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Do Factors Contributing to Wrongful Conviction Differ by Crime Type?

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Wrongful convictions play a big role in the criminal justice system, resulting in individuals being punished for crimes they did not commit. This study investigates the factors contributing to wrongful convictions across different crime types, utilizing data from the National Registry of Exonerations. The research aims to identify common contributors to wrongful convictions and explores variations by crime type. Results highlight the challenges associated with specific offenses. Understanding how factors vary by crime type is essential for developing strategies to prevent and address wrongful convictions.

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Introduction

While our system has several procedural safeguards to ensure that we are arresting, charging, and punishing the individuals responsible for committing crimes, the sheer volume of people being processed through the system means that mistakes are inevitable. A mistake in this context means that someone was wrongfully convicted and punished for a crime they did not commit, or without due process afforded to them under the Constitution. Wrongful convictions can happen when someone is convicted for a crime, yet they are factually innocent. They can also occur when procedural errors are committed that violate due process rights, such as having an unbiased jury or competent counsel.

It is virtually impossible to provide an exact number of people who are wrongfully convicted in the United States (Zalman & Norris, 2021). The volume of people being processed through the system precludes a systematic analysis of each case, while looking for possible errors. Estimates derived from prior research shows there were 1,221,200 people incarcerated in 2020, with around 200,000 sentenced for life (Nellis, 2023). Attempts to estimate the prevalence of wrongful convictions range. For example, scholars estimate that approximately 4.1% of death sentences are wrongful convictions (Gross et al., 2014). This number coincides with the Innocence Project estimate that 4-6% of convicted persons in the United States are legally innocent (The Innocence Project, 2002).

While it may be difficult to generate reliable prevalence rates of wrongful convictions, examinations of exonerated cases provide crucial information about the sources of wrongful convictions and the likelihood that they will be identified and

overturned. Prior work demonstrates that case processing, actor misconduct, false confessions, and witness misidentification contribute to wrongful convictions (Garrett, 2020). Furthermore, the identification of a wrongful conviction typically relies on advancements in technology, such as DNA evidence, and reforms to the system (Saber, 2021). Importantly, we also know that some types of crimes are more prone to wrongful convictions than others (Gould & Leo, 2010).

Given that certain offenses may yield different types of evidence and may motivate different amounts of actor misconduct, it is all the more important to assess how crime type and the nature of wrongful convictions may coincide. This thesis explores the relationships between wrongful conviction contributors and crime type among exonerees in the United States. Using the National Registry of Exonerations dataset, the present study asks, 1) What are the most common factors associated with wrongful convictions and, 2) Do these factors vary by crime type? Gaining a better understanding of how these wrongful characteristics overlap is important for several reasons. First, if certain crime types are susceptible to specific forms of misconduct, policymakers can better adapt procedures to address systemic flaws. Second, if some offense types do not benefit from the typical pathways to exoneration, future work may explore how to better identify the extent to which these wrongful convictions occur.

Overview of Wrongful Convictions

The issue of wrongful convictions was largely hidden from the public view until 1992 when Barry Scheck and Peter Neufeld started an organization called the Innocence Project as a legal clinic at the Benjamin N. Cardozo School of Law. The idea for this was to help people who had been wrongfully convicted by using DNA technology. The logic

was simple: if DNA could be used to convict people of crimes, it could also be used to help exonerate people who had been wrongfully convicted. Since 1993, the Innocence Project has received over 50,000 letters from incarcerated individuals hoping to have their cases examined (The Innocence Project, 2002). Since its inception, the Innocence Project has helped to exonerate 375 people by using DNA (The Innocence Project, 2002). The work that takes place within this project is essential to help release those who have been wrongfully convicted from prison.

