

June 11, 2025

The Honorable Jerry Moran
Chair
Subcommittee on Commerce, Justice,
Science and Related Agencies
Senate Committee on Appropriations
Washington, DC 20510

The Honorable Chris Van Hollen
Ranking Member
Subcommittee on Commerce, Justice,
Science and Related Agencies
Senate Committee on Appropriations
Washington, DC 20510

The Honorable Harold Rogers
Chair
Subcommittee on Commerce, Justice,
Science, and Related Agencies
House Committee on Appropriations
Washington, DC 20515

The Honorable Grace Meng
Ranking Member
Subcommittee on Commerce, Justice,
Science, and Related Agencies
House Committee on Appropriations
Washington, DC 20515

Dear Chairs Moran and Rogers and Ranking Members Van Hollen and Meng:

The undersigned organizations thank you for continued funding for innocence and forensic science research programs allocated in the final FY25 Full-Year Continuing Appropriations and Extensions Act. These innocence and forensic science programs increase the accuracy and fairness of the criminal legal system; help address significant racial disparities and inequities; provide the strongest possible forensic science tools to stakeholders; and generate greater public safety for our nation. ***As Congress allocates FY26 funding, we urge you to please protect and appropriate the following funding levels in the Commerce, Justice, Science and Related Agencies Appropriations bill:***

- **\$15 million** for the Wrongful Conviction Review Program at the Department of Justice (DOJ), Bureau of Justice Assistance (BJA), to support the investigation and legal work required to exonerate the innocent (*the Wrongful Conviction Review Program is a part of the Capital Litigation Improvement Program*).
- **\$15 million** for the Kirk Bloodsworth Post-Conviction DNA Testing Program at the DOJ/BJA to support states' and localities' use of post-conviction DNA testing to ensure the integrity of state and local criminal justice systems and to exonerate the innocent.
- **\$25 million** for NIST to conduct foundational forensic science research, *including \$2 million for technical merit studies*, to improve the accuracy and reliability of forensic science techniques.

National Registry of Exonerations data show that the number of exonerations has significantly increased since federal innocence programs - the Bloodsworth Post-Conviction DNA Testing and Wrongful Convictions Review programs - began to receive funding in 2008 and 2009, respectively. ***This dramatic increase is in part a result of the federal decision to invest in these programs to help ensure the accuracy and integrity of the criminal justice system.*** These effective program outcomes show the power and need to invest in federal innocence and forensic science research programs.

In the 20 years prior to the initiation of innocence program funding (from 1989 to 2008), the rate of exonerations was much lower. In recent years, there have been on average approximately 151 exonerations per year, with the number of exonerations at its highest with 252 exonerations in 2022. Unfortunately, 2023 set the record for the highest number of years individuals lost to being wrongfully convicted - on average 14.64 years per exoneree. The National Registry of Exonerations currently lists almost 3,700 exonerations since 1989.

Freeing innocent individuals and preventing wrongful convictions through reform also ***greatly benefits public safety***. Every time DNA identifies a wrongful conviction, it enables the possible identification of the person who actually committed the crime. ***Such true perpetrators have been identified in over 50% of the 375 DNA exoneration cases as of 2020.*** Unfortunately, many of these individuals went on to commit additional crimes while an innocent person was convicted and incarcerated in their place. It is important to fund these critical programs because reforms and procedures that help to prevent wrongful convictions enhance the accuracy of criminal investigations, strengthen criminal prosecutions, and result in a stronger, fairer system of justice that provides true justice to victims of crime.

Wrongful Conviction Review Program

We know that wrongful convictions occur in cases where DNA evidence may be insufficient or unavailable to prove innocence. The Wrongful Conviction Review Program provides critical support to ensure that experts are available to navigate the complex landscape of post-conviction litigation, as well as oversee the thousands of volunteer hours local innocence organizations leverage from private law firms and law school legal clinics to help investigate these difficult cases and support the significant legal work they require.

The Wrongful Conviction Review Program provides funding to local innocence organizations so that they may provide this type of expert, high quality, and efficient representation for innocent individuals. The program's goals are both to alleviate burdens placed on the criminal justice system through costly and prolonged post-conviction litigation and to identify, whenever possible, the person who actually committed the crime.

The program also helps to increase public safety by helping to identify the true perpetrators of crimes committed in communities nationwide. This helps to provide true justice to victims of crime by ensuring the person who committed a crime is held accountable. Increasing system accuracy and accountability improves system reliability and integrity, which strengthens prosecutions and outcomes for all stakeholders. ***We urge you to provide \$15 million for the Wrongful Conviction Review Program in FY26. (Please note the Wrongful Conviction Review Program is a part of the Capital Litigation Improvement Program.)***

The Bloodsworth Program

The Bloodsworth Program supports states and localities that want to pursue post-conviction DNA testing in appropriate cases, and grantees range from state and local prosecutor offices to law enforcement agencies and crime labs. Grantees may collaborate with local innocence organizations when appropriate. For example, a Bloodsworth grant to Arizona allowed the state's Attorney General's Office to partner with the Arizona Justice Project to create the Post-Conviction DNA Testing Project. This effort canvassed the Arizona inmate population, reviewed

cases, located evidence, and filed joint requests with the court to have evidence released for DNA testing. In addition to identifying the innocent, *Arizona Attorney General Terry Goddard noted that the “grant enable[d] [his] office to support local prosecutors and ensure that those who have committed violent crimes are identified and behind bars.”*¹

