcomes in criminal cases giving the public greater confidence in the criminal justice system.

By turning these vital reform measures into law, California can set a standard for the nation that will protect the innocent from wrongful conviction, enhance public safety, and safeguard the integrity of law enforcement.

My organization, The Justice Project, works to address unfairness and inaccuracy in the criminal justice system. We have extensively studied these three issues as well as other causes that can lead to wrongful convictions. It is my understanding that you have received our policy reviews on improving eyewitness identification procedures and recording custodial interrogations. Attached you will find our newest policy review on the use of jailhouse snitch testimony.

With more than 200 exonerations to date in California, it is critical that measures are enacted before more mistakes are made. Faulty eyewitness identification is shown to be one of the most common causes of wrongful conviction playing a pivotal role in 60% of wrongful convictions in California. False confessions are responsible for nearly 20% of the wrongful convictions nationwide, while unreliable testimony of jailhouse snitches was a factor in approximately 20% of wrongful convictions in California alone.

With your signature, California will be an example for the rest of the nation regarding the needed reforms to safeguard against miscarriages of justice. Law enforcement, prosecutors, and the community-at-large will all benefit from the adoption of these reform measures. Governor, make California a leader in improving the criminal justice system and be the model for the rest of the nation.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Terzano', with a long horizontal flourish extending to the right.

John Terzano
President, The Justice Project