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PROJECT



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TESTIMONY OF TRICIA BUSHNELL
Executive Director, Midwest Innocence Project,
Supporting Senate Bill 336
Senate Judiciary Committee Hearing
February 14, 2018

My name is Tricia Bushnell and I am the Executive Director of the Midwest Innocence Project (MIP). MIP is non-profit that works to exonerate the wrongfully convicted in Kansas, Arkansas, Iowa, Missouri and Nebraska. We work in partnership with the University of Kansas School of Law's Project for Innocence and our national partners at the Innocence Project, and represented Floyd Bledsoe, Richard Jones, and Lamonte McIntyre in the litigation to prove their innocence. We wholeheartedly support Senate Bill 336.

Having worked closely with wrongfully convicted men and women, we are intimately involved in learning from our clients about the pain that comes from imagining what could have been. Our clients have lost time with family and friends, in many cases lost the ability to meet a partner, begin a family, develop careers, and invest in the future. Many of the innocent, including Floyd Bledsoe and Richard Jones, had children who grew up without them, missing decades of the precious and important milestones. Others like Lamonte McIntyre who was arrested when he was just 17, were just children themselves when they were incarcerated. They had dreams and families and steady employment, but wrongful convictions ended all of that, depriving them of income, pensions and social security, and hurting their earning potential for the rest of their lives.

Sadly, the nightmare doesn't end after exoneration. Because the wrongfully convicted get out of prison without money, housing, transportation, health services or insurance, many life necessities that we take for granted become obstacles themselves. Shockingly, because the wrongfully convicted are, in fact, innocent, they do not qualify for the same reentry probation and parole services the guilty receive. On the most basic level, many exonerees come out without even the foundational documents to apply for jobs or housing, such as a birth certificate or state ID. Reordering these vital records requires both time and money, and often, a different form of identification that the exoneree also does not have. Even if they are able to secure the necessary documents, without a work history, residential history, or steady income, exonerees are left with little, if any, opportunity to secure independent housing. They have no credit and no ability to open credit without an income to support it. Finding a job with a decades long work gap is difficult, and daunting. And when they do find opportunities, background checks and outdated databases often pull up the crimes for which they were exonerated with no explanation that they are innocent.

No one leaves prison emotionally unscathed. Mental health experts have analogized the experience of wrongful incarceration to torture. When the state makes such a tragic mistake, it has a responsibility to make things right. While Floyd, Richard, and Lamonte can never get back the years they lost, a compensation statute would help them to begin to rebuild their lives. We owe them that much. We ask this committee to pass Senate Bill 336.