



Gibbons Capitol Report  
July 6, 2006

### **Celebrating Freedom and Independence**

On July 4<sup>th</sup>, we all celebrate our independence, freedom and patriotism. But this year was extra special to me because of a man I met who has truly fought for his freedom and independence. His story is compelling. It was shared with a crowd at a ceremony at the historic courthouse in downtown St. Louis last Friday. The audience gave him a standing ovation and the governor signed a new law I sponsored that will help him after more than 20 years of struggle for something he did not do.

#### **DNA: The new eye witness**

Most of us have watched a crime show on TV that details the science in pinpointing who-done-it. Today, no one doubts the important role science plays in criminal justice. But just a decade ago, the same wasn't true. It wasn't until 2003 that Missouri passed a bill that both builds on DNA science to help solve crimes, and set up a system to compensate those wrongfully convicted who are proved innocent by DNA.

The 2003 law requires all felons to have their DNA tested. Their DNA is then added to the data pool to help solve cold cases. Today, the program has led to more than 200 solved crimes, including rapes and murders. The bill also said that anyone who was wrongly imprisoned should be paid \$50 a day for the number of days they spent behind bars for a crime they did not commit. The total is paid in annual payments of \$36,500.

#### **Steven Toney's Story**

One of the state's more high-profile exoneration cases involves Steven Toney. I met Steven in January of this year. Our friend Rep. Richard Byrd worked to change our state law to help Steven, unfortunately he passed away last year. Steven told me how he spent 13 years and 10 months in prison convicted of a rape he did not commit. He was exonerated in 1996 by DNA evidence, and ten years later had never received any compensation from the state of Missouri. He, as well as two others, had not been paid because Missouri's law exempts anyone exonerated by DNA before Aug. 28, 2003.

#### **Righting a Wrong**

After working for three years, Missouri will finally pay Steven Toney and the two other men who received nothing for their wrongful imprisonment. Last Friday, Gov. Blunt signed Senate Bill 1023. This new law makes sure these three men, and any others who

were wrongly imprisoned, will be paid for the loss of their liberty. Steven will receive more than \$200,000 in compensation, but it does not take away the fact he lost all those years of his life. We can't give him those years back. But it at least acknowledges we made a mistake and we want to make it right.

It is indefensible that a man lost almost 14 years of his life serving a sentence for a crime he did not commit. But to meet Steven Toney, you would never imagine it happened to him. He is not bitter. He deserves not only his freedom, but the independence this compensation will bring him. So, this 4<sup>th</sup> of July, we could celebrate freedom with a deeper respect for what it means, as well as celebrate his new hope for independence.