In order to understand how crime type plays a role in both the instance of wrongful conviction and its formal identification, this literature review begins by outlining the current state of knowledge regarding the common demographic features among the exonerated population (i.e. officially identified wrongfully convicted persons). Next, I detail the identified factors that contribute to wrongful convictions, and I describe how they can manifest at nearly any stage in the criminal justice process. Relatedly, I describe the present mechanisms used to identify and resolve wrongful convictions. These mechanisms are intricately linked to the source of the wrongful conviction, and the ability to overturn errors in the system can largely depend on the original source of the conviction. Finally, I review what we know about crime types in terms of their demographics, case clearance, and other factors that may contribute to a wrongful conviction.

The Correlates of Wrongful Conviction

It is a well-known fact that different populations are differentially represented throughout the criminal justice system. For example, we know there are racial disparities in arrest, charging (Vaughn, 2020), conviction, and imprisonment. We also know there

are gender disparities, wherein males make up the large majority of defendants through the criminal justice process.

With regard to wrongful convictions, a body of research has emerged to help us understand how racial and gender disparities manifest among the exonerated population. Vaughn (2020) highlights those individuals from racial minority groups, particularly Black and Hispanic individuals, were disproportionately represented in identification and charging stages compared to their white counterparts. Similarly, studies exploring gender disparities, such as Lang (2020), reveals that women are significantly underrepresented in cases of wrongful convictions. Specifically, out of 127 individuals exonerated from death row from 1989 and August 2020, only 2 were women. Moreover, research by Bjerk and Helland (2018), found higher rates of wrongful convictions among Black individuals compared to white individuals, particularly in cases of rape. Taken together, these findings coincide with qualitative research showing how wrongful convictions can be a result of cumulative racial disadvantages.

Factors Contributing to Wrongful Convictions

As noted, the opportunity for a case to result in a wrongful conviction begins as the suspect identification stage and continues through adjudication. At the investigatory stage, prior work suggests that testimonial evidence is a major contributor to wrongful convictions. More specifically, eyewitness error is the single greatest cause of wrongful convictions nationwide and plays a role in 72% of convictions overturned through DNA testing (Western Michigan University, 2016). False confessions make up the next largest category of wrongful convictions (The Innocence Project, 2002). While it may seem curious that someone would admit to committing a crime that they did not commit, false

confessions can be coerced by law enforcement officers. False or misleading forensic evidence also contributes to approximately 24% of wrongful convictions (National Registry of Exonerations, 2012). This includes convictions based on unreliable or invalid forensic evidence, as well as or in some cases misconduct by forensic analysts.

Misconduct among criminal justice actors is also a contributor to a wrongful conviction. Kassin's examination (1991) of policing techniques and tactics suggests that certain interrogation techniques – such as maximization, where the interrogators exaggerate evidence strength and charge magnitude to frighten suspects into confessing– significantly increase the likelihood of false confessions. The study found that maximization communicated high sentencing expectations similar to an explicit threat of punishment, and minimization implied low sentencing expectations. The use of maximization, minimization, and confirmation bias further shows the risks of wrongful confessions. The Reid technique, a method of interrogation widely used in the United States (Gudjonsson & Pearse, 2011), has also been shown to elicit false confessions by psychological manipulation due to its confrontational nature. Findings showed that false confessions are more prevalent among vulnerable populations, such as young individuals, and those with mental illness, or intellectual disabilities. It also shows how there are racial disparities present in various stages of the criminal justice process, shedding light on the techniques used by police officers where there was a disproportionate representation of racial minority groups that came from these techniques.

Prosecutor misconduct further contributes to wrongful convictions. Bjerk and Helland (2018), showed how African Americans falsely accused of homicide in wrongful conviction cases, such as cases where the victims were females and where false forensic

evidence and official misconduct were present, are statistically more likely to confess. Of course, all of these factors may be overcome with adequate legal defense, however, prior research has noted that legal representation is often inadequate among the wrongfully convicted.

