



MINNESOTA'S CONVICTION REVIEW UNIT

What it is and How to Get Involved

Emergence of Conviction Integrity Units

- What is a Conviction Review or Conviction Integrity Unit?
- How do they operate?
- How did Minnesota's Conviction Review Unit come into being?
- How does Minnesota's Conviction Review Unit operate?

The first conviction integrity unit—Dallas County District Attorney's Office

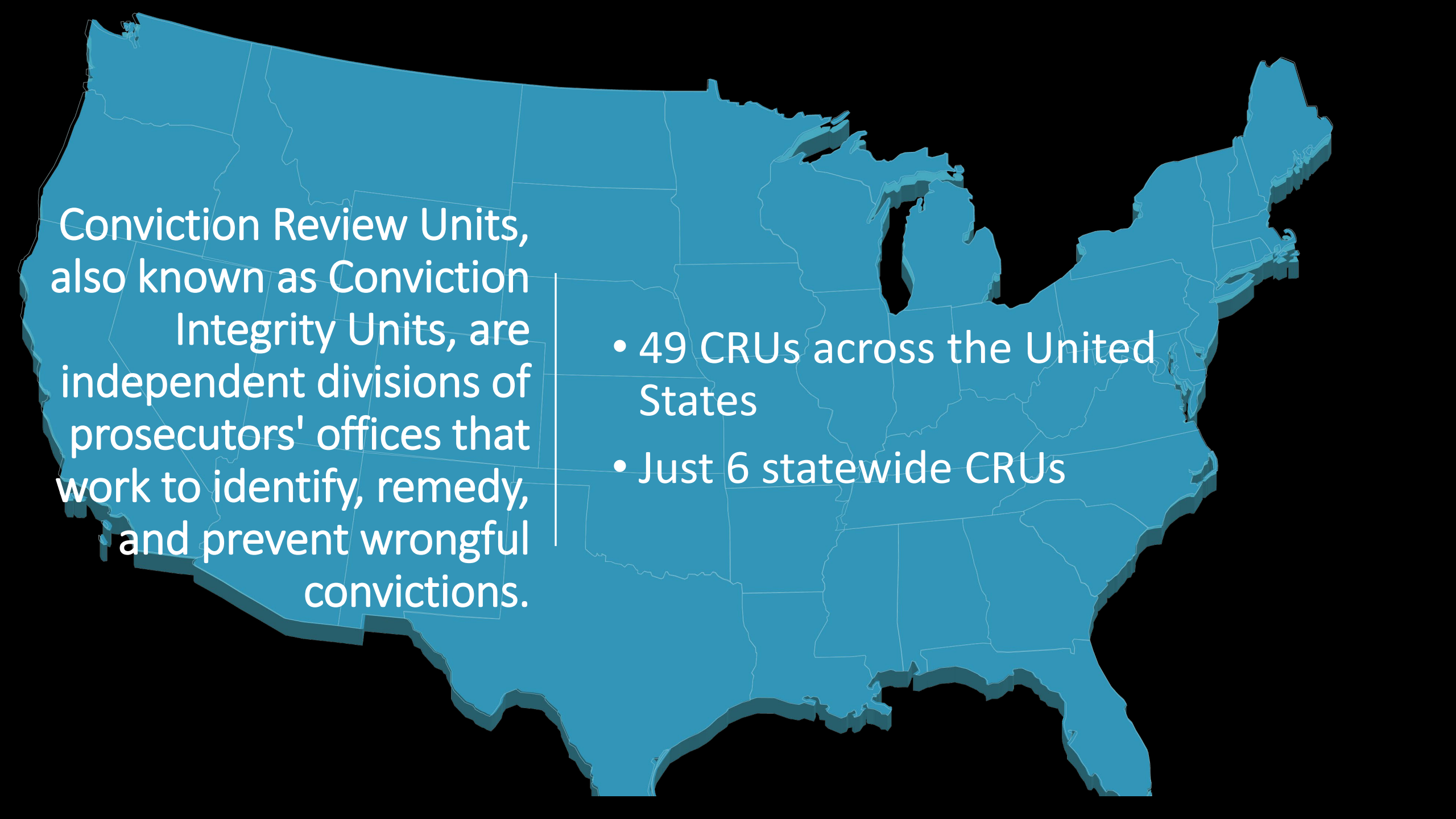


438 requests for DNA testing
over 6 years

438 opposed by DCDA

35 court orders granting DNA
testing

12 DNA testing results led to
exonerations

A blue map of the United States with white text overlaid. The text is arranged in two columns. The left column contains a paragraph defining Conviction Review Units (CRUs) and Conviction Integrity Units (CIUs). The right column contains a bulleted list of statistics regarding the number of CRUs across the United States and the number of statewide CRUs.

