

TO: Members of the Senate Committee on Judiciary and Public Safety
FROM: Fred Saecker, Exoneree
DATE: December 16, 2015
RE: Senate Bill 322 and Assembly Bill 460, Fair Compensation for Exonerated Persons

Members of the Senate Committee on Judiciary and Public Safety,

Thank you for taking the time to listen to me today and for considering important legislation, Senate Bill 322 and Assembly Bill 460, that can change the lives of those unfortunate enough to be wrongfully convicted.

In 1989, I was convicted of a crime I did not commit. I was convicted of kidnapping, burglary, and raping a woman and sentenced to fifteen years in prison. I always maintained my innocence while I was in prison. Then, in 1991, my mother paid for DNA testing to be done on the semen found on the victim's clothing. The DNA results excluded me as the source of semen, proving my actual innocence. Despite this, my requests for a new trial continued to be denied for 5 years.

Finally, I was granted a new trial in 1996. Based on this new DNA evidence, the district attorney dismissed all of my charges. I spent six full years in prison before DNA results proving my innocence led to my exoneration. But my difficulties were not over after my liberty was rightfully returned to me.

My six long years in prison and an additional year spent in county jail waiting for the two trials were filled with birthdays, holidays, and celebrations of loved ones I could not attend. They were filled with moments I wanted to be a part of, but could not. Most of all, I lost out on my freedom—my freedom to support *myself*, my freedom to work, my freedom to progress my life at all, in any significant way. For those seven years my income was nothing.

After my release, I spent several years seeking compensation. After two failed lawsuits, I went before the State of Wisconsin Claims Board and finally, six years after my release, received the maximum compensation allowed under current law—\$25,000 for the nightmare I went through and all the suffering and losses I continue to endure. It was nice to get something, but it came nowhere close to making up for what I lost, or to helping me get back on my feet.

Spending seven years incarcerated without working for a salary meant I needed to support myself when I got out. Spending an additional four years trying to play catch-up without any compensation, health care or job training, and a damaged reputation made it tough for me to make ends meet.

Even today, I struggle to rebuild the life I had before. Because of my wrongful imprisonment, I lost several wage-earning years and the ability to advance in a career. Fair compensation would help give back what was wrongfully taken from me.

Our compensation law has not been updated for over 30 years. People like me, who have been wrongfully convicted of crimes, are being exonerated, in part because of new scientific advances such as better DNA testing. But when we are released, we are sent out to fail – without resources, health care, or opportunities.

When I left prison I struggled. I struggled because I had been wrongly convicted, and the people who put me there were not there to help me pick up the pieces.

Please support Senate Bill 322 and Assembly Bill 460 on behalf of the people like me, those whose lives have been destroyed despite their innocence, and help them get back on their feet.