

UpFront

By Samantha Meinke and Mike Eidelbes

Michigan Police Agencies Adopt Evidence-Based Eyewitness Identification Best Practices

Nearly 300 police agencies that work to protect more than 80 percent of Michigan's citizens have adopted scientifically sound eyewitness identification guidelines recommended by a task force convened by the State Bar of Michigan.

Eyewitness misidentification is the leading cause of wrongful convictions proven with DNA evidence in the United States, playing a role in 71 percent of such cases. According to the University of Michigan Law School National Registry of Exonerations database, which tracks both DNA and non-DNA exonerations, 18 of the 66 wrongful convictions in Michigan that have been overturned since 1989 involved erroneous eyewitness identification.

In 2011, the State Bar of Michigan convened the Eyewitness Identification Task Force, chaired by Valerie Newman, an attorney with the State Appellate Defender Office, and Nancy Diehl, a retired Wayne County prosecutor. The task force consisted of judges, sheriffs, Michigan State Police officers, police chiefs, prosecutors, defense attorneys, and Innocence Project attorneys.



The task force spent a year reviewing research and listening to experts before issuing an eyewitness identification policy writing guide for law enforcement agencies that recommended the use of evidence-based procedures endorsed by the National Academy of Sciences, the International Association of Chiefs of Police, and the American Bar Association.

The Michigan Commission on Law Enforcement Standards, Michigan Police Chiefs Association, and Michigan Sheriffs Association worked to train officers in best practices and help agencies that adopt the policy recommended by the task force. Michigan is now one of 19 states nationally that has achieved statewide implementation of eyewitness identification best practices. ■

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UpFront ?

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Wrongful Incarceration Compensation Act Becomes Law



Courtesy photo

Sen. Steve Bieda (center, with plaque) stands with exonerees at the WMU-Cooley Innocence Project reception for the signing of the Wrongful Incarceration Compensation Act. Pictured, left to right: Larry Souter, Lorinda Swain, Davontae Sanford, Nathaniel Hatchett, Julie Baumer, Kenneth Wysiemiako, and Tommy Highers.

After more than a decade of work by legislators and legal advocates, Governor Rick Snyder signed the Wrongful Incarceration Compensation Act into law on February 14, giving those convicted and imprisoned for crimes they did not commit the right to financial compensation and reentry services.

“Innocent people should not be penalized for mistakes in the justice system,” Senator Steven Bieda, the bill’s sponsor, said in a statement after the measure passed. “This

legislation at least helps them pick up the pieces of their lives.”

Bieda joined wrongly convicted individuals and their advocates in Lansing for a ceremonial signing of the bill and a reception hosted by the WMU-Cooley Law School’s Innocence Project in Lansing.

The law, which took effect March 29, allows those wrongly convicted and imprisoned of crimes to receive \$50,000 for each year of incarceration. Compensation is not auto-

matic; claimants must file a petition for compensation in the Court of Claims. Exonerees are also eligible for housing for up to one year following the date of discharge and the same reentry services parolees receive.

“Both the reentry services and the compensation award will help our clients get back on their feet,” said WMU-Cooley Innocence Project Director Marla Mitchell-Cichon. “No amount of money can make them whole, but it’s a start.” ■

Flint High School Student Named Judge Marable Student of the Year

James Richardson Jr., an 11th grade student at Grand Blanc High School, was named District Judge Herman Marable Student of the Year for 2016–2017. Richardson was honored with a \$500 award, trophy, and certificate, and his name has been engraved on a plaque on permanent display at the 68th District Courthouse.

Richardson was one of 10 monthly winners chosen by Judge Marable and his Citizens Advisory Committee on the basis of essays detailing their career goals. Monthly honorees receive a \$75 prize, trophy, and certificate. Judge Marable established the

program in 2004 to encourage Genesee County high school students to focus on academic achievement and career goals. Applications for the program are available at www.judgemarable.net.

Richardson would like to study criminal justice and ultimately become a prosecuting attorney. His extracurricular activities include playing on the Grand Blanc High School varsity basketball team, participating in Upward Bound at Mott College, and volunteering with several faith-based organizations, the Food Bank of Eastern Michigan, nursing homes, and at back-to-school rallies. ■