

Dna exoneration research paper examples

[Law](#), [Criminal Justice](#)



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Introduction

The policy issue in this regard is DNA exoneration. In regards to the history of the same, it was developed as a result of developments that were targeted to develop judgments in the criminal justice systems of states in the United States. The developments of this policy were purposed to assist defense attorneys and prosecutors in coming up with justifiable options that aided their briefs in the representation of their clients.

According to the California Statute, the mischief underlying the spirit of the legislators in coming up with this rule was to assist convicts that may fall victim of rulings to be vindicated and exonerated at the application of the policy by the attorneys of the accused. The sole reason that guided these authorities in coming up with this position was the necessity of a safeguard towards the protection of accused individuals. The cases that were under the same were the likes of rape and intentional and purposeful impregnation of minors by accused persons.

As seen from rulings center staged by the former judges including that in the case of Raphael vs. R, in which the accused was convicted of raping a four

year old. As adduced by the prosecution, the accused was at the scene of the crime at the time the criminal event was in place.

However, medical reports that were conducted brought to light the position that, recovered semen and corroborating evidence was inconsistent with the judgment that was passed with disadvantaging effects to the adverse party who in this case was the accused. However, the position was that no laws were present by then to lead to a stoppage that would have been under the positive effect of the accused. Justice was hence impaired. In the opinion of the legislating authority of the Oklahoma State, legislation was passed that composed the policy in this regard, The DNA exoneration.

In essence, it should be appreciated that, in the United States, DNA exoneration as a refurbishment in the justice system is not constant in all the states. When we place regard to a state such as Texas, we come to appreciate that, the expectations that have been logged by the federal government in this case may not be the same when we come to appreciate the expectations that have been logged and laid by the federal government in respective states.

In California, an applicant who applies for an application that amounts to DNA exoneration has to satisfy the following aspects before the jury; he has to establish and prove before the court that, he is on the positive side for the rules that guide the law majoring in equity. In this case, he must have clean hands so as to benefit from the entitlements that have been logged in support of the policy.

If it is found that similar facts evidence place him at a guilty instance, it follows that, the accused will not fall under any redemption whatsoever

under the protection offered by this policy upon the finding of the medical institution. Similar facts evidence can change the whole shape and face of events that shall thereby cease being applied in the favor of the accused rather than the otherwise. At the same time, it follows that, not any medical institution or organization may be given the mandate to come up with a post instance that proves that the DNA of the accused does not concur with the crime at hand. Similarly, some states have the same application as New Jersey State application. They include Texas and Detroit.

DNA Exoneration Analysis

According to research conducted, most states in the United States recognized DNA exoneration as a hallmark when it comes to cases that are interconnected with the exchange and a likelihood of the application of DNA in the documented crime. Due to the position that the exoneration is targeted to take place after the ruling has taken place. It is a reasonable ground to adduce to the position that, most of the cases based on this instance are appeals and applications that have a secondary touch on the hands of justice. To be precise, the Supreme Court has been center staging these cases to the latter.

However, the backlog of cases has been a hurdling affair when it comes to the effective application of these cases. For this case, the cases have been narrowly, and under a limited instance, been tackled and the policy applied in accordance to the rules that stand for the policy. According to Afford John, in his findings of the crimes mostly under the benefitting event of exoneration that are under the results of DNA after a conviction has been made, Rape, Assault, Battery and Inhumane Treatment are the highest in

rating cases.

In the context of the convictions, it is also true to state that, compensation has to be considered as it regards to the wrongfully convicted individuals.

Conclusion

Evidence law center stages the applications that follow a post DNA revelation when a conviction has already been made. However, the strict application of the law makes it possible for the judges, attorneys and parties to the suit to come to a reasonable ground that justifies their individual roles.

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