The Bloodsworth program is a powerful investment for states seeking to free innocent individuals and identify the individuals who actually committed the crimes. The real perpetrator of the crime was identified in at least 20 percent of those cases, demonstrating the program’s benefit to public safety. For example, Thomas Haynesworth, who was wrongfully incarcerated for 27 years in Virginia, was freed thanks to Bloodsworth program-funded post-conviction DNA testing that also revealed the person who actually committed the crime. The culpable person in that case went on to terrorize the community by attacking twelve women, **with most of the attacks and rapes occurring while Mr. Haynesworth was wrongfully incarcerated.** Given the importance of this program to both innocent individuals and public safety, we ***urge you to provide \$15 million to continue and expand the work of the Bloodsworth Post-Conviction DNA Testing Program in FY26.***

Forensic Science Improvement

Improved forensic science techniques enable jurisdictions to better identify, remediate, and prevent wrongful convictions and improve public safety by more accurately identifying who has committed a crime. DNA testing, which is based on many years of thorough scientific research, has identified the real perpetrators in over 50% of the nearly 375 DNA exoneration cases as of 2020. However, unlike DNA, many forensic science techniques have not been validated by basic scientific research or technical merit evaluations. It is critical that Congress invest in forensic science research and technical merit evaluations that generate reliable forensic science methods and techniques that can achieve accurate results that increase the reliability, accountability, and fairness of the criminal justice system for all stakeholders. To continue the research needed to improve forensic science at the National Institute of Standards and Technology (NIST) at the Department of Commerce, which will help both to remediate and prevent wrongful convictions, ***we urge you to provide \$25 million for foundational forensic science research, including \$2 million for technical merit evaluations, in FY26.***

Freeing innocent individuals and preventing wrongful convictions improves the fairness and accuracy of criminal investigations, prosecutions, and convictions, resulting in a more equitable and reliable criminal legal system that increases public safety. We urge you to support all of the aforementioned programs, including the Wrongful Conviction Review, Bloodsworth Post-Conviction DNA Testing, and NIST forensic science research programs. Thank you for your leadership in helping to ensure the integrity of our nation’s criminal legal system. If you have any questions, or need additional information, please contact Jenny Collier, Federal Policy Advisor to the Innocence Project, at jcollier@colliercollective.org.

Sincerely,
Actual Innocence Clinic, University of Texas School of Law
After Innocence

¹Arizona receives federal DNA grant, <http://community.law.asu.edu/news/19167/Arizona-receives-federal-DNA-grant.htm> (last visited Mar. 13, 2012).

Alaska Innocence Project
Arizona Justice Project
Boston College Innocence Program
Center for Criminal Justice and Professional Responsibility at Duke Law School
Center For Integrity In Forensic Science
Center on Wrongful Convictions, Northwestern University (Illinois)
Committee for Public Counsel Services (Massachusetts)
Connecticut Division of Public Defender Services/Connecticut Innocence Project
Criminon New Life DC
Due Process Institute
Exoneration Project
Exoneration Justice Clinic
Fair and Just Prosecution
First Step Alliance
George C. Cochran Innocence Project (Mississippi)
Georgia Innocence Project Inc.
Great North Innocence Project (Minnesota, North Dakota, South Dakota)
Hawaii Innocence Project
Illinois Alliance for Reentry and Justice NFP
Illinois Innocence Project
Innocence Project
Innocence Project at University of Virginia School of Law
Innocence Project Delaware
Innocence Project New Orleans
Innocence Project of Florida
Innocence Project of Texas
Iowa State Public Defender- Wrongful Conviction Unit
Italy Innocence Project
Justice for Families, LTD
Kentucky Innocence Project, INC
Law Enforcement Leaders to Reduce Crime & Incarceration
Legal Action Center
Los Angeles Innocence Project
Loyola Project for the Innocent (California)
Mid-Atlantic Innocence Project (Maryland, Virginia, Washington, D.C.)
Midwest Innocence Project (Arkansas, Iowa, Kansas, Missouri, Nebraska)
Montana Innocence Project
More Than Our Crimes
National Association of Criminal Defense Lawyers
North Carolina Center on Actual Innocence
NETWORK Lobby for Catholic Social Justice
New England Innocence Project (Connecticut, Massachusetts, Maine, New Hampshire, Rhode Island, Vermont)
New Hour Li
New Jersey Innocence Project at Rutgers University
Northern California Innocence Project

Ohio Innocence Project
Ohio Public Defender Wrongful Conviction Project
Oklahoma Innocence Project
Organization of Exonerees
Project On Government Oversight
Rocky Mountain Innocence Center (Utah, Nevada, Wyoming)
StoptheDrugWar.org
The Gault Center
The Gubbio Project
The Innocence Center (California)
The Legal Aid Society
The New York Law School Post-Conviction Innocence Clinic
The Pennsylvania Innocence Project
The Tennessee Innocence Project
Thurgood Marshall School of Law Innocence Project (Texas)
University of Baltimore Innocence Project Clinic
University of Arizona Innocence Project
University of Illinois Springfield
Wake Forest School of Law, Innocence & Justice Clinic (North Carolina)
Washington Innocence Project
West Virginia Innocence Project Clinic
Wisconsin Innocence Project
Witness to Innocence
Young People in Recovery
Youth First Justice Collaborative