Identifying instances of wrongful convictions

Different types of crime yield different types of evidence, as well as different types of responses from law enforcement and prosecutors. The following section describes what we know about crime types and their relationship to demographics, evidence, and misconduct. These offenses carry unique pressures, emotional impacts, and forensic complexities, which significantly influence the dynamics of criminal investigations and legal proceedings. In the realm of violent crimes, particularly homicides and sexual assaults, there are many factors that influence the outcome of criminal investigations and legal proceedings. DNA seems to be the leading way that cases get overturned, as 34% of individuals in the National Registry of Exonerations dataset have been exonerated (Olney & Bonn 2015). In the study by Olney and Bonn (2015), an alarming 91.6% of exonerees were found to be convicted of such as homicides and sexual assault. DNA evidence is a pivotal tool in rectifying these miscarriages of justice, which has contributed to the 34%. The interrogation techniques highlighted by Kassin (1991), show the risks with the cases involving violent crimes. Tactics such as maximization increase the likelihood of false confessions, and in turn, false confessions can disproportionately affect vulnerable populations. Moreover, Lang (2020), sheds a light on gender disparities within the system that shows the contrast in exoneration rates between men and women. In the cases of severe penalties like death or imprisonment,

women are notably underrepresented. These instances highlight the differences in criminal investigation and legal proceedings based on the crime types and demographics. The critical role of DNA evidence is emphasized in overturning wrongful convictions, particularly in violent crimes such as homicides and sexual assaults.

While interpersonal violence often yields evidence such as DNA, drug offenses are likely to produce a complex and distinct set of evidentiary factors. Informants, as highlighted by Leo and Davis (2019), play a crucial role in the criminal justice system, serving as sources of information leading to arrests and convictions. However, the reliance on informants introduces inherent risks, including the potential for coercion, incentivized testimony, and unreliable information. Moreover, field tests are commonly used in drug-related cases in order to establish probable cause for arrest (Garrett, 2011). These tests are still susceptible to error and misinterpretation, leading to wrongful arrests and convictions (Morgan, 2023).

Systematic biases may amplify the power of drug offense evidence. While drug offenses disproportionately affect marginalized communities, particularly communities of color, women remain underrepresented among the exonerees, highlighting the systemic inequalities within the system. Mitchell and Caudy (2015) found that racial disparities in drug arrests cannot be accounted for by the differences in drug use, non-drug criminal behavior, or residency in such areas with intensive police activity targeting drug crimes. The systemic biases and possible racial prejudices in law enforcement practices contribute to these disparities. Additionally, Bjerk and Helland (2018) investigated the racial biases in these wrongful convictions, revealing higher rates of wrongful convictions among black individuals in specifically drug-related cases. The examination

of drug offenses within the context of informants, field tests, systemic biases, and race eludes the multifaceted dynamics shaping criminal proceedings.

In property crimes, there are many factors that contribute to the complexities of the criminal investigation and outcomes. The potential for misidentification, as explored by Olney and Bonn (2015), poses a significant challenge within property crime cases. With limited forensic evidence, it makes it challenging and with insufficient physical evidence to establish guilt beyond a reasonable doubt. Additionally, Lowrey- Kinberg and Gould (2018) showed the examination of innocent defendants who have become suspects in criminal investigations that reveal how misidentification by witnesses or victims often leads to wrongful accusations in property crime cases. Moreover, Jarvis, Mancik, and Regoeczi's (2016) analysis of clearance rates for property crimes sheds light on systemic inefficiencies within law enforcement. Low clearance rates for property crimes indicate a lack of resolution in these cases, further perpetuating the cycle of crime and undermining the public trust in the criminal justice system. Further, the presence of systemic biases, as highlighted by Lang (2020) and Bjerk and Helland (2018), demonstrates the disparities of the outcomes for property crime defendants.

Literature Review

Wrongful convictions and contributing factors

Olney and Bonn (2015) examine the factors that contribute to wrongful convictions and the role that DNA evidence plays in exonerations. This article tests the extent to which the DNA and race of a convicted innocent are related to a person's exoneration. This was found by using all the data known within the United States from 1989 to 2012 by using the National Registry of Exonerations. The test explores the extent

to which DNA testing and/or the race of a convicted innocent are related to that person's exoneration. This test studied exonerees and post-conviction DNA testing along with factors such as race, to determine the likelihood of being exonerated.

