

***NIJ*: Postconviction Testing of DNA Evidence**

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- Any opinions or points of view expressed are those of the presenter and do not necessarily reflect the official position or policies of the U.S. Department of Justice.



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Postconviction Testing of DNA Evidence (“PC Program”)

U.S. Department of Justice
Office of Justice Programs
National Institute of Justice

OMB No. 1121-0329
Approval Expires 12/31/2018



The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), [National Institute of Justice](#) is seeking applications for funding to assist in defraying the costs associated with postconviction case review, evidence location, and DNA testing in violent felony cases (as defined by State law) where the results of such testing might show actual innocence. This program furthers the Department's mission by ensuring the availability of fair and impartial administration of justice to Americans who may have been unjustly convicted.

Postconviction Testing of DNA Evidence

Applications Due: May 9, 2017

Eligibility

In general, eligible applicants are States, units of local government, and public institutions of higher education (including tribal institutions of higher education). For the purposes of this solicitation, the term “State” includes the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands. Foreign governments, foreign organizations, and foreign institutions of higher education are not eligible to apply.

NIJ welcomes applications under which two or more entities would carry out the federal award; however, only one entity may be the applicant. Any others must be proposed as subrecipients (“subgrantees”).¹ The applicant must be the entity that would have primary responsibility for carrying out the award, including administering the funding and managing the entire project.

Under this solicitation, only one application by any particular applicant entity will be considered. An entity may, however, be proposed as a subrecipient (“subgrantee”) in more than one application.

Deadline

Applicants must register with [Grants.gov](#) prior to submitting an application. All applications are due by 11:59 p.m. eastern time on May 9, 2017.

Posted: March 23, 2017

Deadline: May 9, 2017

Funding to assist in defraying the costs associated with postconviction case review, evidence location, and DNA testing in violent felony cases (as defined by State law) where the results of such testing might show actual innocence



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Allowable Purposes of the PC Program

1. Identify potential postconviction DNA testing cases.
2. Review appropriate postconviction cases to identify those in which DNA testing could prove the actual innocence of a person convicted of a violent felony offense as defined by State law.
3. Locate biological evidence associated with such postconviction cases.
4. Perform DNA analysis of appropriate biological evidence.

PC Awards and Funding Amounts for FY2008-FY2016

Number of Awards	
2008	5
2009	9
2010	4
2011	6
2012	5
2013	6
2014	5
2015	8
2016	7
TOTAL	55

Amount Awarded	
2008	\$7,821,741
2009	\$9,854,562
2010	\$1,565,911
2011	\$7,429,009
2012	\$3,546,504
2013	\$3,315,873
2014	\$3,593,453
2015	\$3,555,053
2016	\$3,596,910
TOTAL	\$40,682,106



Postconviction DNA Testing Assistance 2008-2015

	Cases Reviewed	Evidence Search Cases	Bio Evidence Cases	DNA Analysis Cases	Pieces of Evidence Analyzed	CODIS Profiles Uploaded	CODIS Hits
FY08	3,092	236	761	1,104	813	165	24
FY09	23,087	10,693	9,690	152	947	17	4
FY10	3,679	138	73	34	11	0	0
FY11	14,925	6,261	5,813	138	177	17	3
FY12	1,989	1,632	6,480	58	243	2	1
FY13	14,244	8,014	1,458	189	553	18	12
FY14*	11,638	2,020	756	22	85	8	4
FY15*	868	130	66	31	85	6	4
TOTAL	73,522	29,124	25,097	1,728	2,914	233	52

**39
EXONERATIONS**

* As of March 31, 2017, not all of the FY14 and FY 15 awards are complete; FY16 awards began in January 2017

Total Time Reported to Review Cases and Locate Evidence

	Hours Reviewing Cases	Hours Locating Evidence
FY08	48,100	9,483
FY09	81,211	34,220
FY10	22,675	4,136
FY11	43,112	23,214
FY12	44,163	17,261
FY13	55,559	4,504
FY14	23,006	7,496
FY15	7,264	1,007
TOTAL	325,090 (~37 years!)	101,322 (~11.5 years!)

Exonerations

- 12 STATES
- 39 EXONERATIONS

State	Exonerations
AZ	John Kenneth Watkins
	1
CA	Uriah Courtney
CA	Michael Hanline
CA	Kimberly Long
CA	William Richards
CA	Luis Vargas
CA	Johnny Williams
	6
CO	Robert Dewey
	1

