

INNOCENCE PROJECT OF IOWA TO BEGIN TAKING CASES THIS FALL

A new nonprofit organization, the Innocence Project of Iowa, has been founded by a group of attorneys, professors, and students from across the state. The Project will seek to prevent and remedy wrongful convictions in the state through education, advocacy, and litigation. Utilizing a panel of volunteer attorneys, the Project will provide pro bono representation to inmates with viable claims of actual innocence, with an emphasis on cases where DNA evidence is available. It will also work for systemic reforms aimed at avoiding wrongful convictions.

“Even in a state like Iowa, where we have what I consider to be an excellent criminal justice system, there is still a very real danger of innocent people being incarcerated for crimes they did not commit. We want to work with judges, prosecutors, the defense bar, and law enforcement to implement policies and procedures to help prevent these wrongful convictions,” said Tom Lustgraaf, a Council Bluffs attorney and member of the Project’s board of directors.

The Innocence Project of Iowa will have no paid staff but will rely on volunteer lawyers, professors, students, and others. For example, case intake and initial screening will be conducted by students in the paralegal and prelaw program at Iowa Lakes Community College. “Our college’s relationship with the Innocence Project of Iowa will provide our paralegal and prelaw students with excellent learning opportunities while simultaneously fulfilling a critical and worthy community need,” said Mark A. Gruwell, coordinator of the Paralegal/Legal Studies Program at Iowa Lakes Community College and also a

member of the Project board. “The students are looking forward to working with the Project,” Gruwell added.

Although the Project is not housed within a law school like some projects, it will cooperate with Drake Law School and the University of Iowa College of Law to involve law students through clinical externships and other opportunities. “The structure of the Innocence Project of Iowa as an independent nonprofit corporation will allow us to work with both law schools in the state as well as other academic programs in disciplines outside of law. It will also give us more flexibility in engaging the practicing bar in the Project’s efforts,” stated board member Brian Farrell of Cedar Rapids.

The support of the bar is crucial to the Project’s success, according to Farrell. Several private attorneys have already committed to assist in Project cases and a \$1,000 contribution was recently received from the Iowa Public Defenders Association. The Project hopes to cooperate with local private attorneys and public defenders in its work, and State Public Defender Tom Becker has expressed his support for the Project.

While the Iowa/Nebraska Innocence Project and other regional innocence organizations previously accepted Iowa cases, the Innocence Project of Iowa is the first innocence organization specifically focused on Iowa cases. With the creation of the Project, Iowa joins the growing list of state and regional innocence projects that make up the national Innocence Network. The first Innocence Project was founded at the Cardozo School of

Law in 1992 by Barry Scheck and Peter Neufeld. Since 1989, over 200 persons have been exonerated in the United States, including 15 individuals on death row.

“These 200 plus people are just the tip of the iceberg,” according to Lustgraaf. “Nobody truly knows how many innocent people are in prison. Only a small fraction of cases involve evidence that can be tested for DNA. In the small percentage of cases that do contain evidence that could be tested for DNA, that evidence is often lost or destroyed before it can be tested. These DNA exonerations provide irrefutable proof of the causes of wrongful convictions, and they give us a roadmap for fixing the criminal justice system.” Lustgraaf counsels that “we must learn from the lessons of these exonerations in order to prevent future injustice.”

The Innocence Project of Iowa hopes to begin accepting cases this fall and is currently recruiting attorneys to assist in project cases. The Project, which has applied for tax-exempt status, greatly appreciates monetary donations of any size from individuals and organizations. Volunteer applications, donation information, and general project information are available at www.iowainnocence.org or by contacting the Project at info@iowainnocence.org.

FOR MORE INFORMATION

www.iowainnocence.org

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