Groups were made with dummy variables such as White, Black, and Hispanic for the races and crimes with the primary category of interest with all other possible categories of the same variable. In the findings, it showed that 91.6% of exonerees were wrongly convicted of a violent crime which includes: accessory to murder, assault, violent attempt, attempted murder, child abuse, child sex abuse, kidnapping, manslaughter, murder, robbery, sexual assault, or supporting terrorism. The results also showed that 45.6% of exonerees in the data set were wrongfully convicted of murder (Olney & Bonn, 409). The DNA was crucial to the exoneration of 34% of the exonerees in the data set and not crucial to 66%. The limitations as described in this study related to the National Registry of Exonerations where it does provide the most comprehensive information about wrongful conviction in the United States to date, it does not provide the full number of exonerations that have occurred or the number of innocent people who have been wrongly convicted. This study is also limited by the inability to control victim race and gender of victims and defendants. There is a need for further research to better understand the legal and non-legal factors that contribute to wrongful convictions. Future studies could explore the role of other factors such as forensic evidence, prosecutorial discretion, and the quality of police investigations. The study suggests that more research is needed to identify the most effective strategies for preventing wrongful convictions. This could include improved eyewitness identification procedures and enhanced legal representation for defendants. The study highlights several important areas for future

research in the field of wrongful convictions. It suggests that a comprehensive understanding of the factors that contribute to wrongful convictions is necessary in order to prevent them from occurring in the future.

Leo and Davis (2019) present a comprehensive analysis of the seven psychological processes that interconnect false confessions with wrongful convictions, as well as the inadequacies of post-conviction relief. The article effectively elucidates how various factors, such as specialized knowledge, tunnel vision, confirmation biases, motivational biases, emotion, institutional influences on evidence production and decision-making, an inadequate context for evaluation of evidence, and progressively constructing relevant information, contribute to wrongful convictions. Furthermore, the authors provide a clear example to clarify their point, highlighting their insightful understanding of the complex relationship between psychological processes and wrongful convictions. Although the article suggests routes for future research, it does serve as a valuable resource for comprehending why some false confessions lead to wrongful convictions while others do not. The article offers a valuable resource for researchers, legal professionals, and policymakers to better understand the complex relationship between psychology and wrongful convictions.

This article offers valuable insights that can be applied to my thesis by illustrating the intricate link between false confessions and various contributing factors. It expertly demonstrates how a single misstep or mishandling in the process can significantly impact the outcome of a case, leading to wrongful convictions. As the author notes, false confessions, when presented as evidence against a defendant in a trial, are highly likely to result in wrongful convictions, even in situations where questionable interrogation

methods were used and when other case evidence does not support the confession. The article's comprehensive analysis highlights the issue and emphasizes the need for greater attention and care in the Criminal Justice System.

Kassin & McNall (1991) provide a comprehensive overview of the techniques and tactics that are used by law enforcement officers to coerce confessions from suspects who are being interrogated. This article highlights the problematic nature of these techniques used and why they can lead to false or coerced confessions. Kassin argues that certain interrogation techniques can increase the likelihood of false confessions. The study showed that overall, the majority outcome from the interrogation was not guilty, using various groups to test this, but still had a high number of false confessions. In experiment 1 it used the technique of maximization, where the interrogator tried to frighten the suspect into a confession by exaggerating the strength of evidence and magnitude of charges. This is one form of trying to coerce confessions from the suspects that were used in the study that backed up Kassin's statement. The specific techniques that are used within interrogations include the Reid technique and confirmation bias. The research findings also showed that false confessions were more likely to occur in cases where the suspect was young, mentally ill, or intellectually disabled. Kassin has multiple policy implications based on his research findings. The first policy implication would be the stopping of using certain interrogation techniques such as the Reid technique, and this test should be reconsidered given the number of false confessions received from it. The use of video recording is another policy implication that would be very beneficial to start and also simple to implement. Recording the interrogations can provide an accurate record of what was said during the interrogation, which can help prevent false

confessions. The research presented in the article concluded that false confessions continue to be a significant problem in the criminal justice system. Steps should be taken to reduce the risk of innocent people that are being wrongfully convicted.

