



SOAPBOX

Police and prosecutors must be held accountable for wrongful convictions

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How would you feel if you lost 17 years of your life in prison for a crime you did not commit? What would you do about it?

I am frequently asked these questions because of my personal experience. In 1994, when I was 19, I was charged with murder. I was innocent.

Despite my unwavering declarations of innocence, I was convicted of capital murder in Los Angeles Superior Court and sentenced to life in prison without the possibility of parole, plus 50 years. Somehow I was able to summon enough internal strength to believe that one day my innocence would be discovered and I would be set free.

After I had spent more than a decade in prison, my case was placed in the hands of the Loyola Law School's Project for the Innocent and the Northern California Innocence Project based at Santa Clara University School of Law. In October 2011, I was released from custody.

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But in many ways, that was just the beginning of the story. In the past three years, I have spent a considerable amount of time working toward change in our criminal justice system. This year, I lent my efforts to the passage of Assembly Bill 1909 by Assemblywoman Patty Lopez, a San Fernando Democrat.

I spoke with legislators and their staff in support of the bill because I am a living example of what happens when those operating the criminal justice system are not held accountable for their transgressions. My conviction was brought about by a series of legal and ethical violations committed by law enforcement and prosecutors. While I sat in prison for 17 years, these “public servants” excelled in their professions. Once a court declared me “factually innocent,” there was no discipline, or punishment for the officers and prosecutors who stole 17 years of my life.

AB 1909 would create a standalone statute making it clear that it is a felony for any prosecutor to intentionally and in bad faith withhold evidence of innocence. Although technically illegal to withhold this type of evidence, state law is not explicit about it. There is a felony statute for peace officers who conceal evidence. There is also a law if someone introduces false evidence, but the law does not specifically state it is a crime to withhold proof that a person is innocent.

AB 1909 was passed by the Legislature with broad bipartisan support and is on Gov. Jerry Brown’s desk.

I am doing everything I can to ensure that this bill becomes law. I know the personal destruction that occurs when an innocent person is sent to prison. I have lived it and still live in its aftermath.

AB 1909 is a common-sense accountability measure, a small step that sends the message to those few prosecutors who violate their oath and seek to win a case at all costs. The measure makes it clear that if you try to put an innocent person into state prison, you can and should be punished. We cannot let this epidemic grow with impunity.

Obie Anthony is founder and president of Exonerated Nation, a post-exoneration support network in California. He can be contacted at ObieAnthony@gmail.com.

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