Florida Innocence Commission Issues Final Report

TALLAHASSEE – The Florida Innocence Commission today issued its final report in response to the directive of the Supreme Court in AOSC10-39 “to conduct a comprehensive study of the causes of wrongful conviction and of measures to prevent such convictions.”

During the two years of its existence, the Commission identified five causes for wrongful convictions: Eyewitness identification, false confessions, informants and jailhouse snitches, improper/invalid scientific evidence, and professional responsibility. While studying the topic of professional responsibility, it became crystal clear to the Commission that a sixth significant cause exists that may lead to wrongful convictions: The underfunding of the criminal justice system in Florida.

The Commission recommended in the Final Report that the Florida Legislature adopt a statute mandating the electronic recording of statements of suspects during a custodial interrogation and the Florida appellate courts consider the identification of the lawyer who engages in serious misconduct, whether defense or prosecution, that results in a reversal of a conviction.

Judge Preston Silvernail, from the 18th Circuit stated, “Attorney misconduct, ineffective defense counsel, prosecution errors, heavy judicial caseloads, and inadequate funding all lead to wrongful convictions.”

Dean Acosta commented that “if one is serious about doing something about wrongful convictions we must recognize that a lack of funding is the most serious threat that implicates the state attorneys, public defenders, the Attorney General, criminal conflict counsel, and the
judiciary. All of the other recommendations of the Commission are secondary. More funding is fundamental to our rights and the system of law.”

To view the Final Report please visit: http://www.flcourts.org/gen_public/innocence.shtml

For copies of the Final Report, please submit a request in writing to: FL Innocence Commission, 500 S. Duval Street, Tallahassee, FL 32399

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