

Resolution Presented by Kietryn Zychal
Approved - NDP Convention June 19, 2016

Resolution on Conviction Integrity Units

WHEREAS, Coerced false confessions are a significant cause of wrongful convictions; and

WHEREAS, Privately funded Innocence Projects are not able to handle the volume of wrongly convicted persons seeking exoneration in the United States; and

WHEREAS, The Beatrice 6 collectively spent 70 years in prison for a crime none committed as a result of coerced false confessions procured through death penalty threats having been leveled against them; and

WHEREAS the people of Nebraska paid over \$2 million dollars in compensation to the Beatrice 6 for their wrongful convictions; and

WHEREAS the human rights organization Amnesty International recommended in the 1970s that Nebraska prisoners W.M.E. we Langa (born David Rice) and Edward Poindexter be awarded a new trial or be released, due to the death penalty threats made to secure the testimony of a 16-year old witness, Duane Peak; and

WHEREAS we Langa died in prison after 46 years of incarceration protesting his innocence to the end, having been denied a new trial in 1976 due to a U.S. Supreme Court decision (Stone v. Powell/ Wolff v. Rice) limiting habeas corpus on Fourth Amendment Claims; and

WHEREAS Edward Poindexter was denied a new trial in 2010, after submitting irrefutable proof that Duane Peak did not make a 911 call luring police to a vacant house, denial attributed to limitations on habeas corpus mandated by the 1996 Effective Death Penalty and Anti-Terrorism Act; and

WHEREAS "Conviction Integrity Units" are used by 24 jurisdictions throughout the United States to ensure that all convictions in their respective jurisdictions are reviewed by an impartial body of lawyers, exercising independence from the prosecutor or police, to review the integrity and veracity of evidence obtained to secure convictions;

THEREFORE, be it resolved that the Democratic Party of Nebraska requests that the Nebraska legislature fund a study of "Conviction Integrity Units" to determine their feasibility in ensuring that criminal convictions in Nebraska are reviewed by an impartial body of lawyers, exercising independence from the prosecutor or police, to review the integrity and veracity of evidence obtained to secure convictions.