Conviction Review Units, also known as Conviction Integrity Units, are independent divisions of prosecutors' offices that work to identify, remedy, and prevent wrongful convictions.

- 49 CRUs across the United States
- Just 6 statewide CRUs

- Independent Unit
- Seeks input of outside experts
- Conducts extra-judicial reviews
- Reviews discredited forensic methods
- Doesn't oppose requests for DNA testing on procedural grounds
- Has access to files



FAIR AND JUST PROSECUTION
Promoting justice through leadership and innovation

STATEMENT OF
PRINCIPLES

Conviction Integrity and Review

Key Principles and Best Practices for Ensuring Justice and Accountability



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Model Rule 38



When a prosecutor knows of new, credible and material evidence creating a reasonable likelihood that a convicted defendant did not commit an offense of which the defendant was convicted, the prosecutor shall:

- promptly disclose that evidence to an appropriate court or authority, and . . . to the defendant unless a court authorizes delay, and
- undertake further investigation . . . to determine whether the defendant was convicted of an offense that the defendant did not commit.

When a prosecutor knows of clear and convincing evidence establishing that a defendant in the prosecutor's jurisdiction was convicted of an offense that the defendant did not commit, the prosecutor shall seek to remedy the conviction.

Importance of CRUs

CRUs played a role in 61% of all exonerations in the United States in 2020.

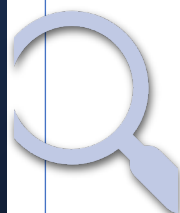
Exonerees spent an average of 13.4 years in prison before exoneration.



Initial Funding

Grant Program:
UPHOLDING THE
RULE OF LAW AND
PREVENTING
WRONGFUL
CONVICTIONS

Federal Grant Program Objectives and Deliverables:



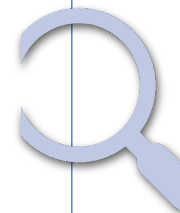
Strategically review cases of post-conviction and appeals claims of innocence and recommend case outcomes to the relevant prosecutor.



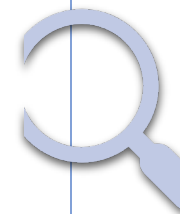
Whenever possible, identify and apprehend the actual perpetrator of a crime.



Evaluate systemic problems and recommend remedies and reforms to prevent wrongful convictions.



Establish or enhance partnerships, where appropriate, to apply a strategic review of individual post-conviction claims of innocence and use this information to inform efforts to prevent wrongful convictions.



Report data collected and recommended remedies.





Minnesota
Conviction
Review Unit



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MINNESOTA ATTORNEY GENERAL
KEITH ELLISON

How Can We Help?

Topics

Charities

About Our Office

News and Important Information

Conviction Review Unit

The CRU seeks to identify, remedy, and prevent wrongful convictions. Each case the CRU accepts for review will have a strong indication that the person imprisoned could be innocent of the crime for which they were convicted. Minnesota's CRU also will develop policy proposals to address the most frequently identified causes of wrongful convictions and, when possible, identify the person or people who actually committed the crime. Ramsey County Attorney John Choi and Hennepin County Attorney Mike Freeman submitted letters of support and have vowed to work cooperatively with the CRU in cases that might arise from their counties.

To view the charter of the CRU, which outlines our mission, goals, and guiding principles, please click [HERE](#).

Application Process



Weekly Update: RCBF Bench & Ba...

9:06 AM



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Current Staffing



Carrie Sperling
CRU Director/Assistant
Attorney General



Terri Yang
CRU Legal Secretary



Leti Uzueta
CRU Paralegal

The CRU's Process

Who's eligible for assistance?

- MN felony conviction
- Currently incarcerated
- Not currently on appeal
- Claim of wrongful conviction -- "I didn't commit the crime."