Garrett examines the first 250 cases where DNA testing exonerated wrongfully convicted individuals, revealing systemic issues such as incompetent legal representation, coercive interrogations, unreliable forensic evidence, and cognitive biases. It is also stated the prevalence of wrongful convictions that most of the time occur from using coercive interrogation techniques (Garrett, 2011). The misuse or misinterpretation of forensic evidence, including flawed forensic tests and reliance on unvalidated or improperly handled forensic disciplines, has been a significant factor (Garrett, 2020). This article focuses on analyzing the impact of Conviction Integrity Units (CIUs), location of conviction, and other factors on DNA exonerations using data from the National Registry of Exonerations. It examines predictors of DNA exoneration, such as offense type, year of conviction, and gender, and discusses policy implications based on the findings. The article contributes to understanding the role of DNA evidence in overturning convictions and sheds light on factors influencing the likelihood of DNA exoneration, particularly in cases reviewed by CIUs. This study indicates the year in which the conviction occurred is a predictor of DNA exoneration. This reflects the advancements in DNA testing throughout the years and the increased availability (Saber, Nodeland, & Wall, 2021).

Gender and Wrongful Convictions

Lang (2020) examines the issue of wrongful convictions in cases where women were sentenced to death or life in prison without parole. It shows that only 2 of the 127

people that have been exonerated from death row between 1989 and August of 2020 have been women (Lang, 20). The article explores the intersection of gender and wrongful convictions by analyzing case studies from the National Registry of Exonerations, of women who have been wrongfully convicted and sentenced to severe penalties. It goes into specific cases to explain this question and focuses on the factors of motherhood, sexuality, and violence. The article goes into detail about specific factors such as factors that contribute to wrongful convictions, institutional biases, legal and cultural attitudes towards women, and the disproportionate impact of wrongful convictions on marginalized communities. Based on Lang's article, his research led him to the conclusion that women who were wrongfully convicted are often subjected to greater levels of trauma and stigmatization than their male counterparts. The article's findings show the need for greater attention to addressing the challenges that women face within the Criminal Justice System, along with the need for more research on the intersections of gender, race, and class in the context of wrongful convictions. The implications for this research suggest that criminal justice policymakers, legal professionals, and advocates should focus more on implementing reforms that promote more fair outcomes for all individuals in the Criminal justice system regardless of gender, race, or socioeconomic status. It is also found that gender is a significant predictor of DNA exoneration in which male defendants are more likely to be exonerated through DNA evidence (Saber, Nodeland, & Wall, 2021).

Racial Disparities in Wrongful Convictions

Bjerk and Helland (2018) investigate the extent to which race is a factor within wrongful convictions. They seek to explore what DNA exonerations can tell us about racial differences in wrongful conviction rates. It shows the data on DNA exonerations

can be informative about racial differences in wrongful conviction rates under some assumptions regarding the DNA exoneration process. In previous studies, they have focused more on racial biases in policing and sentencing, while this article aims to fill the gap by examining the presence of racial bias in wrongful convictions. It is argued that concerning rape cases, the observed data and the plausibility of the required assumptions combine to strongly suggest that the wrongful conviction rate is significantly higher among black convicts than white convicts. However, the study acknowledges limitations to this study including the uncertainty of generalizing the findings to cases where confessions or guilty pleas are involved. These limitations include limited sample size, selective data, lack of information on the reasons for wrongful convictions, limited variables, and causality. While DNA exonerations provide a valuable source of data on wrongful convictions, studies that have relied solely on this data have limitations taken into account. The study's results further show how African Americans falsely accused of homicide in wrongful conviction cases, such as cases where the victims were females and where false forensic evidence and official misconduct were present, are statistically more likely to confess. This study provides important insights for policymakers, criminal justice professionals, and researchers regarding the impact of race on wrongful convictions and the role of DNA evidence in revealing the presence of racial bias.

