



Legislative Testimony
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**Written Testimony Supporting
Senate Bill 509, An Act Concerning
Newly Discovered Evidence**

Senator Doyle, Senator Kissel, Representative Tong, and distinguished members of the Judiciary Committee:

My name is David McGuire, and I am executive director of the American Civil Liberties Union of Connecticut (ACLU-CT). I am here to testify in support of Senate Bill 509, An Act Concerning Newly Discovered Evidence.

The ACLU-CT fights to protect the due process rights of all people. It is important that people who are incarcerated have the ability to file habeas corpus petitions when there is newly discovered evidence about their cases. Current Connecticut law has a short three-year time limit within which someone has to file a motion for a new trial that is based on newly discovered evidence. This three-year limit is far behind other states; 44 other states either have an exception to this limit when evidence could not have been discovered earlier or do not have such a time limit at all. Senate Bill 509 would create an exception to Connecticut's current three-year limit by allowing someone to file a motion for a new trial based on newly discovered evidence. It is imperative that the state allows people to introduce new evidence after conviction, because 80 percent of people who are wrongfully convicted prove their innocence with non-DNA evidence, according to the Innocence Project.

This bill would allow someone to file a motion for a new trial when forensic evidence that was used to convict them has been undermined since the trial. At a time when our understanding of technology and science are continuously being expanded, this is incredibly important. New discoveries in the field of forensic evidence are found each day, and it is imperative that people have the opportunity to bring these changes in forensic evidence and their impact on their case to light in the court of law.

Other states, including California and Texas, have passed similar laws recently. Connecticut should do the same to protect innocent people from wrongful imprisonment.

We urge this committee to support Senate Bill 509.