

Taylor Thrush

From: Wolfgang Mueller <wolf@wolfmuelleralaw.com>
Sent: Thursday, April 15, 2021 7:14 AM
To: Taylor Thrush
Subject: HB 4617

Dear Committee Clerk Taylor:

I am writing this email in support of HB 4617 regarding an inmate's right to file and receive information through Michigan's Freedom of Information Act (FOIA). I am an attorney specializing in civil rights cases, particularly wrongful conviction cases. I currently represent one dozen men and women who have been exonerated in the past two years after spending a total of over 150 years in prison for crimes they did not commit.

Many of the wrongful conviction cases I have seen involve the withholding of exculpatory evidence ("*Brady*" evidence, from the 1963 United States Supreme Court case, *Brady v. Maryland*) by the police or prosecutor. In many instances, the evidence was found by diligent lawyers filing FOIA requests long after the individual was convicted. The evidence pointed to another suspect or demonstrated that witnesses or police were lying in reports or testimony. The information recovered proved to be the lynchpin for the exonerations.

Unfortunately, many prisoners cannot afford lawyers. Unless they are able to file FOIA requests for materials in their own cases, they may never discover evidence within police or prosecutor files that would help prove their innocence. Conservative estimates indicate 3-5% of prisoners are wrongfully convicted. That amounts to a significant number of men and women in Michigan prisons who are innocent, causing unnecessary burden on taxpayers and leaving the true perpetrators free to commit more crimes.

Allowing inmates to seek their own files through FOIA requests will not overburden the system or result in needless filings. It is a necessary step for many innocent prisoners to begin the journey of proving their innocence and correcting grievous wrongs in the system. I fully support HB 4617 and urge the committee to pass the bill.

Thank you.

Wolfgang Mueller
Mueller Law Firm
41850 W. Eleven Mile, Suite 101
Novi, MI 48375
(248) 489-9653 | (248) 347-6630 (Fax)
wolf@wolfmuelleralaw.com
www.wolfmuelleralaw.com

