

Congress should support access to post-conviction DNA testing

BY KIRK BLOODSWORTH - 07/29/15

I'll never forget how lonely I felt when the jury announced its guilty verdict and the courtroom erupted in applause. I thought, how could this happen? It felt surreal, but soon after reality sunk in: I could spend the rest of my life in prison until the state of Maryland executed me. I spent eight years, 11 months and 19 days locked away — two of those years on death row — for a rape and murder that I did not commit, before post-conviction DNA testing proved my innocence.

If not for post-conviction DNA testing, I might still be in prison, or worse, I could have been executed. In 1993, I became the first death-row inmate in the U.S. to be exonerated by DNA testing. Since then, I have dedicated my life to advocating for reforms that will both prevent and identify wrongful convictions.

Recently I had the opportunity to make a case for criminal justice reform as a participant in the Coalition for Public Safety's and Cut50's Bipartisan Fair Justice Summit. This year, Congress can support reform by passing bipartisan legislation to reauthorize access to, as well as provide funding for, post-conviction DNA testing and other critical innocence and forensic science programs.

Lawmakers should immediately reauthorize the Justice for All Act. This legislation would reauthorize two crucial innocence programs: the Kirk Bloodsworth Post-Conviction DNA Testing Program, which bears my name because DNA testing proved my innocence and which provides funding for states to conduct post-conviction DNA testing, and the Coverdell Forensic Science Improvement Grant Program, which provides federal support to state and local crime laboratories and medical examiner offices to help them execute their work efficiently and effectively.

Congress should also fully fund forensic science programs. The Justice Department's Wrongful Conviction Review Program provides small grants to local innocence organizations to help them navigate the complex landscape of post-conviction litigation, oversee thousands of volunteer hours that help to investigate and resolve these cases and identify the actual perpetrator whenever possible.

These programs have yielded significant success in freeing the innocent and identifying the truly guilty. Just this past year, funds from the program contributed to the exoneration of at least 12 innocent individuals. Furthermore, funding from Bloodsworth program grants has resulted in 26 exonerations in 10 states, and the real perpetrator was identified in 10 of those cases.

While supporting innocence and forensic science programs is about protecting the innocent, it is also about increasing public safety. Because I was arrested and ultimately wrongfully convicted of the rape and murder of 9-year-old Dawn Hamilton in Baltimore County, Kimberly Shay

Ruffner, a serial rapist and the real perpetrator in Hamilton's murder, remained free to harm others — and did.

Shortly after I was arrested in 1984, Ruffner attempted to rape another woman, a crime for which he would later be convicted. And my case is not an isolated incident. Nationally, 142 real perpetrators were identified in the 330 wrongful convictions that were proven by DNA evidence. Some of those real perpetrators went on to commit 145 additional violent crimes, including 77 rapes, 34 murders and 35 other crimes.

No one should ever have to experience a wrongful conviction. It is horrific, lonely and at times feels hopeless. Also, victims and survivors of violent crimes, as well as the public, deserve the finality and security of having the guilty brought to justice. For these reasons, I urge Congress to provide states, innocence organizations, other allies and stakeholders with the necessary tools to prevent, reveal and remediate wrongful convictions and ensure justice.

Bloodsworth was the first person in the U.S. on death row to be exonerated by DNA evidence. He advocates for reforms to address wrongful conviction and is the subject of a forthcoming documentary "An Innocent Man," set to be released this fall.