



ISSUES IN THE CASE: JOHN WHITE

EYEWITNESS IDENTIFICATION

The primary factor leading to Mr. White's wrongful conviction was the testimony of the victim. The victim mistakenly identified Mr. White as her attacker. Mr. White was the only person whose image was shown both in a photographic line-up and in the live line-up.

Mr. White is Georgia's seventh DNA exoneree; all seven were wrongly convicted based on mistaken eyewitness testimony. Nationwide, more than 75% of the 209 DNA exonerees were convicted based on mistaken eyewitness identification. (Mr. White becomes DNA Exoneree #210).

A Study Committee of the Georgia State House of Representatives is currently holding hearings on the issue of eyewitness identification. A Georgia Innocence Project study provided to the Study Committee showed that more than 80% of law enforcement agencies in Georgia currently have no written policy on how eyewitness evidence is collected.

The next Study Committee hearing is scheduled for 9AM on Thursday, December 13th (9AM; State Capitol Room 132). At that time, Committee members will meet to finalize legislation to be introduced in 2008. Draft legislation has been developed in cooperation between Committee members and representatives of the Georgia Sheriff's Association, Georgia Association of Chiefs of Police, and the Georgia Bureau of Investigation.

APPEALS PROCESS

Under Georgia law, every defendant is entitled to legal representation at the trial level and for one appeal. Though Mr. White had private counsel at the trial level, he was unable to afford an attorney for his appeal. He was unaware of his right to representation for that appeal. It is impossible to know how many other Georgians have been denied their right to appeal. During the investigation of its own cases, the Georgia Innocence Project has discovered at least six cases where defendants never received an appeal.

LIFE AFTER EXONERATION

John White will become the fifth exoneree with whom GIP has served through its Life After Exoneration (LAE) program. The LAE program began organically, as GIP recognized the challenges of clients as they tried to

rebuild their lives. Mr. White faces an additional challenge in that, while exonerated of the 1979 rape, he is still a convicted felon. Mr. White recognizes this and has agreed to work closely with GIP.

GIP requires its LAE clients to sign a contract pledging that they will participate in transitional counseling and spend at least twenty hours per week in school or employed. In exchange, GIP offers to secure, free to charge, medical, dental, and psychological services as well as job training, job placement, and any other service the client legitimately requires. A nonprofit organization with only two full-time staff members and an annual budget of less than \$200,000, GIP works to secure these services with the help of the general public and large law firms who partner with GIP to serve its exonerated clients.