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ATTORNEY'S OFFICE

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Chair Ron Latz
95 University Avenue W., Room 3105
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Representative Cedrick Frazier
439 State Office Building
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Chair Latz and Rep. Frazier:

I write to express my support for SF2597/HF2400, also known as the post-conviction relief bill. As the Hennepin County Attorney, I have firsthand experience with a case that highlights the limitations of our current post-conviction relief statute – the recent exoneration of Marvin Haynes.

In 2004, Marvin Haynes was wrongfully convicted of the tragic murder of a Minneapolis flower shop owner. The eyewitness description did not match Mr. Haynes and there was no physical evidence linking him to the crime. Last December, after several days of testimony, the Hennepin County Attorney's Office stipulated that Mr. Haynes's conviction be vacated and that he would not be re-tried. This case underscores the need for legislative changes to prevent a procedural defense from barring potentially meritorious claims.

As many are aware, the exoneration of Marvin Haynes resulted from the waiver of the two-year statute of limitations on bringing a petition for post-conviction relief. I agreed to waive this procedural defense so that Mr. Haynes could present his case to the court. As the law stands now, county attorneys can rely on a procedural defense rather than look at the substance of the claim, which can result in meritorious claims not being heard by the court.

HF2400 allows newly discovered evidence to serve as the basis for post-conviction relief without the stringent requirement of proving innocence under the clear and convincing standard. This change is important to prevent the automatic dismissal of petitions based on evidence that comes to light after the current time limit.

The waiver of the procedural bar was critical in rectifying a miscarriage of justice in the Haynes case. However, we should not rely on the discretion of individual county attorneys in cases where the integrity of a conviction is at question. SF2597/HF2400 provides a uniform approach to addressing the challenges posed by procedural bars, which will enhance the overall integrity of our criminal legal system.

Thank you for bringing SF2597/HF2400 and recognizing the need for our legal system to evolve to meet the demands of justice.

Sincerely,



Mary F. Moriarty
Hennepin County Attorney