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Perlmutter Center Letters

Perlmutter Center for Legal Justice

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## Perlmutter Center for Legal Justice at Cardozo Law Asks NY Governor Kathy Hochul to Sign Wrongful Convictions Act

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October 25, 2023

The Honorable Kathy Hochul  
Governor of New York State  
NYS State Capitol Building  
Albany, NY 12224

Dear Governor Hochul,

New York State has the opportunity to make history by passing Challenging Wrongful Convictions Act (S.7548). The Perlmutter Center for Legal Justice at Cardozo Law represents people with claims of innocence and those pursuing clemency and resentencing. We recognize your great capacity for compassion and for granting clemency to our client Bruce Bryan. S.7548 is consistent with your commitment to justice, truth, and humanity. By signing this bill, we believe that you will safeguard public safety, preserve the integrity of science, and bring innocent people home in New York State.

The Perlmutter Center for Legal Justice at Cardozo Law hosts the Freedom Clinic which trains law students in the proper use of scientific evidence, focuses on how its misuse contributed to wrongful convictions, and integrates this knowledge into real casework. We also train attorneys on the underlying scientific issues in forensic science to support more robust litigation in our Forensic Science Education Program. When scientific evidence is sound and strong, it can offer answers that may prevent the use of less reliable evidence such as false confessions and incentivized informants. Passing S.7548 would put New York on the leading edge as the eighth state in the nation to pass a change in science mechanism. Change in science mechanisms recognize that science is a dynamic and ever evolving process. This component of S.7548 would offer innocent people and the courts a mechanism to consider advancements in research that change our understanding of evidence that was used in the past or when forensic experts withdraw their past opinions.

When innocent people are convicted of crimes they did not commit, the person who committed the crime remains free, jeopardizing public safety. In New York, the seven people identified by DNA evidence who actually committed crimes for which innocent people were wrongfully convicted went on to commit 11 additional crimes, including three rapes, six murders and two other violent crimes.

[Of the nation's 375 DNA exonerations](#), actual assailants were identified in 165 cases. Those perpetrators went on to be convicted of 154 additional violent crimes, including 83 sexual assaults, 36 murders, and 35 other violent crimes while the innocent sat behind bars for their earlier offenses.

We urge you to sign S.7548 to establish an incredible legacy in New York to ensure justice by creating comprehensive and clear mechanisms for innocent people to challenge their wrongful convictions and preserve public safety.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'JD', with a large, sweeping horizontal stroke extending to the right.

Joshua Dubin  
Executive Director  
Perlmutter Center for Legal Justice at Cardozo Law