Application available online and in DOC facilities

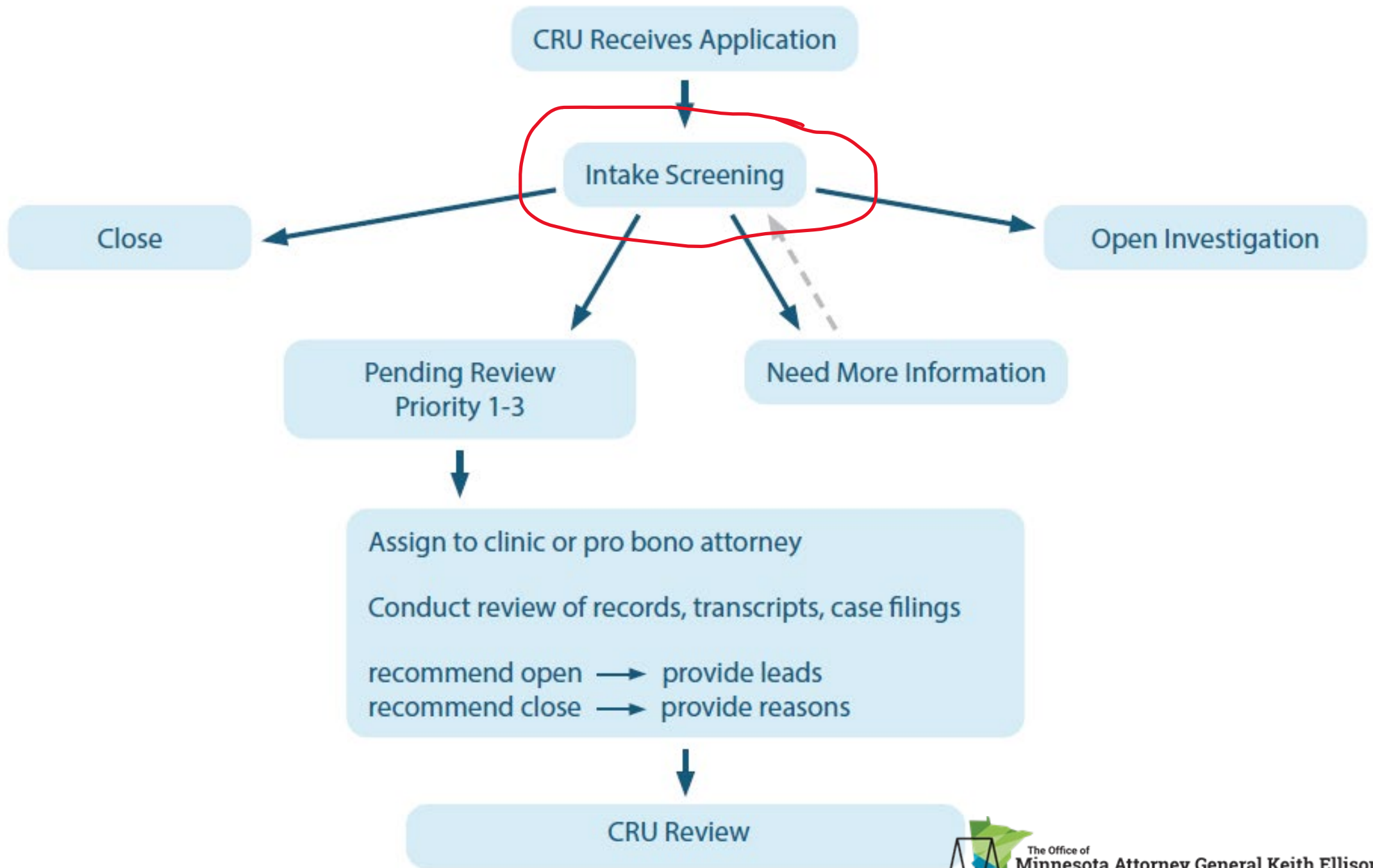
- Translated into 5 different languages

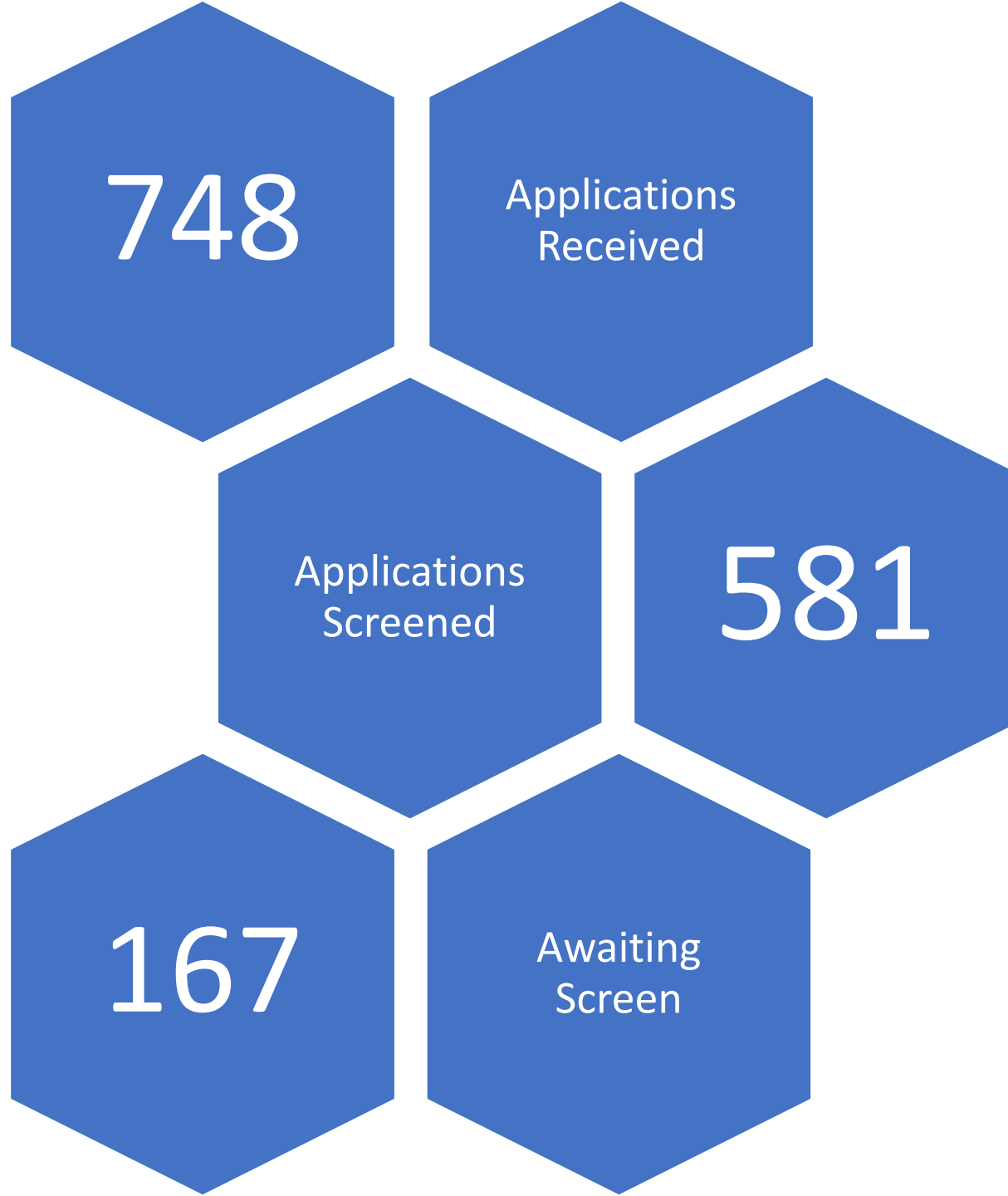
Has the quality
of the
evidence
fundamentally
changed since
trial?



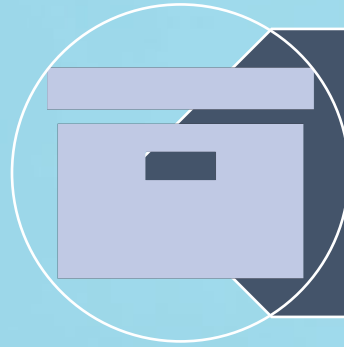
Justice has no
expiration date.



