



Advisory Commission on  
Wrongful Convictions  
Minutes  
March 24, 2004

Attorney Conference Room  
Supreme Court Building

## Minutes

*Attendees:*

*James Adcock, James Bergenn, Melissa Farley, John Hogan, Mike Lawlor, Robin Montgomery, Major Timothy Palmbach, James Papillo, Judge Joseph Pellegrino, Judith Rossi, Hope Seeley, Gerald Smyth*

- I. Judge Joseph H. Pellegrino, Chief Court Administrator, welcomed members and students.
- II. Professor Michael Lawlor provided some background about the Innocence Commission and why it was established:
  - a) During the first meeting of the Commission, it became clear that additional information was needed before the structure of the Commission could be established.
  - b) The intent of the Commission is to have a formal entity in place that would be available to review cases and recommend changes, when it is determined that a person has been wrongfully convicted.
  - c) A national discussion was held last January with the goal of promoting the creation of the Wrongful Conviction Commission in states throughout the United States.
  - d) The University of New Haven and Yale Law School developed a joint course on this topic. The best students were hand picked to participate and have been meeting weekly to explore various alternatives. Each class is devoted to discussing different aspects of the Wrongful Conviction Commission.
- III. Brett Dignam from Yale Law School explained that the students will answer these two questions during the presentation:
  - a) What is the definition of wrongful conviction?
  - b) What other models are out there?

- IV. The students provided the members of the Commission with a presentation on Wrongful Conviction Commissions throughout the nation. The members of the Commission expressed their appreciation for all the research that the students and instructors conducted.
- V. The Commission members discussed the following issues:
- a) Will the recommendations of the Commission be mandated or will they be considered “best practice”?
  - b) As the Commission is being formed, in part, to increase public confidence in the criminal justice system, it was suggested that the Committee not “get hung up” on the issues surrounding exoneration vs. factual innocence.
  - c) It was suggested that the Commission talk about systematic changes, as opposed to reviewing specific cases for misconduct. However, it was acknowledged that issues raised in specific cases may prompt discussions for system changes.
  - d) Does the statute need to be amended to look at systematic issues as opposed to individual cases?
- VI. The Commission members asked the students to identify topics that wrongful convictions nationwide have been studying. The Commission members will then review the topics to determine if any should be deleted or added and will prioritize the list during the next meeting. In addition, Commission members asked the students to develop a proposed mission statement for their consideration.
- VII. The next meeting will be held on Wednesday, May 12<sup>th</sup> at 12 noon in the Attorney Conference Room, located at 231 Capitol Avenue, in Hartford.