

Testimony to California Commission on Fair Administration of Justice “CCFAJ”
From
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I have worked with the exonerated for the past two years in a capacity of providing case services and advocacy on behalf of the exonerated. I have worked with approximately 70 exonerees nationwide, more specifically 22 exonerees in California and 13 in the Bay Area.

Our organization is supported solely by individual donations. We have very little foundation support and receive no state or federal grant money because there is no delivery system for services for the exonerated in this country and certainly not in the state of California.

The insurmountable obstacles and struggles, coupled with the torturous experience of wrongful conviction qualify the exonerated in this country to receive social services to rebuild their life. I work with mostly men, and I can testify that some will never recover fully and experience daily, the debilitating challenges and obstacles like:

- 1) post traumatic stress disorder “PTSD”
- 2) personality & anxiety disorders
- 3) joblessness
- 4) relationship issues
- 5) isolation and disconnect
- 6) medical and other mental health issues
- 7) uphill legal battle for compensation & expungement of record
- 8) financial ruin (for exoneree and family members)
- 9) family reunification and child custody issues

The above list is by no means a comprehensive list of obstacles for the exonerated.

My job as a consultant for The Life After Exoneration Program originally was to develop, coordinate and implement a case service delivery system specialized for the exonerated in the Western half of the United States. We have created a working model for implementation, but we lack a sustainable funding stream for provision of services. The exonerated in the country continue to be ignored and remain without services.

A significant issue we have encountered with creating sustainable funding for services for the exonerated is the lack of interest by foundations to support such a small population (estimated 500 exonerated nationwide). It has been difficult to receive their support because the exonerated are eclipsed by a large reentry population of ex-offenders. We have met with all major foundations in California and the United States. They will however, support advocacy efforts to educate the public on the broader issues of

wrongful conviction and reentry for the ex-prisoner population. But this does not bring relief to the exonerated specifically. It has been disheartening and a constant disappointment for the exonerated and the organizations trying to assist the exonerated rebuild their life after the torturous experience of wrongful conviction.

As a formerly incarcerated ex-offender, I was given the opportunity to rebuild my life in 2001 upon my release with support from a state funded program for ex-offenders. I received one year of housing, treatment, vocational support and mental health/peer support. This foundation served as a keystone for my life today. It is egregious that this type of support is not offered to individuals who are innocent and never should have been subjected to the horrible experience of prison, not to mention wrongful detention and accusation and imprisonment which is “torture” by definition of the U.N. Treaty. The exonerated are victims of the United States criminal justice system and by definition meet the criteria and mirror the symptoms of a torture victim. I will forward compelling information on the comparisons between the exonerated and torture survivors.

Therefore, I propose a model state bill that mirrors a bill recently passed (SB 618) bill for non-violent ex-offenders in California. (See attached) It has been a pilot program implemented in San Diego and San Francisco, and to this date, a successful approach to delivering intervention, support and prevention of at-risk individuals and vulnerable populations like the exonerated. I have submitted a draft of this model bill and would be more than happy to discuss at length the possible workings of this bill and the relief it would bring state wide to California’s exonerated.

The concept of the bill is good. The details can be worked out and discussed, but this is one solution that I believe should be given immediate attention, direction and support.

Please feel free to contact me for further information on the exonerated, details of the model bill, as well as to discuss other solutions that can bring relief to the exonerated and move toward a remedy for this continued injustice. In the interim, I remain...

Sincerely,

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