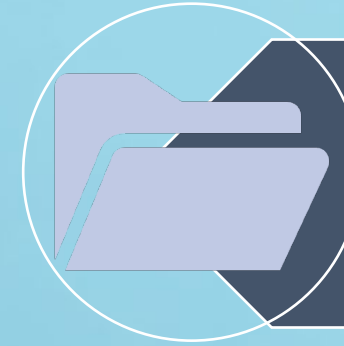




CRU Applications



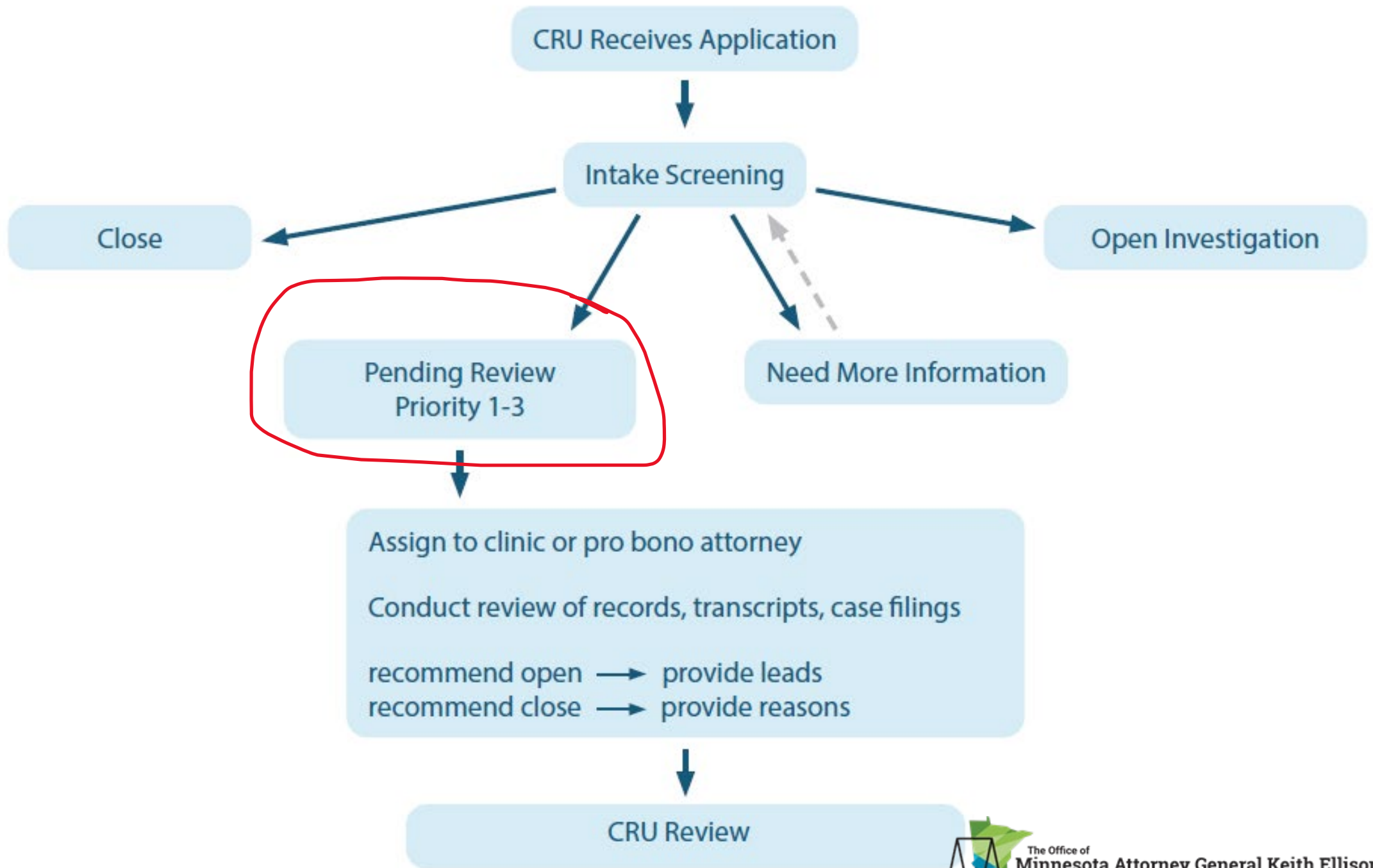
348 Applications
Closed at Screening



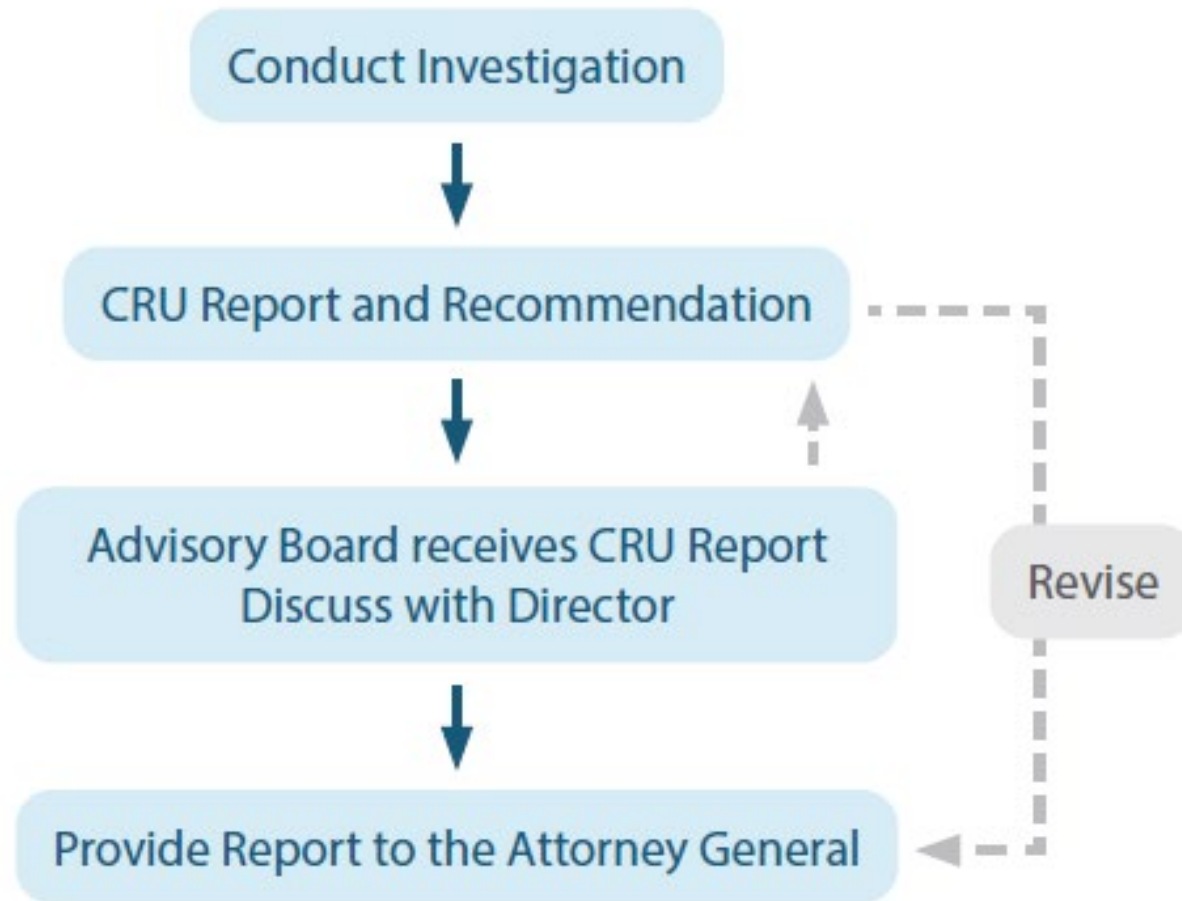
8 Applications
Opened



225 Applications
Pending Review







CRU Recommendation and Resolution

- Considering all information uncovered in the investigation
 - Is there evidence that undermines confidence in the outcome?
 - If yes, the CRU recommends that the Attorney General's Office pursue a remedy.

Roles for Volunteers



Assist
Applicants

vs.

Assist CRU



Assistance for Applicants

- 100 applicants are currently represented by counsel
- 18 applications where further information is required before screening complete

20 applicants who prefer to communicate in another language

- 1 ASL
- 1 Tibetan
- 1 French
- 13 Spanish
- 1 Oromo
- 1 Pări
- 1 Mandarin Chinese
- 1 Russian

Roles on Applicant Side

- Advise applicants on how to present their application to the CRU
- Advise applicants on waiver of attorney client privilege
- Full representation of applicant through the CRU's investigatory process
- Assist applicants who do not speak or write English



