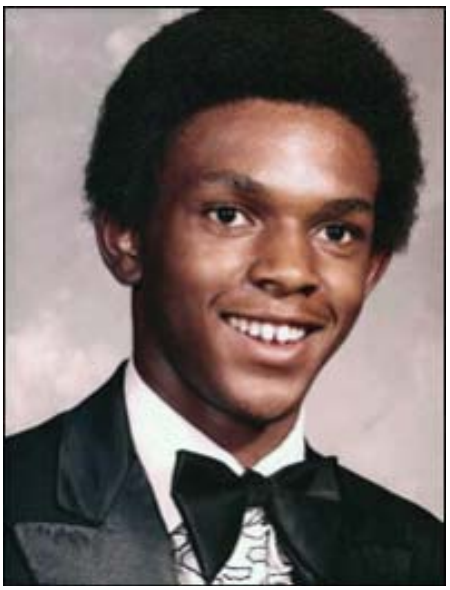
Recent Legislative and Rule Changes for Criminal Appellate Practitioners

2018 Robert O. Dawson Conference on Criminal Appeals

Speaker: Holly Taylor

Disclaimer



- Tim Cole Act 2009 ($80k for each year in prison for exonerees)



Texas Tribune 6/24/16: “Texas has has paid 101 men and women who were wrongfully sent to prison $93.6 million over the past 25 years”

- Tim Cole Act also established the Timothy Cole Advisory Panel on Wrongful Convictions
- In 2015, the Leg formed the Timothy Cole Exoneration Review Commission to review wrongful convictions in Texas & consider possible solutions

Timothy Cole Advisory Panel/Commission Recommendations

- 11 recommendations related to areas such as:
  - Eyewitness Identification Procedures
  - Mandatory, Automatic Discovery Procedures
  - Post-conviction Proceedings (Amend Chapter 64, Create Scientific Evidence Writ)
  - Recording Custodial Interrogations



- TX Tribune Sep. 2017: "This year, Texas legislators continued efforts to prevent wrongful convictions by passing a law focused on fixing unreliable jailhouse informants, unfair police station lineups and coerced confessions"→ **HB 34**
- Author: Rep. John Smithee, Amarillo
- Effective Sep. 2017
- "Texas at this point is the gold standard in innocence reform"
  - Michelle Feldman, Legislative Strategist at the Innocence Project



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