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that is morally wrong.*

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JEFFERSON CITY

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Committee Hears from Wrongly Convicted Man Supporting Bill that Repays Those for Lost Time *Bill Makes Payments to Those Exonerated by DNA a Priority*

JEFFERSON CITY, MO. – Steve Toney testified last night (2/27) in support of a bill sponsored by Senate President Pro Tem Michael R. Gibbons, R-Kirkwood, that provides some financial relief for wrongful imprisonment to people who are exonerated by a DNA test and proved actually innocent, but who fell outside the current timeframe set by law. Gibbons testified that Toney, and three other innocent individuals, have not received any form of compensation from the state of Missouri for the lost years of their lives.

Senate Bill 1023 also 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.

Toney is one of the state's more high-profile exoneration cases. He spent 13 years and 10 months in prison having been convicted of a rape he did not commit. He was exonerated in 1996 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.

“I was arrested and charged for forcible rape and sodomy in 1982 and was subsequently convicted and sentenced to two consecutive life sentences for something I told from the beginning that I never committed,” Toney said. “In July of 1996 I was exonerated through DNA testing after 14 years. That’s why it’s important I came tonight to give my thanks to everyone trying to compensate me and others like me for this. This July it will be 24 years and I’m tired of waiting because it’s something I didn’t do.”

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.

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GIBBONS DNA EXONERATION

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“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.

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.”

The state estimates it owes a total of \$875,000 in compensation for four inmates who were exonerated before Aug. 28, 2003.

The bill must be approved by the Senate Judiciary Committee before moving to the Senate floor for debate by the full chamber.

*Audio clips in .mp3 format of Sen. Gibbons’ and Steve Toney’s testimony on SB 1023 can be found on the Missouri Senate Newsroom Audio/Video webpage under “Daily Cuts” after 10 a.m., Tuesday:

www.senate.state.mo.us/05info/press-room/radio.html

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