Assistance to the CRU

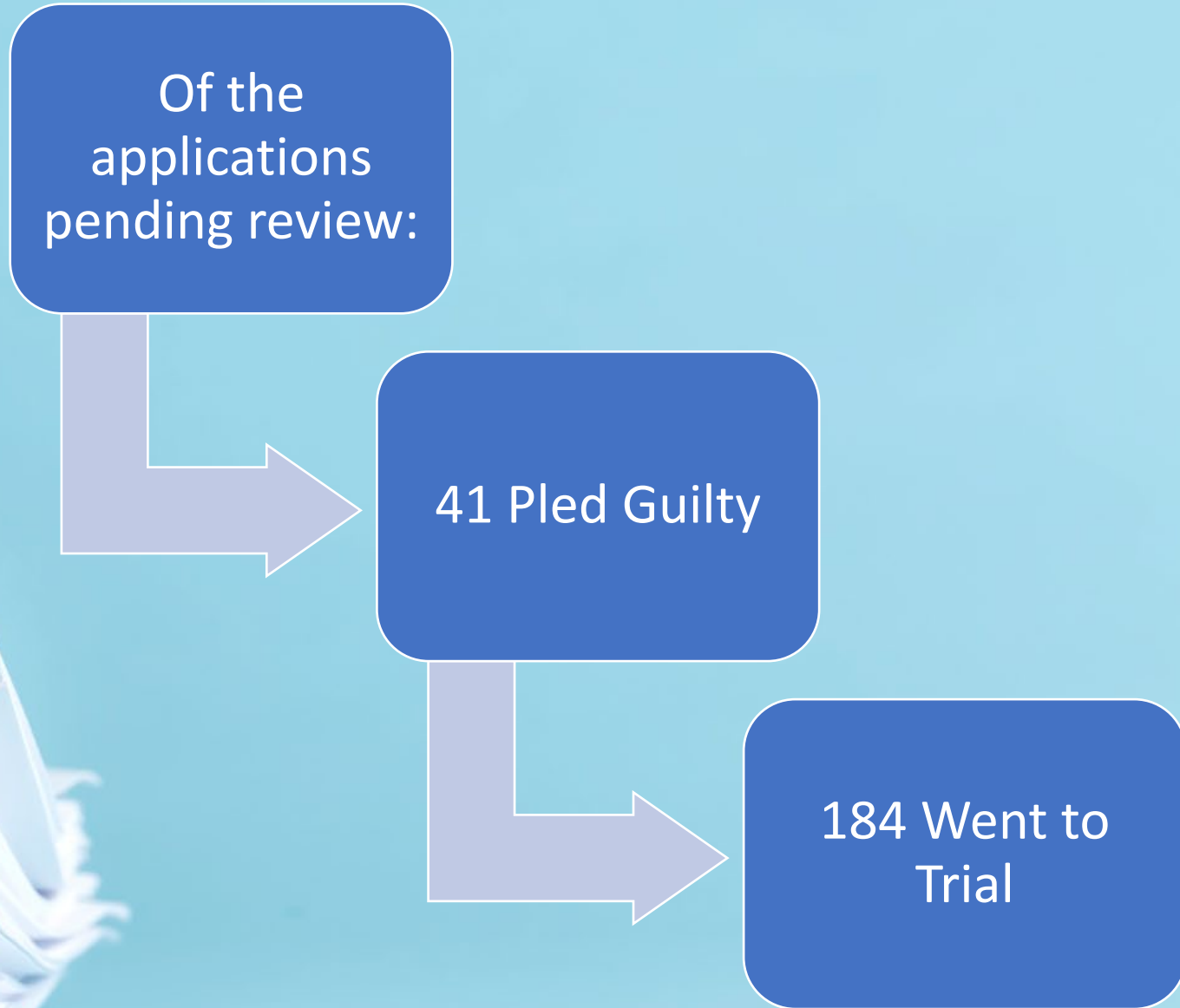
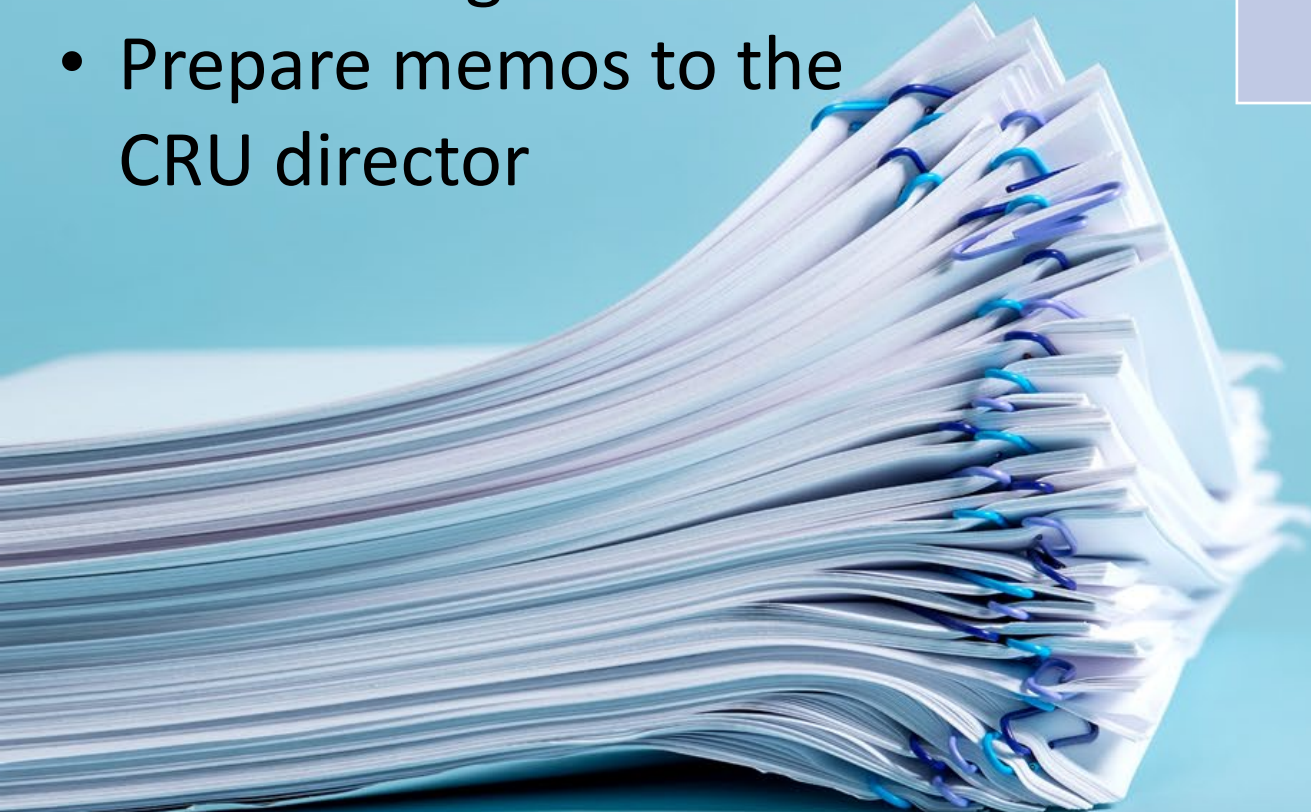
- Assist CRU in further review of pending review cases

