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ARIZONA RECEIVES FEDERAL DNA GRANT National Institute of Justice Awards Funds to Help Prisoners Wrongly Convicted

The United States Department of Justice, through its National Institute of Justice (NIJ), has awarded a \$1,386,699 grant to the State of Arizona for post-conviction DNA testing of forcible rape, murder, and non-negligent manslaughter cases that might demonstrate actual innocence. Under this grant, Arizona could become one of the first states in America to systematically and categorically identify inmates in which DNA might resolve questions about actual innocence and then conduct the needed testing.

The principals in the grant are the Arizona Justice Project and the Arizona Attorney General's Office. These agencies will work in close cooperation with Arizona's crime labs – both public and private – working under the grant administration of the Arizona Criminal Justice Commission (ACJC).

A congressional appropriation made funds available to undertake investigations and evaluations to identify cases in which individuals may have been wrongfully convicted of homicides or sexual assaults. Appropriated as a result of the Justice For All Act of 2004, the funds will enable the participants to establish a system to investigate Arizona cases in which DNA testing might lead to exoneration or reconfirm the guilt of the convicted individual. Arizona law already allows for postconviction DNA testing for inmates with a claim of actual innocence; the grant will make resources available for a review of cases where DNA is available for testing.

Over the next 18 months the Arizona Justice Project will identify and evaluate potential cases and, with the help of the Attorney General's Office, will secure the relevant biological evidence and the necessary files. The Arizona Justice Project is centered at the Sandra Day O'Connor College of Law at Arizona State University. The ASU College of Law enjoys a well-earned national reputation as a center for the study of forensic science and DNA research and evaluation. The university will be available to assist in this and other projects that may arise as a result of this extraordinary work. The application that inspired this grant arose under the ASU Law School Deanship of Patricia White. The newly selected Dean, Paul Schiff Berman, warmly endorses the goals of this undertaking.

The Project also will collaborate with the James E. Rogers College of Law at the University of Arizona and the Northern Arizona Justice Project at Northern Arizona University.

"This grant affords us a very exciting opportunity," said the Project's Executive Director, Carrie Sperling. "This is a huge and important undertaking and the opportunity to collaborate with all of the relevant agencies in the state is very exciting."

Attorney General Terry Goddard added, "DNA testing is a powerful tool that benefits all involved in our criminal justice system, especially victims. This grant enables my office to support local prosecutors and ensure that those who have committed violent crimes are identified and behind bars."

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"All involved in Arizona's criminal justice system--victims, prosecutors and defense bar--have an interest in making sure that the people who are guilty of the crime serve the time," added Greenlee County Attorney Derek Rapier, who is chair of the Arizona Prosecuting Attorneys Advisory Council. "This grant will provide prosecutors across Arizona with critical forensic and legal resources and help Arizona lead the nation with a criminal justice system that is fair and just. Partnerships such as this are critical for keeping Arizona families safe and criminals off our streets."

Arizona's crime laboratories will make their resources available, both for examination of samples and for conducting comparison testing through the national database of DNA profiles. Several private laboratories also have been identified to assist in the collaborative effort, including the Chromosomal Laboratories located in Phoenix.

The Project also will require the active assistance of private investigators through the Arizona Association of Licensed Private Investigators (AALPI), a group the Project has worked with in the past.

The Project will continue with its criminal justice endeavors and case evaluations in many other areas. "We look forward to devoting special attention to this undertaking and the partnership with Arizona's law enforcement and forensic communities," said Professor Sperling.

Wrongful convictions create a double injustice, wrecking an innocent person's life and at the same time allowing an often dangerous criminal to evade justice and remain on the streets. More than 200 exonerations in the United States have resulted from DNA evidence, including two from Arizona. Most of these exoneration cases are brought forward by inmates through private attorneys or through non-profit organizations, such as the national Innocence Project or state organizations such as the Arizona Justice Project. The principals of this grant-funded post-conviction DNA project will document the processes with the goal of making this a best practice to be replicated in other states that allow for post-conviction DNA testing.

Arizona's post-conviction DNA project is unique in that it is the result of a new statewide partnership between prosecutors, defense attorneys, forensic specialists and legal educators.

As principals of the project, the Arizona Justice Project and the Arizona Attorney General's Office will document the work with the goal of making this partnership a best practice to be replicated in other states.

About the Arizona Justice Project: Now in its eleventh year, the Arizona Justice Project is an innocence project centered at the Sandra Day O'Connor College of Law at Arizona State University. The College of Law enjoys a national reputation as a center for the study of forensic science and DNA research and evaluation. For many years the Justice Project has also worked in concert with the James E. Rogers College of Law at the University of Arizona and with the Northern Arizona University Justice Project.

Helpful Websites:

- Arizona Justice Project: www.azjusticeproject.org/
- Arizona Attorney General: www.azag.gov/
- Arizona Foundation for Legal Services & Education: www.azflse.org
- Arizona Criminal Justice Commission: www.acjc.state.az.us

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