WALSH ANNOUNCES FOURTH MAJOR POLICY INITIATIVE; WILL FORM CONVICTION REVIEW UNIT TO COMBAT WRONGFUL CONVICTIONS

NEW CITY, NY... Judge Tom Walsh announced his fourth major policy initiative of the campaign, a Conviction Review Unit, which will work to ensure justice prevails in cases where a wrongful conviction occurs. Under the initiative, the Rockland County District Attorney's office will assign a team of three prosecutors and two investigators to review cases brought before the unit.

"As District Attorney, the number one responsibility is the ensure equal treatment under the law. If anyone is the victim of a wrongful conviction, then we have failed in our responsibility," said Judge Walsh. "My office will work tirelessly to prevent wrongful convictions from occurring in Rockland County. We must follow the evidence wherever it leads to ensure justice prevails."

Highlights of the plan are below:

Preventing Wrongful Convictions

<u>Brady Violations</u> – The link between Brady violations and wrongful convictions has been proven. Judge Walsh's office will have a zero-tolerance policy for withholding evidence of innocence from the defense and he will hold every Assistant District Attorney accountable who does not comply.

<u>Compliance with new discovery laws</u> – Judge Walsh will have a team in place that will be ready to implement procedures for the new discovery laws that are scheduled to take effect in January of 2020. We will be in full compliance on the first day he takes office so that trials can really be a search for the truth and not a trial by ambush.

Videotaped Confessions – Coerced, false confessions have resulted in approximately 25% of wrongful convictions where the accused was later acquitted by DNA evidence. Accordingly, I will encourage our local law enforcement agencies to record interrogations in all cases, beyond the ones that are currently mandated by law, in order to avoid coercion and false confessions. In addition, all confessions taken by any member of the District Attorney's office will be videotaped.

Case Evaluation – Judge Walsh's office will implement a step back approach whereby his office will critically evaluate cases brought to his office. This will include but not limited to having his entire team of Assistant District Attorneys trained and well versed in looking for "red flags" that a confession may be false, misidentification by an eyewitness, or that an informant is not being truthful.

Studying Wrongful Conviction Cases – Judge Walsh will appoint independent expert(s) to study what went wrong in any wrongful conviction case his unit uncovers. This comprehensive review by professionals in the field will yield all-inclusive report so that he can share the findings with other prosecutors to further our goal of avoiding the convictions of innocent people.

Seeking Justice for those Wrongfully Convicted

Creation of a Conviction Review Unit – Judge Walsh will form a unit that will consist of three (3) prosecutors and two (2) investigators who will be assigned to reviewing claims of innocence. These investigations can be initiated by a defense attorney, a defendant, or based upon the findings of our judicious review of past convictions by the Rockland County District Attorney's office.

Access to Automatic DNA Testing – DNA is the gold standard of evidence which has both successfully led to the conviction of the real perpetrator and the exoneration of the innocent. Judge Walsh will voluntarily allow for DNA testing without wasting tax-payers money litigating those requests. The goal is justice. Therefore, we will actively pursue all roads that will

allow us to achieve that objective.

<u>Reviewing all Cases based upon non-corroborated evidence</u> – Judge Walsh's office will review all cases that have resulted in a conviction based upon evidence such as tire tracks, bite marks, shoe prints and other unreliable sources of evidence without further corroboration. The Judge will be unafraid to reverse a conviction and agree to a new trial for defendant's whose cases fall into this category.

###