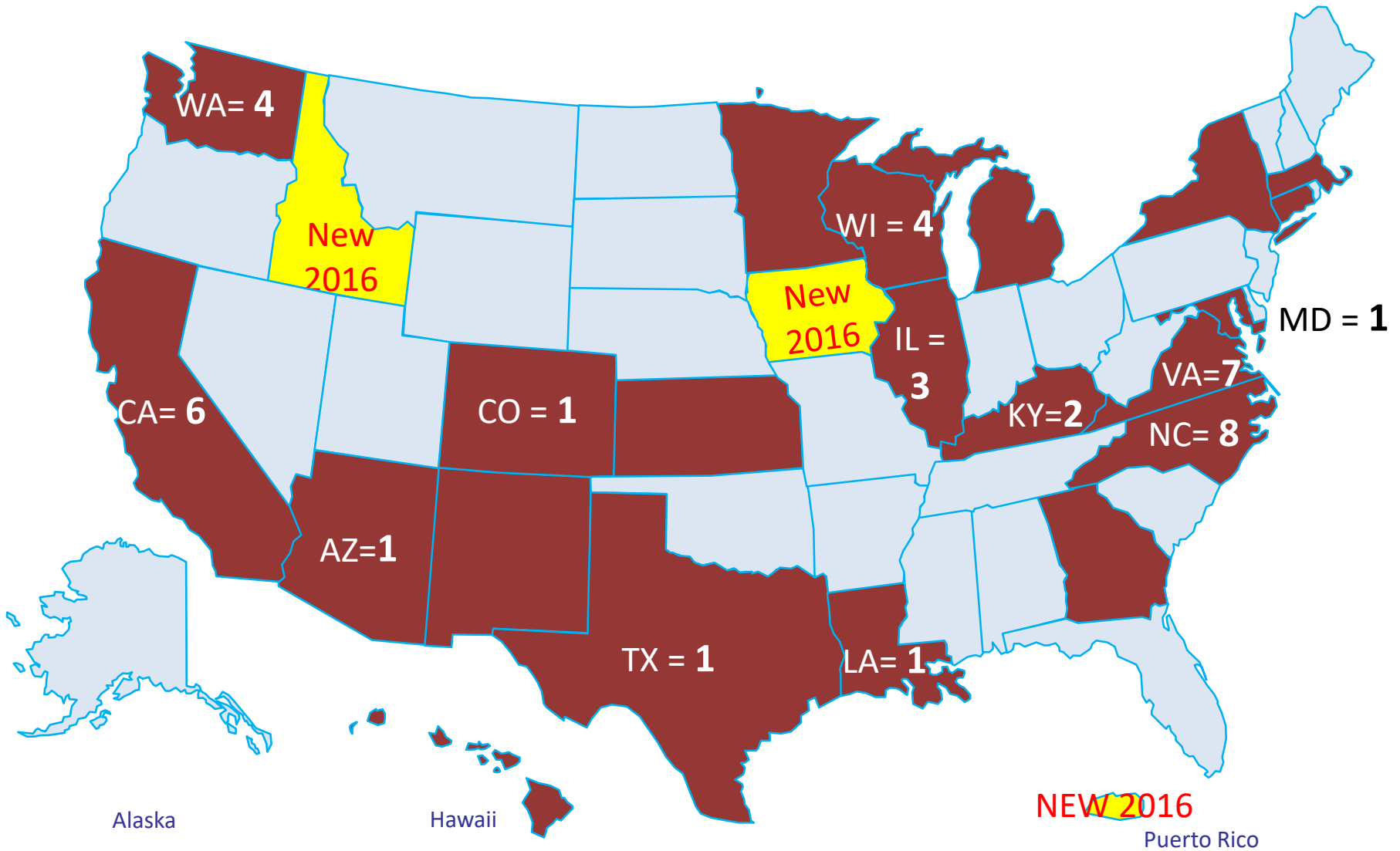
State	Exonerations
IL	Christopher Abernathy
IL	*Angel Gonzalez
IL	Mark Maxson
	3
KY	Kerry Porter
KY	*Michael VonAllmen
	2
LA	Darrin Hill
	1
MD	*Malcolm Bryant
	1
NC	Knolly Brown
NC	Leon Brown
NC	*Willie J. Grimes
NC	Kenneth Kagonyera
NC	*Henry McCollum
NC	Edward McInnis
NC	Joseph Sledge
NC	Robert Wilcoxson
	8

State	Exonerations
TX	Johnny Pinchback
	1
VA	Bennett Barbour
VA	Victor Burnette
VA	Calvin Cunningham
VA	Willie Davidson
VA	Gary Diamond
VA	Thomas Haynesworth
VA	Phillip Thurman
	7
WA	Donovan Allen
WA	Jeramie Davis
WA	Larry Davis
WA	Alan Northrop
	4
WI	Joseph Frey
WI	Senaca Malone
WI	Terry Vollbrecht
WI	Daryl Dwayne Holloway
	4



