

Chester County District Attorney's Office

DEBORAH RYAN
DISTRICT ATTORNEY



201 W. Market St., Suite 4450
Post Office Box 2746
West Chester, PA 19380-0991
Phone: 610-344-6801
Fax: 610-344-5905

PRESS RELEASE

For more information contact Michelle Bjork, Director of Communications, at mbjork@chesco.org or 610-344-6820.

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Conviction Integrity Review Protocol Established by Chester County DA's Office

Adhering to its mission statement – “to do the right thing with integrity and fairness” – the Chester County District Attorney's Office has created a Conviction Integrity Review Protocol. This protocol mandates that prosecutors consider credible claims of actual innocence to ensure the reliability, accuracy, and credibility of trial convictions.

“The job of our office is to fight for justice and ensure the proper outcome throughout the entire process,” Chester County District Attorney Deb Ryan stated. “We have an obligation to consider new, credible and material evidence that creates a reasonable likelihood the defendant did not commit an offense of which the defendant was convicted. It is the prosecutor's responsibility to take the necessary steps to rectify the situation. However, we will not forget about the victims during these necessary reviews, and my office pledges to maintain a continuous and open dialogue with them.”

Conviction Integrity Review processes are becoming more common in DA offices across the country, where newly discovered evidence may suggest an inaccurate conviction. These processes focus exclusively on post-conviction reviews that may provide redress of past errors, and training opportunities to prevent future mistakes.

Convicted felons have numerous post-conviction legal avenues to take through the state and federal court systems, making the Chester County Conviction Integrity Review a last resort. It is only for claims of actual innocence – where there is a credible and material evidence to support that the petitioner is innocent.

An actual innocence claim must meet the following prerequisites, in addition to other criteria outlined in the protocol, for review:

- The conviction must have occurred in the Chester County Court of Common Pleas.
- Only murder and felony convictions are eligible for review; misdemeanor or summary convictions are not.
- The conviction must have resulted from a jury or non-jury trial; cases with guilty pleas will not be considered.
- The petitioner must be currently incarcerated.
- Credible evidence of actual innocence must exist; the petitioner bears the burden of providing that credible evidence.

Once a petition is determined to meet all the prerequisites, it enters the next phase – a full review and investigation by the DA’s office. This phase could include interviews with witnesses, a review of physical evidence, or the evaluation of new scientific or technological advances. Cases that pose a conflict will be referred to the PA Office of the Attorney General.

The application and protocol can be found at:

<https://www.chesco.org/4763/Conviction-Integrity-Review>

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Approved for release by Deborah Ryan, District Attorney