Factors Leading to Suspect Identification and Clearance Rates

Lowrey-Kinberg and Gould (2018) developed a typology for how innocent defendants become suspects in criminal investigations. This study builds on data that has been collected from the Preventing Wrongful Convictions Project (PWCP), which analyzed 460 state violent felony cases occurring between the years 1980 and 2012. In

addition to this data, researchers consulted online profiles from, The Innocence Project, the National Registry of Exonerations, legal documents from civil suits, and scholarly work on individual cases. The variables used in this study included age, race, criminal history, victim, and defendant race, whether the defendant had a cognitive impairment or mental disability, and whether the victim survived the crime. The significance of this study showed how to examine how innocent people became suspects in a criminal investigation, which provides crucial insights for the prevention of wrongful convictions. This study found that victim or eyewitness identification was the most prevalent form of identification, and minority defendants were more likely than white defendants to become suspects from unintentional misidentification by a victim or eyewitness. However, acknowledging the limitations, shows that it only focused on violent crimes. It is possible that the results may differ if the focus was on other types of wrongful convictions.

Jarvis, Mancik, and Regoeczi (2016) advance the limited literature regarding police clearances of serious violent crimes by comparing and contrasting the correlates of homicide clearance with clearance of non-lethal violent crimes. Drawing data from the FBI's National Incident-Based Reporting System data (NIBRS) from the years 2008-2012, this study focuses on the clearance outcomes for the offenses of homicide, aggravated assault, robbery, and sexual assault. Victim characteristics to carry out the sample of the study include victim sex, race, and age. Although the study has some limitations, such as the victim ethnicity, and the NIBRS not being national in its reporting, it reveals patterns in clearance rates by offense and shows that variables associated with clearance processes do not have uniform impacts across offense types.

This study solely focuses on the knowledge base factors impacting homicide investigations and clearance processes for violent crimes. Future exploration could focus more on the variation in predictors of case clearance for nonviolent crimes from greater discretion to investigators and the less serious nature of the offense. From this research, they found that offense-specific clearance models have clear patterns that support the conclusions that, clearance rates vary significantly by offense, variables associated with clearance processes do not have uniform impacts across offense types, and the offense-specific finding and variable impacts of explanatory factors illustrate that much of what is known about police responses to violent crimes. The study's findings contribute to the understanding of police response to violent crimes and emphasize the importance of considering the specific characteristics of each offense when analyzing rates. Vaughn demonstrates that crime characteristics and solvability factors play pivotal roles in crime clearance, along with neighborhood attributes (Vaughn, 2020).

Conclusion

The Criminal Justice System strives for accuracy and the ability to convict the guilty and clear the innocent. Wrongful convictions create mistrust in the criminal justice system, leading some to question the fairness and reliability of the trial process. In order to maintain the integrity of the criminal justice system, it is crucial to study the factors that contribute to wrongful convictions and identify potential solutions to stop wrongful convictions in the future. There is still a lot that is not known about wrongful convictions, making it a critical area of study.

Data and Methods

To build the foundation for factors contributing to wrongful convictions by crime type was obtained from the National Registry of Exonerations. This project collection of data consists of work from the NewKirk Center for Science and Society at the University of California Irvine, the University of Michigan Law School, and Michigan State University College of Law. This data set consists of wrongful conviction cases from 1989 (with limited data prior to 1989) to the present that collect, analyze, and disseminate information about all known exonerations of innocent criminal defendants in the United States (National Registry of Exonerations, 2012). The Registry is able to gather information from many different sources such as legal records, media reports, nonprofit organizations and clinics, research, and interviews. The Registry collects all of the information found from these sources and compiles it into a spreadsheet with many variables and information to show all of the data they have received. After 34 years, it has been found there are at least 3,378 exonerations of innocent defendants who have spent more than 29,950 years lost in prison (National Registry of Exonerations, 2012). Age is recorded as the age of the exoneree at the time of conviction and exoneration. The race or ethnicity is documented as White, Black, or African American, Hispanic, or Latino, Asian, Native American, and others. Gender is captured as male, female, transgender, and non-binary. The socioeconomic background is also shown along with geographic location and other demographic factors.