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Exonerations by State

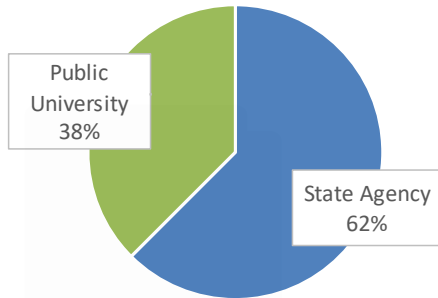


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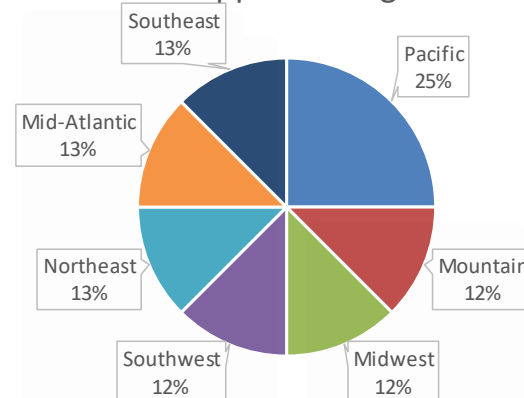
Numbers = the number of exonerations in that state where NIJ funding was used

Application Demographics

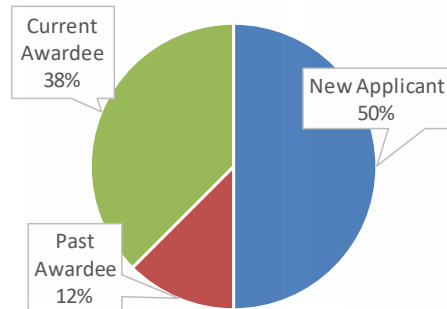
Applicant Type



Applicant Region



Applicant History



- FY2016 is the second year that units of local government and public universities are eligible.



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NIJ: Postconviction Testing Webpage

Wrongful Convictions and Postconviction Testing

Postconviction DNA Testing

Research on DNA's Role in Uncovering Wrongful Convictions

Predicting and Preventing Wrongful Convictions

Postconviction Testing Roles and Recommendations

Postconviction DNA Testing Funding Program

Exonerations Resulting from NIJ Postconviction DNA Testing Funding

Postconviction DNA Symposium

Postconviction Testing and Wrongful Convictions

On this page find:

- [Overview of Wrongful Conviction](#)
- [Postconviction DNA Testing](#)
- [Research on Actual Innocence and DNA Exoneration](#)

Overview of Wrongful Convictions

The strength of our criminal justice system depends on its accuracy — its ability to convict the guilty and to clear the innocent. But we know that wrongful convictions happen. Identifying and understanding the causes of wrongful convictions is critical to maintaining the integrity of our justice system.

A conviction may be classified as wrongful for two reasons:

1. The person convicted is factually innocent of the charges.
2. There were procedural errors that violated the convicted person's rights.

A wrongful conviction based on possible factual innocence can sometimes be detected using postconviction DNA testing.

Postconviction DNA Testing

Postconviction DNA testing is a major factor contributing to the increased discovery of wrongful convictions. With the advent of DNA testing over the last two decades, biological evidence retained in cases from the "pre-DNA" era could be tested. In addition, advancements in DNA technology have broadened opportunities for DNA testing. For example, as DNA analysis of aged, degraded, limited or otherwise compromised biological evidence has improved, samples that previously generated inconclusive results might be amenable to reanalysis with newer methods.

NIJ's [Postconviction DNA Testing Funding Program](#) awards grants to state agencies to locate and analyze biological evidence in cases in which actual innocence might be demonstrated.

[Learn more about postconviction DNA testing.](#)

Research on Actual Innocence and DNA Exoneration

The increase in exonerations over the last 20 years has accentuated the need for research on how, why and how often wrongful convictions occur. In 2012, NIJ published a study that looked at a sample of 715 people convicted of homicide or sexual assault in Virginia before modern DNA testing became available. The study's goal was to determine whether testing could confirm the original convictions.

[Learn more about research on DNA's role in uncovering wrongful convictions.](#)

Listening to Victims and Exonees

NIJ has released the notes from the February 2016 meeting [Exonees and Original Victims of Wrongful Conviction: Listening Sessions to Inform Programs and Research \(pdf, 28 pages\)](#).

Exonerations

Learn about [exonerations resulting from the Postconviction DNA Testing Assistance Program](#).

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Related Content

AWARDS

[View NIJ-funded awards related to: Wrongful Convictions, DNA, Forensics](#)

Training

Statistics

PRIORITIES & PLANNING

- [Postconviction DNA Testing Assistance Program Roundtable Summary, June 2011](#)
- [Postconviction DNA Symposium, January 2009](#)

RESOURCES FOR POSTCONVICTION LAWS

- [DNA Laws Database, including Postconviction Motions \(NCSL\)](#) [Exit Notice](#)
- [State DNA Access Laws \(Innocence Project\)](#) [Exit Notice](#)
- [State Compensation Laws](#) [Exit Notice](#)

<https://www.nij.gov/topics/justice-system/wrongful-convictions/Pages/welcome.aspx>

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THANK YOU

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