

S.B. 98 Support Testimony

Good morning chairman _____, and distinguished members of the _____ Committee. Today we're here to talk about justice.

Our justice system is the foundation of our great state of Michigan. As citizens, we often take it for granted that the innocent will be protected and the guilty punished. Our system is designed to place a large burden of proof on the state when, in a court of law, we try to determine whether or not a person is guilty of a crime. We as a society share a fundamental value that sometimes a criminal may go free in order to protect our fundamental right to life and liberty.

What happens when that system doesn't work? What happens when an innocent person finds their liberty taken away from them? How should we respond when our justice system makes a mistake and the state itself becomes involved in committing an injustice?

Senate Bill 98 is based on a very simple concept. Innocent Michiganders convicted of a crime they didn't do and sent to jail should be compensated for the wrongs against them. This is a bill about ensuring justice is served for the wrongly imprisoned.

One of the key concepts to justice is predictably. Whether you are a criminal, or a victim, or just a citizen living your everyday life, justice means you do not have to fear arbitrary decisions, and justice means that all are equal before the law. S.B. 98 ensures that a predictable and equitable process will be in place for the wrongly imprisoned to seek restitution.

Today, if you are wrongly convicted, and your life has in many respects been destroyed by a false imprisonment, you have to sue in court to restore what was wrongly taken away from you. Will you recover lost wages at least? It depends. I hope you have a good lawyer, an understanding judge, and a city that can afford to pay your settlement. Maybe justice will be served, maybe not.

That's an unacceptable standard for our great state. We can and must do better.

S.B. 98 makes sure the wrongly imprisoned automatically are eligible for compensation. It sets a standard for compensation and guidelines that make it easy for courts to deal with the process. It has safeguards to ensure that the taxpayers aren't taken advantage of, or that compensation doesn't reach the wrong hands. It will allow Michigan to join the majority of states in our country on this issue.

Some may question the impact these funds will have on our state's priorities to other citizens, but thankfully our justice system makes few mistakes. These mistakes are of grave importance to the innocent, however, and our first priority as a state must be to focus on making sure justice is served for every single citizen.

This bill may bring up other issues involving criminal justice reform worth examining, but those are best addressed through other legislative initiatives. This bill is focused on making sure justice is served for the wrongly imprisoned, who have not been justly treated.

The state can never restore all that was lost to a citizen who has been wrongly imprisoned. It can never give back the precious gift of time. S.B. 98 will go a long way, however, to make sure that the wrongly imprisoned are given some assistance to help them reclaim the life they once had. Thank you.