

LAW OFFICE OF THE PUBLIC DEFENDER COUNTY OF KERN



MARK A. ARNOLD
Public Defender

TONY K. HEIDER
Assistant Public Defender

ARTHUR R. TITUS
Chief Deputy Attorney

1315 Truxtun Avenue
Bakersfield, California 93301

Telephone (661) 868-4799
Fax (661) 868-4788

September 13, 2007

Honorable Arnold Schwarzenegger
State Capitol
Sacramento, CA 95814

RE SB 511, SB 756 and SB 609

Dear Governor Schwarzenegger:

As the Kern County Public Defender, I write asking you to support SB 511, SB756 and SB 609 in an effort to protect the liberties and freedoms of California citizens from false convictions.

In California since 1989, more than 200 people have been wrongfully convicted of murder, rape and other serious crimes. It is an aspect of our criminal justice system most don't talk about, unless you happen to be one of the 200.

For example, there's Herman Atkins: Atkins of Riverside was convicted of rape in 1988 and sentenced to 47 years in prison. After serving 12 years, he was exonerated after examining irrefutable DNA evidence. Police had used a suggestive interrogation procedure that led to a false eyewitness identification.


It is indisputable, as proven by DNA evidence, that innocent people in California are sent to prison for crimes they did not commit. Respected studies confirm this alarming number of false convictions— which in turn often allow the guilty to walk free. **The California Commission on the Fair Administration of Justice**, composed of prosecutors, law enforcement, Department of Justice personnel, defense attorneys, and headed by former Attorney General John Van de Camp, recommended these Bills to the legislature.

These Bills, passed by both houses of the legislature, speak for the will of the people addressing several of the root causes of false convictions such as **unreliable jailhouse informant testimony, inaccurate eye-witness identification and the failure to record police interviews**

in violent felony cases.

There is a duty to protect the citizens of California from false convictions. I strongly urge your support for these long overdue legislative remedies. Your citizens deserve your support.

Very truly yours,

A handwritten signature in black ink, appearing to read "Mark Arnold", written over a horizontal line.

Mark A. Arnold
Kern County Public Defender

cc: California Commission on the Fair Administration of Justice