Dependent Variable

Occurrence of Wrongful Convictions

The dependent variable in this study is the occurrence of wrongful convictions, defined as cases where individuals are convicted and later exonerated due to evidence of innocence. Wrongful convictions are a critical outcome that can result from various contributing factors, including mistaken witness identification, perjury or false accusation, false confessions, misleading forensic evidence, and official misconduct. The occurrence of wrongful convictions, which will be examined in relation to the identified independent variables to assess the impact and association with different types of wrongful convictions. Understanding the occurrence of wrongful convictions is essential for evaluating the effectiveness of the criminal justice system and identifying areas for improvement in the investigation, prosecution, and adjudication of criminal cases.

Independent variable

Crime Type

The categorical types of crime included are Sexual Violence, Murder, Drug Possession or Sale, Property Crimes, and Other Violent Crimes. In the data, Murder was found to be the highest crime type contributing to 38% of the data. The second highest category was grouped as Sexual Violence which includes Child Sex Abuse, and Sexual Assault. Property crimes include Destruction of Property, Possession of Stolen Property, Arson, Forgery, and Burglary/Unlawful Entry. This was grouped together consistent with the FBI's UCR definition and grouping of property crimes (FBI, 2010). Other Violent Crimes include Attempt-violent, Child Abuse, Dependent Adult Abuse, Harassment, Kidnapping, Menacing, Other Violent Felony, and Other Violent Misdemeanors. All

were grouped all of the miscellaneous categories together for this category that fit the standard of "violent crimes" that were not already included in any of my other categories. The category Drug Possession or Sale is its own category since it had high numbers from the data.

Contributing factors

Exonerations caused by contributing factors include Mistaken Witness ID, Perjury or False Accusation, False Confession, False or Misleading Forensic Evidence, and Official Misconduct. The highest contributing factor for all crimes is perjury or false accusation. The exoneration mechanism is in its own category of DNA. The sample demographics with race include Black, White, and Hispanic which is consistent with the groupings that the National Registry of Exonerations uses along with gender being Male or Female. The age at conviction is grouped as under 21, 22 to 34, 35 to 59, and 60 plus.

Tables

3487 total	N	(%)
Crime Type		
Murder	1329	.3811
Sexual Violence (Child Sex Abuse, Sexual Assault)	691	.1981
Drug Possession or sale	613	.1757
Other Violent Crimes (Attempt- Violent, Child Abuse, Dependent Adult Abuse, Harassment, Kidnapping, Menacing, Robbery, Assault, Violent Felony, other Violent Misdemeanor)	476	.1365
Property Crimes (Arson, Destruction of Property, Possession of Property, Forgery, Burglary/Unlawful Entry)	58	.0166

Contributing factors		
Perjury or False Accusation (P/FA)	2229	.6392
Official Misconduct (OM)	2089	.5990
Mistaken Witness Identification (MWID)	955	.2738
False or Misleading Forensic Evidence (F/MFE)	883	.2532
False Confession (FC)	440	.1261
Exoneration mechanisms		
DNA	597	.1712
Sample demographics		
Race		
Black	1850	.5305
White	1126	.3229
Hispanic	434	.1244
Gender		
Male	3186	.9136
Female	300	.0860
Age (at conviction)		
Under 21	1393	.3994
22-34	915	.2624
35-59	732	.2099
60 +	446	.1279

Results

The following results were found using the data from the National Registry of Exonerations. The crime type and wrongful conviction factor are cross-tabled to show the results found. The percentages on the right side of all the tables show how much the crime type contributed to the factors.

