



THE NATIONAL ASSOCIATION FOR CIVILIAN OVERSIGHT OF LAW ENFORCEMENT

Improving Police Legitimacy and Community-Police Relations through the Prevention of Wrongful Convictions

WHEREAS, wrongful convictions have a disastrous and rippling effect not only on the innocent and their families but also on crime victims and citizens at large; and

WHEREAS, a number of factors lead to wrongful convictions, including eyewitness misidentification, false or coerced confessions, and lack of access to DNA testing; and

WHEREAS, the 325 individuals that have been exonerated by DNA evidence have erroneously spent an average of 13 years behind bars, with 18 of those individuals wrongfully sentenced to death; and

WHEREAS, in half of the DNA exonerations, DNA testing identified the actual perpetrators, who remained free to commit additional violent crimes while the innocent languished in prison; and

WHEREAS, the conviction of the wrong person - an innocent person - presents a danger to public safety, wastes precious criminal justice resources, adversely affects public trust in police, and hurts community-police relations; and

WHEREAS, the International Association of Chiefs of Police has identified specific reforms and solutions to policing that can prevent wrongful convictions; and

WHEREAS, mistaken eyewitness identifications contributed to approximately 73 percent of the 325 wrongful convictions in the United States overturned by post-conviction DNA evidence; and

WHEREAS, established research in the field of psychology has clearly demonstrated that cross-racial identifications are particularly unreliable, and that at least 40 percent of the DNA exonerations involving misidentification were cross-racial in nature; and

WHEREAS, the need for eyewitness identification reform has been recognized by law enforcement officials, prosecutors and the judiciary, as well as national justice organizations, including the National Institute of Justice and the National Bar Association; and

WHEREAS, false confessions contributed to more than 25 percent of the 325 wrongful convictions in the United States overturned by post-conviction DNA evidence; and

WHEREAS, mandated electronic recording of the entire interrogation process - which has already been adopted by 23 states - protects against false and coerced confessions by ensuring integrity in the interrogation process, and ensures a reliable record of what transpired during the course of an interrogation; and

WHEREAS, although all fifty states have post-conviction DNA testing access statutes, many of these testing laws deny deserving categories of potential petitioners access to that testing; and

WHEREAS, improper forensic science contributed to approximately 50 percent of the 325 wrongful convictions overturned by post-conviction DNA evidence.

THEREFORE, BE IT RESOLVED that the National Association for Civilian Oversight of Law Enforcement will advocate for states and law enforcement agencies, at all levels of government, to adopt core procedural reforms to improve the accuracy of eyewitness identification including blind administration of lineups, proper composition of lineups, proper instructions to the witness and taking statements in the witness' own words at the time of the identification; and

BE IT FURTHER RESOLVED that the National Association for Civilian Oversight of Law Enforcement will advocate for states and law enforcement agencies, at all levels of government, to electronically record all interrogations in felony cases in their entirety; and

BE IT FURTHER RESOLVED that the National Association for Civilian Oversight of Law Enforcement will advocate that all states remove all restrictions to post-conviction DNA testing; and

BE IT FINALLY RESOLVED that the National Association for Civilian Oversight of Law Enforcement will advocate that the federal government promote forensic science research and require scientifically developed standards, and implement uniform standards, to ensure that scientific evidence offered in court is valid, comprehensive, and conforms to the limits of science so that criminal justice can be adjudicated objectively, transparently, and accurately.

Adopted and approved this 11th day of February 2015.