

THERE IS A CRISIS OF WRONGFUL CONVICTIONS IN NEW YORK STATE

New York has a serious wrongful conviction problem. More than 300 people have been exonerated in New York since 1989, resulting in a collective 3,068 years of life lost to wrongful convictions. Our state ranks third highest in the number of wrongful convictions in the nation, trailing behind Texas and Illinois.

The **Challenging Wrongful Convictions Act, S.7548 (Myrie) / A. 2878a (Aubry)**, overhauls Criminal Procedure Law 440 to ensure that all New Yorkers have a working pathway to exoneration.



WHY DOES NEW YORK NEED REFORM?

The harm done by a wrongful conviction is permanent

- To take a person away from their family, remove them from their community, and imprison them wrongfully is one of the greatest harms the state can inflict upon the individual.
- Innocent Black people spend an average of 13.8 years wrongly imprisoned – 45% longer than white exonerees.
- People accused of crimes facing jail or prison time routinely make the difficult decision to take a guilty plea, regardless of innocence.
- In New York, 98% of convictions are the result of a plea deal, but the Court of Appeals ruled that people who pled guilty cannot qualify for relief without DNA evidence of innocence.
- New York is 1 of 5 states without a right to counsel in post-conviction cases, behind states like Alabama & Texas.
- Discovery reform passed in 2019 did not provide for post-conviction discovery. This blindfolds people trying to prove their innocence.

In New York, actual
innocence isn't enough
for exoneration.

WHAT WILL THE BILL DO? S.215 (MYRIE) /A.2878A (AUBRY)

1. **Guilty plea fix:** Allow people to apply to overturn wrongful convictions if they pled guilty, as is the law in other states including Texas.
2. **Post-conviction discovery:** Provide people seeking to prove their innocence with a chance to review the evidence in the underlying case.
3. **Remove procedural roadblocks to relief**
4. **Clarify assignment of counsel:** Provide direction to judges of when to assign counsel in post-conviction cases.
5. **Decriminalization fix:** Ensure people convicted of acts that are no longer crimes (such as gravity knife or marijuana possession) can seek vacatur.



JOIN THE FIGHT

Help us provide a better pathway to exoneration in New York State.



**Please support the Challenging
Wrongful Convictions Act
(S.7548 / A.2878a)**

SUPPORTING ORGANIZATIONS

