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DNA tests

THE ISSUE

Alabama is one of eight states that does not provide statutory access for inmates to seek DNA testing in an attempt at exoneration.

You hear about it and read about it in the news more and more frequently: inmates condemned to lengthy prison terms - some of them on death row - are being exonerated through DNA testing. The technology that allows researchers to decode information about people's genetics is now so advanced it has become an important crime-fighting tool, and a tool that can free those not guilty of a crime.

Forty-two states provide statutory access to DNA testing for convicted felons. Sadly, Alabama is not one of those states.

According to the Innocence Project, which advocates for DNA testing for inmates, 145 people have been exonerated since 2000. A dozen of those were death row inmates. That averages more than 20 people every year since 2000 released from wrongful prison sentences. How many more would be freed if DNA testing were universal in capital cases?

DNA technology has become common in many areas of research, so the cost of performing the tests is decreasing. But cost aside, there is the issue of being sure the right person is going to prison - or even being executed - for a crime. Juries are instructed to render verdicts based on the evidence presented in trial, and to make a decision they believe is sound beyond a reasonable doubt. Providing DNA testing during the appeal process would eliminate even more doubt and help insure that the person who was convicted of the crime actually committed the crime. DNA testing should be mandatory in all capital cases.

The caveat is that testing must be conducted according to strict protocol and evidence must have been properly preserved so that it can yield usable information. In some cases, the testing will reveal the accused is indeed guilty of a crime. It would provide a higher degree of certainty that the right person is going to prison.

The latest inmate to call for DNA testing of evidence is Tommy Arthur, convicted of the 1982 murder of Muscle Shoals resident Troy Wicker. Arthur was first convicted in 1983, and has been tried twice since then for the same crime. He dodged another execution date last week when Gov. Bob Riley stayed the execution while Alabama changes its lethal injection protocol in the face of a pending U.S. Supreme Court case that challenges the constitutionality of the formula used in some states.

What does Alabama have to lose from conducting DNA testing of the evidence from Arthur's trial? Provided the evidence has been stored properly, the tests should help close the book on the long Arthur saga.