

CALIFORNIA COMMISSION ON THE FAIR ADMINISTRATION OF JUSTICE

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FROM: CALIFORNIA COMMISSION ON THE FAIR
ADMINISTRATION OF JUSTICE

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TRIO OF BILLS SPONSORED BY THE CALIFORNIA COMMISSION ON THE FAIR ADMINISTRATION OF JUSTICE ENACTED BY LEGISLATURE AND AWAITING GOVERNOR'S SIGNATURE

A trio of bills designed to reduce the leading causes of wrongful convictions were enacted by the California Legislature and now await signature by Governor Arnold Schwarzenegger. The bills will do the following:

- **SB 756 (D-Ridley-Thomas)** will require the appointment of a task force to study current research and consider best practices to draft guidelines for the conduct of police line-ups and photo arrays to increase the accuracy of eyewitness identification. After more than a year of study, those voluntary guidelines would be transmitted to the Governor and the Legislature with recommendations for legislation, if any.
- **SB 511 (D-Alquist)** will require the electronic recording of police interrogations that happen in police stations, jails, or other holding facilities for cases involving homicides and other violent felonies.
- **SB 609 (D-Romero)** will require the corroboration of testimony by jailhouse informants, akin to a similar requirement for the testimony of accomplices that has been part of California law for 157 years.

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SB 756 and SB 511 were drafted in response to the Governor's veto messages of similar legislation last year (SB 1544 and SB 171, respectively). In his veto messages, the Governor indicated that improving the reliability and accuracy of eyewitness identifications was a "laudable goal" and that he "supports the concept" of recording interrogations. The message encouraged the Commission to work with law enforcement to develop a new recording bill in response to his concerns as well as an eyewitness identification bill that did not circumvent the legislative process.

Since the announcement of these three bills on February 26, 2007, the Commission has worked with law enforcement and district attorneys to create legislation that addressed the fundamental issues of wrongful conviction as well as the concerns raised in the veto messages. In many cases, the Commission agreed to amend the bills to respond to the concerns raised. In addition, the Senate Rules Committee added representatives of the California State Sheriffs' Association, the California Police Chiefs' Association, and the Peace Officers' Research Association (PORAC) to the Commission.

These bills arrive on the Governor's desk at a time when other States are enacting similar legislation, most notably North Carolina in response to the Duke Lacrosse scandal.

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