



## MICHIGAN INNOCENCE CLINIC

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**To: Senate Judiciary Committee**  
**From: Kim Thomas, Clinical Professor, University of Michigan Law School,**  
**Michigan Innocence Clinic**  
**RE: Senate Bill 61**  
**Date: February 7, 2012**

The Michigan Innocence Clinic is a non-DNA innocence clinic based at the University of Michigan Law School. The MIC has been operating since 2009 and, so far, has exonerated 4 wrongfully convicted people.

The Michigan Innocence Clinic supports Senate Bill 61, which will provide needed compensation to persons who are wrongly convicted and incarcerated in Michigan.

**Today, I want to focus on particular wording of Senate Bill 61 that I believe may be wrongly interpreted to improperly limit persons who can receive compensation for wrongful conviction and imprisonment.**

As currently written, Section 4(c) states:

"DNA or other evidence of similar importance showing that the plaintiff was not the perpetrator of the crime . . ."

As currently written, Section 5(c) states:

"DNA or other evidence of similar importance supports a finding that the plaintiff did not perpetrate and was not an accessory . . ."

The Michigan Innocence Clinic believes that this language may be wrongly construed to limit access to potential compensation to only persons who can show, through DNA evidence, that they were wrongly convicted and imprisoned.

We propose, instead, the following language, which we believe would include those with legitimate evidence of wrongful conviction.

**"DNA or other evidence that would convince a reasonable person that the plaintiff was not a perpetrator of, or an accessory to, the crime..."**

Thank you for the opportunity to address this important bill.