225 Applications are currently pending review

- 22 Applications are listed as **Priority 1**
- 60 Applications are listed as **Priority 2**
- 91 Applications are listed as **Priority 3**
- 52 Applications not assigned priority level

Review and Summarize Transcripts and Procedural History

- Conduct legal research
- Prepare memos to the CRU director



For Priority 1 or Open Cases

- Interview witnesses
- Interview trial and appellate counsel
- Conduct legal research



Transactional and Administrative Assistance

Assist in drafting various types of agreements and protocols

Assist in organizing and coding large files or data

SYSTEMIC CHANGE

*What do we do with what we've
learned?*



**Assist in conducting
root cause analysis
if and when a
wrongful conviction
is discovered**

Write Reports



**Make
recommendations
for policy changes**



Ethical Considerations – Working with Prosecutors

trying to determine whether the organization has investigated (and rejected) a particular case.

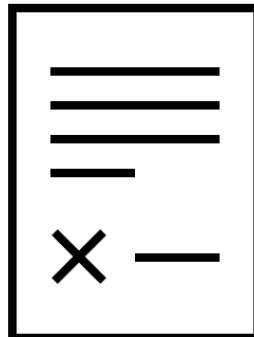
Informing the Unrepresented Applicant on the CIU Process and Risks

At the fundamental level, prosecutors who work with unrepresented individuals must advise the unrepresented person about the consequences of working directly with a prosecutor. The prosecutor must ensure there is no misunderstanding about the prosecutor's role and responsibilities. This can be done through the application process by providing the applicant with a form to complete which outlines the issues and requires the applicant to initial each one.⁴

There are at least three areas a prosecutor must make sure an applicant understands:

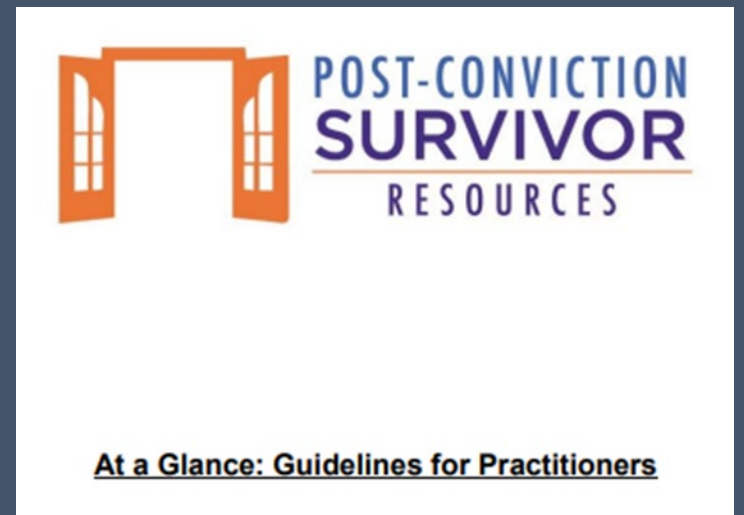
- (1) that the CIU attorneys are prosecutors, not defense counsel, and that the applicant's confidences, information and interests are not protected as they would be with a defense lawyer;
- (2) the benefits and risks of working with a CIU including potential inculcation of the applicant or someone close to them; and
- (3) the various rights and privileges the applicants have with respect to communications with their prior attorneys.

More specifically, the prosecutor must seek informed agreement from the applicant to proceed that includes the following areas.





Victim Considerations





FOR MORE INFORMATION

CRUinfo@ag.state.mn.us

<https://www.ag.state.mn.us/Office/CRU/default.asp>