

# BUREAU OF JUSTICE ASSISTANCE FACT SHEET

## POSTCONVICTION TESTING OF DNA EVIDENCE

The Postconviction Testing of DNA Evidence Program funds projects that assist states and units of local government with postconviction DNA testing in cases of violent felony offenses where actual innocence might be demonstrated. This supports the Department of Justice's mission "to ensure fair and impartial administration of justice for all Americans." While successful exonerations to correct injustice are notable program outcomes, the careful review, consideration, and closing of cases subjected to postconviction DNA testing that do not ultimately demonstrate innocence also work to advance the public's interest that justice has been fairly applied.

### Program Goals

The Bureau of Justice Assistance (BJA) Postconviction Testing of DNA Evidence Program aims to assist in:

#### Category 1:

1. Identifying potential postconviction DNA testing cases.
2. Reviewing appropriate postconviction cases to identify those in which DNA testing could prove the actual innocence of a person convicted of a violent felony offense as defined by state law.
3. Locating biological evidence associated with such postconviction cases.
4. Performing DNA analysis of appropriate biological evidence, and reporting and reviewing the DNA test results.

#### Category 2:

1. Locate, record, store, and retain biological evidence in adjudicated cases in accordance with best practices.

2. Modernize evidence retention practices for biological evidence in accordance with best practices.
3. Modernize and digitize the storage of existing files and records in adjudicated cases.
4. Implement modern, digitized file and record retention systems.

### Program Funding and Awards

Year	Site-Based Awarded Funding	Year	Site-Based Awarded Funding
FY 2008	\$7,821,741	FY 2017	\$3,313,287
FY 2009	\$9,854,562	FY 2018	\$5,449,201
FY 2010	\$1,565,911	FY 2019	\$5,450,811
FY 2011	\$7,429,009	FY 2020	\$6,186,277
FY 2012	\$3,546,504	FY 2021	\$9,774,061
FY 2013	\$3,315,873	FY 2022	\$7,708,003
FY 2014	\$3,593,453	FY 2023	\$5,755,000
FY 2015	\$3,555,053	FY 2024	\$12,713,193
FY 2016	\$3,596,910	<b>Total</b>	<b>\$100,628,849</b>

### Program Accomplishments

- 130 total funded awards.
- \$100,628,849 total funding amount.
- Number of cases reviewed:
  - More than 55,000 new cases
  - More than 125,000 continuing cases with current grant and previous grant funding





## Recent Exonerations

**Martin Santillan** – In 1998 Mr. Santillan was convicted of murder and sentenced to life in prison. After serving 25 years, Mr. Santillan was exonerated from Dallas County, TX. Additionally, DNA evidence linked to another suspect and was later arrested.

**Albert Ian Schweitzer** – Mr. Schweitzer was sentenced to 130 years in prison for rape, kidnapping and murder charges. He and two additional defendants were arrested and charged with the crime in 1997 and convicted in 2000. Serving 23 years in Hawaii prison, Mr. Schweitzer and defendants were eliminated as contributors to DNA samples and an “unknown male” was identified.

**Louis Wright** – Mr. Wright was convicted in 1988 for the rape of an 11-year-old girl. He was sentenced to 25 to 50 years, serving 35 years of that sentence in Michigan State prison. Mr. Wright was exonerated in 2023 after DNA testing was performed on the sexual assault kit excluding him as the source of the biological evidence.

**Gerardo Cabanillas** – Mr. Cabanillas served 28 years in Los Angeles, CA prison. At the age of 18, he was sentenced 87 to life in prison for sexual assault, kidnapping and robberies. In 2023, Mr. Cabanillas was exonerated after DNA testing revealed he was innocent of those crimes. The results of the DNA testing identified the profile of a suspect in a murder that occurred five years after the sexual assault occurred. A partial profile of a second male was found. Mr. Cabanillas was excluded from both DNA profiles.

## Program Accomplishments (Cont.)

- More than 740,000 hours of case review performed, representing an estimate of more than 350 work years.
- More than 350 profiles uploaded into the Combined DNA Index System (CODIS).
- More than 100 CODIS hits.
- More than 2,200 cases where DNA analysis was performed.
- Though exonerations are not the sole measure of program success, 65 exonerations have resulted from this program representing more than 1,200 years served in prison.

## ABOUT BJA

BJA helps America’s state, local, and tribal jurisdictions reduce and prevent crime, lower recidivism, and promote a fair and safe criminal justice system. BJA provides a wide range of resources—including grants, funding, and training and technical assistance—to law enforcement, courts and corrections agencies, treatment providers, reentry practitioners, justice information sharing professionals, and community-based partners to address chronic and emerging criminal justice challenges nationwide. To learn more about BJA, visit [bja.ojp.gov](https://bja.ojp.gov) or follow us on Facebook ([www.facebook.com/DOJBJA](https://www.facebook.com/DOJBJA)) and X ([@DOJBJA](https://twitter.com/DOJBJA)). BJA is a component of the Department of Justice’s Office of Justice Programs.

## Additional Information

- BJA Program Web Page: <https://bja.ojp.gov/program/postconviction-testing-dna-evidence/overview>
- National Registry of Exonerations: <http://www.law.umich.edu/special/exoneration/Pages/about.aspx>