

Supreme Court Rules Texas Inmate Can Use Federal Civil Rights Law to Seek DNA Testing

Contact: Paul Cates, 212/364-5346, cell 917/566-1294, pcates@innocenceproject.org

(WASHINGTON, D.C.; March 7, 2011) The U.S. Supreme Court ruled today that inmates seeking post conviction DNA testing can bring claims under a federal civil rights law. The court issued the decision in the case of death row inmate Hank Skinner, who has been seeking post-conviction DNA testing for 10 years in hopes of proving his innocence of the 1995 murder of his live-in girl friend and her two sons. The following is a statement by Nina Morrison, a staff attorney with the Innocence Project which has assisted Mr. Skinner's attorneys on his federal civil rights suit seeking DNA testing since 2008.

"The Supreme Court was right to recognize that inmates should be able to bring a civil rights claim in federal court seeking access to DNA testing. Mr. Skinner has been fighting for 10 years for access to evidence so that he could conduct DNA testing that could prove his innocence. While today's decision doesn't guarantee that the evidence will be tested, he will at least now be able to use the federal courts to prove that he was being unfairly denied the testing by Texas law. But we hope that the district attorney will end further delay and consent to the testing. "

There have been 266 post-conviction DNA exonerations in United States. Seventeen people had been sentenced to death before DNA proved their innocence and led to their release. Skinner was just hours away from being executed when the U.S. Supreme Court stayed his execution so it could consider the issues being raised in today's decision.

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The Innocence Project, which is affiliated with Benjamin N. Cardozo School of Law at Yeshiva University, is a national litigation and public policy organization dedicated to exonerating wrongfully convicted people through DNA testing and reforming the criminal justice system to prevent future injustice. To date, 266 people nationwide have been exonerated through DNA testing and dozens of states have implemented critical reforms to prevent wrongful convictions.