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TO: The Honorable Detroit City Council

FROM: David Whitaker, Director
Legislative Policy Division Staff



DATE: July 13, 2026

RE: **RESOLUTION IN SUPPORT OF MICHIGAN SENATE BILL 1035, EXPANDING
ACCESS TO POST-CONVICTION DNA TESTING**

City Council Member Angela Whitfield Calloway has requested that the Legislative Policy Division provide a resolution in support of the Michigan Senate Bill 1035 which would expand access to post-conviction DNA testing. The requested resolution is attached.

Please do not hesitate to reach out to use if we can be of further assistance.

RESOLUTION IN SUPPORT OF MICHIGAN SENATE BILL 1035, EXPANDING
ACCESS TO POST-CONVICTION DNA TESTING

- WHEREAS** DNA testing is a powerful forensic tool capable of identifying perpetrators, excluding individuals who did not commit an offense, and providing reliable evidence in the review of potentially wrongful convictions; and
- WHEREAS** DNA evidence has played a role in approximately 15 percent of all exonerations in the United States, demonstrating that access to post-conviction DNA testing can provide a critical means of establishing innocence and correcting miscarriages of justice;¹ and
- WHEREAS** Expanding access to post-conviction DNA testing would remove significant barriers faced by incarcerated individuals seeking to establish their innocence, particularly where advances in forensic science permit biological material to be tested or analyzed in ways that were not available at the time of conviction;² and
- WHEREAS** Michigan Senate Bill 1035, together with its House counterpart, House Bill 6092, would amend Michigan's post-conviction DNA testing statute to remove outdated procedural and technological restrictions and afford circuit court judges greater discretion to order testing when granting a petition would serve the interest of justice;³ and
- WHEREAS** Senate Bill 1035, sponsored by State Senator Jeff Irwin of Ann Arbor and co-sponsored by Senators Stephanie Chang, Kevin Hertel Cavanagh, Erika Geiss, and Sue Shink, would update Michigan's approximately 25-year-old post-conviction DNA testing statute to account for substantial advances in forensic technology since the statute was enacted;⁴ and
- WHEREAS** Modern forensic techniques—including touch DNA testing, which may recover genetic material from skin cells left on evidence, and vacuum-extraction methods capable of recovering biological material from fabric—may produce probative results from evidence that could not be successfully tested using earlier technology;⁵ and
- WHEREAS** Michigan's existing statute may prevent access to modern DNA testing techniques even when biological evidence remains preserved and available and a court determines that additional testing could be warranted;⁶ and
- WHEREAS** Innocent individuals have pleaded guilty to crimes they did not commit, and excluding all guilty-plea cases from access to post-conviction DNA testing may prevent courts from considering reliable scientific evidence capable of establishing innocence or identifying the actual perpetrator;⁷ and
- WHEREAS** Advocates report that the reforms proposed by Senate Bill 1035 and its companion, House Bill 6092, would bring Michigan more closely in line with the post-conviction DNA testing standards followed in 45 other states and the District of Columbia;⁸ **NOW, THEREFORE, BE IT**

¹ Rita Williams, *Michigan's DNA Bills Are Necessary. They Are Also Insufficient.*, Clutch Justice (June 26, 2026), <https://clutchjustice.com/2026/06/26/michigan-dna-bills-wrongful-conviction-accountability/>.

² Id.

³ S.B. 1035, 103d Leg., Reg. Sess. (Mich. 2026), <https://capitol.legislature.mi.gov/documents/2025-2026/billintroduced/Senate/htm/2026-SIB-1035.htm>; H.B. 6092, 103d Leg., Reg. Sess. (Mich. 2026), <https://www.legislature.mi.gov/documents/2025-2026/billintroduced/House/pdf/2026-HIB-6092.pdf>.

⁴ Id.

⁵ Rita Williams, *Michigan's DNA Bills Are Necessary. They Are Also Insufficient.*, Clutch Justice (June 26, 2026), <https://clutchjustice.com/2026/06/26/michigan-dna-bills-wrongful-conviction-accountability/>; Bobby Cushing, *New Michigan Bills Would Make It Easier to Overturn Wrongful Convictions*, WILX News 10 (June 26, 2026), <https://www.wilx.com/2026/06/26/new-michigan-bills-would-make-it-easier-to-overturn-wrongful-convictions/>.

⁶ Rita Williams, *Michigan's DNA Bills Are Necessary. They Are Also Insufficient.*, Clutch Justice (June 26, 2026), <https://clutchjustice.com/2026/06/26/michigan-dna-bills-wrongful-conviction-accountability/>; Mich. Comp. Laws § 770.16 (2026), <https://www.legislature.mi.gov/Laws/MCL?objectName=mcl-770-16>.

⁷ Rita Williams, *Michigan's DNA Bills Are Necessary. They Are Also Insufficient.*, Clutch Justice (June 26, 2026), <https://clutchjustice.com/2026/06/26/michigan-dna-bills-wrongful-conviction-accountability/>.

⁸ Rita Williams, *Michigan's DNA Bills Are Necessary. They Are Also Insufficient.*, Clutch Justice (June 26, 2026), <https://clutchjustice.com/2026/06/26/michigan-dna-bills-wrongful-conviction-accountability/>; Bobby Cushing, *New Michigan Bills Would Make It Easier to Overturn Wrongful Convictions*, WILX News 10 (June 26, 2026), <https://www.wilx.com/2026/06/26/new-michigan-bills-would-make-it-easier-to-overturn-wrongful-convictions/>.

RESOLVED That the Detroit City Council hereby urges the Michigan Legislature to pass Senate Bill 1035 as a critical criminal justice reform and as a necessary update to Michigan’s post-conviction DNA testing law; **AND BE IT FINALLY**

RESOLVED That the Detroit City Clerk shall transmit copies of this resolution to the Mayor of the City of Detroit; the Governor of the State of Michigan; the members of the Detroit delegation to the Michigan Legislature; the State Appellate Defender Office; the Innocence Project; the Michigan Innocence Clinic; and the City of Detroit Returning Citizens Task Force.
