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Bills aim to keep the innocent out of jail

California is right to try to reduce its number of wrongful criminal convictions.

Daily Breeze editorial

In California since 1989, more than 200 people have been wrongfully convicted of murder, rape and 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 due to the work of the nonprofit Innocence Project, which brought irrefutable DNA evidence.

A trio of bills that has passed both houses of the state Legislature aims to root out such wrongful convictions based on false identification by witnesses, false testimony by jailhouse informants and coerced confessions by police. They were suggested by a team of prosecutors, defense attorneys, law enforcement and victims' rights advocates headed up by former state Attorney General John Van de Kamp. The California Commission on the Fair Administration of Justice was formed by the state Legislature in 2004 to offer recommendations after studies showed an alarming number of wrong convictions.

SB 756 would set up a task force from the Department of Justice, law enforcement, prosecutors and defense attorneys to recommend procedures and standards for conducting suspect line-ups.

SB 511 would require law enforcement to electronically record interrogations in all murder and violent felony cases. This would give a judge and a jury access to the procedures used and whether there was coercion of a confession.

The group found that the second-most frequent cause of wrongful convictions is the extraction of false confessions during police questioning of suspects. Taping of confessions is required in jurisdictions across the nation.

Last, SB 609 by state Sen. Gloria Romero, D-Los Angeles, would require corroborating evidence for testimony given by a jailhouse informant. Jailhouse snitches make the most unreliable witnesses, usually because they will lie in order to gain leniency, bail, probation or lesser confinement.

Convicting the wrong guy affects all aspects of criminal justice. Of course, an innocent person ends up in jail, but also, the guilty party remains at large and can commit more crimes. Also, police agencies, counties, and cities can be sued for false convictions, often resulting in large settlements

paid out of taxpayer funds.

There's little margin of error for those working within the criminal-justice system. They have a tough job and they usually perform it well. This trio of bills will help them and the public do their part.

Both want to see justice done.

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