

CJ Griffin Quoted Regarding Important NJ Supreme Court Ruling on Statute of Limitations Involving DNA Evidence

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The Justice Gary S. Stein Public Interest Center assisted in an important New Jersey Supreme Court win in *State v. Bradley Thompson*, in which the Court held that the statute of limitations in crimes involving DNA evidence runs exactly as the statute directs — when the state possesses both the physical evidence from the crime and a suspect’s DNA sample and has the technology to make a match, not when a match is actually made. Representing Association of Criminal Defense Lawyers of New Jersey as *amicus curiae* were CJ Griffin, Director of the Stein Center, and Pashman Stein counsel Michael Zoller.

In *State v. Bradley Thomson*, the Appellate Division affirmed the trial court’s ruling that the statute of limitations in cases involving DNA evidence does not begin to run until a match is actually made, rejecting defendant’s argument that it begins to run when the state possesses both DNA samples. A unanimous Supreme Court disagreed and held that the statute of limitations runs when the State obtains the samples and has the technology necessary to make the match, even if they have not actually done so. In this case, the State had both DNA samples as of 2004. The FBI made the specific data available to make the match in 2010, but the State did not update its own policies and procedures until 2016, did not make the match until 2016, and did not charge defendant until 2017. The Supreme Court vacated defendant’s convictions, finding that the statute of limitations began to run in 2010 when the State possessed the samples and was capable of performing the match, even if it did not actually make the match until much later.

CJ Griffin was quoted in several articles regarding the case.

Attorney CJ Griffin, who filed an amicus brief on behalf of the Association of Criminal Defense Lawyers of New Jersey, applauded the ruling as a victory for defendants' rights.

"It's a matter of fundamental fairness," Griffin said. "The court applied a plain reading of the statute. The state had the capability to make the match many years sooner, but failed to do so. We have statute of limitations for a reason and the state failed to abide by it, thus a reversal was the necessary outcome."

To view the New Jersey Monitor article, [click here](#).

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