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that is morally wrong.*

MISSOURI SENATE
JEFFERSON CITY

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Sen. Gibbons Introduces Bill to Pay Wrongly Convicted Inmates for Lost Time

Bill Makes Payments to Those Exonerated by DNA a Priority

JEFFERSON CITY, MO. – Inmates that are exonerated by a DNA test and proved actually innocent, but who fell outside the current timeframe set by law, should see some financial relief for their years of wrongful imprisonment thanks to legislation introduced today by Senate President Pro Tem Michael R. Gibbons, R-Kirkwood. Senate Bill 1023 creates a new mechanism in the state budget to provide financial relief for wrongly convicted men and women rather than having them compete for the same funds that provide for DNA tests of all inmates in Missouri.

Gibbons said four innocent individuals have not received any form of compensation from the state of Missouri for the lost years of their lives.

One of the state's more high-profile exoneration cases involved Steve Toney who spent 13 years and 10 months in prison having been convicted of a rape he did not commit. Gibbons met with Toney in early January when he came to the capitol in Jefferson City. Toney was exonerated in 1993 by DNA evidence but has not received any compensation from the state for the time he was wrongly imprisoned. Toney, as well as three others, were never paid because a previous law exempts anyone exonerated by DNA before Aug. 28, 2003.

Gibbons said his bill provides financial relief for Toney, and the three others who have already been exonerated, as well as anyone who may be proved innocent with DNA in the future.

“It is indefensible that a man lost almost 14 years of his life serving a sentence for a crime he did not commit, and the state of Missouri has not repaid him in any way for that loss of his liberty,” Gibbons said. “When a DNA test proves a mistake was made, then the innocent person should receive relief.”

In 2003, Missouri adopted a compensation plan to pay those found actually innocent as a result of DNA exonerations the sum of \$50 per day for each day of wrongful imprisonment. The total is paid in annual payments not to exceed \$36,500 until the total due is paid.

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GIBBONS DNA EXONERATION

PAGE 2

Gibbons said, unfortunately, the fund designated for paying these sums is prohibited from making these payments for exonerations that occurred before Aug. 28, 2003.

“Moreover, the fund is to pay for DNA testing and these exoneration payments are an afterthought,” Gibbons said. “We need to make these payments a priority.”

In 2005, the Legislature approved installment payments to those who are exonerated through DNA testing. The change occurred following a case in the spring of 2005 when a court ordered a payment of more than \$300,000 emptying the money in the DNA fund set aside for exonerations. The state estimates they owe a total of \$875,000 in compensation for four inmates who were exonerated before Aug. 28, 2003.

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