

HR 3320

Justice for the Wrongfully Accused Act

Congress: 111 (2009–2011, Ended)

Chamber: House

Policy Area: Crime and Law Enforcement

Introduced: Jul 23, 2009

Current Status: Referred to the Subcommittee on Courts and Competition Policy.

Latest Action: Referred to the Subcommittee on Courts and Competition Policy. (Sep 14, 2009)

Official Text: <https://www.congress.gov/bill/111th-congress/house-bill/3320>

Sponsor

Name: Rep. Moore, Dennis [D-KS-3]

Party: Democratic • **State:** KS • **Chamber:** House

Cosponsors (6 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Payne, Donald M. [D-NJ-10]	D · NJ		Jul 23, 2009
Rep. Clay, Wm. Lacy [D-MO-1]	D · MO		Oct 7, 2009
Rep. Rush, Bobby L. [D-IL-1]	D · IL		Oct 7, 2009
Rep. Woolsey, Lynn C. [D-CA-6]	D · CA		Oct 7, 2009
Rep. Cohen, Steve [D-TN-9]	D · TN		Oct 22, 2009
Rep. Stark, Fortney Pete [D-CA-13]	D · CA		Sep 16, 2010

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred to	Sep 14, 2009
Judiciary Committee	House	Referred to	Sep 14, 2009

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

No related bills are listed.

Justice for the Wrongly Accused Act - Amends the federal judicial code to make an exception to the requirement of a motion to the court of appeals before the filing of certain second or subsequent petitions for habeas corpus.

Declares that the motion requirement does not apply if the second or subsequent petition application rests solely on a claim of actual innocence arising from: (1) newly discovered evidence from forensic testing; (2) exculpatory evidence withheld from the defense at trial; or (3) newly discovered accounts by credible witnesses who recant prior testimony or establish improper action of state or federal agents.

States also that the exhaustion of remedies requirement does not apply, if the application for a writ of habeas corpus on behalf of a person in custody pursuant to a state court judgment is based on a claim that the police or prosecution withheld exculpatory, impeachment, or other evidence favorable to the defendant.

Requires the court to hold an evidentiary hearing to determine the facts relating to a claim of actual innocence if the applicant makes a credible proffer of evidence supporting the claim based on certain circumstances. Prescribes a standard for the admissibility of a witness' evidentiary hearing testimony.

Actions Timeline

- **Sep 14, 2009:** Referred to the Subcommittee on the Constitution, Civil Rights, and Civil Liberties.
- **Sep 14, 2009:** Referred to the Subcommittee on Courts and Competition Policy.
- **Jul 23, 2009:** Introduced in House
- **Jul 23, 2009:** Referred to the House Committee on the Judiciary.