Table False Confession: Cross-tabulation of Crime Type with Wrongful Conviction False Confession as a Contributing Factor (n=2,753)			
	False Confession		
	No	Yes	%
Murder	821 77.75%	235 22.25%	22.25%
Sexual Violence	583 91.96%	51 8.04 %	8.04%
Other Violent Offense	418 92.48%	34 7.52%	7.52%
Drug Possession or Sale	373 98.42%	6 1.58%	1.58%
Property	98 96.08%	4 3.92%	3.92%
Chi2=172.43			
Notes: ***p<.000 Additional tests: Murder vs. all other crime types (chi2(1) =161.44 p<.000)			

In this table, it shows that there is a relationship between crime type and false confessions. The differences are not shown in the chart. The percentage is a lot higher for murder than any other crime in this chart with murder being 22.25%. A dichotomous variable was also tested to show murder versus all other offenses. This showed that false confession occurred in 22.25% of wrongful conviction murders versus 5.95% of all other offenses.

Table for Mistaken Identity: Cross-tabulation of Crime Type with Wrongful Conviction Mistaken Identity as a Contributing Factor (n=2,753)			
	Mistaken Identity		
	No	Yes	%
Murder	769 72.82%	287 27.18%	27.18%
Sexual Violence	369 58.20%	265 41.80%	41.80%
Other Violent Offense	254 56.19%	198 43.81%	43.81%
Drug Possession or Sale	371 97.89%	8 2.11%	2.11%
Property	91 89.22%	11 10.78%	10.78%
Chi2 = 286.55			
Notes: ***p<.000 Additional tests: Sexual violence vs. all other crimes chi2(1) = 74.92 Other violence vs. all other crimes chi2(1) = 64.81			

This table is able to show with the cross tabs that there is a high percentage of mistaken identity in other violent offenses with the percentage being 43.81%. Another crime also came in close to second here with sexual violence being 41.80%. A couple of other tests were done to evaluate these two categories more with sexual violence compared to all other crimes and other violent crimes to all other crimes, and it showed they still played a big part.

Table for False Forensic Evidence: Cross-tabulation of Crime Type with Wrongful Conviction False Forensic Evidence as a Contributing Factor (n=2,753)			
	False Forensic Evidence		
	No	Yes	%
Murder	791 74.91%	265 25.09%	25.09%
Sexual Violence	448 70.66%	186 29.34%	29.34%
Other Violent Offense	375 82.96%	77 17.04%	17.04%

Drug Possession or Sale	246 64.91%	133 35.09%	35.09%
Property	100 98.04%	2 1.96%	1.96%
Chi2= 101.12			
Notes: ***p<.000			

This shows that False Forensic Evidence is the highest for correlating to drug possession with 35.09%. The lowest shown for this is property crimes, with barely a percentage.

Table for Perjury: Cross-tabulation of Crime Type with Wrongful Conviction Perjury as a Contributing Factor (n=2,753)			
	Perjury		
	No	Yes	%
Murder	291 27.56%	765 72.44%	72.44%
Sexual Violence	237 37.38%	397 62.62%	62.62%
Other Violent Offense	233 51.55%	219 48.45%	48.45%
Drug Possession or Sale	206 54.35%	173 45.65%	45.65%
Property	53 51.96%	49 48.04%	48.04%
Chi2= 160.63			
Notes: ***p<.000			

This table shows that murder is the highest with 72.44% for perjury. All of these crime types for this category of perjury are very high percentages and the highest for all others tested.

Table for Official Misconduct: Cross-tabulation of Crime Type with Wrongful Conviction Official Misconduct as a Contributing Factor (n=2,753)			
	Official Misconduct		
	No	Yes	%

Murder	290 27.46%	766 72.54%	72.54%
Sexual Violence	374 58.99%	260 41.01%	41.01%
Other Violent Offense	299 50.66%	223 49.34%	49.34%
Drug Possession or Sale	211 55.67%	223 49.34%	49.34%
Property	55 53.92%	47 46.08%	46.08%
Chi2= 226.49			
Notes: ***p<.000; Additional tests: Murder vs. all other crime types (chi2(1)=161.44 p<.000)			

Here it shows that murder is very high with 72.54% for misconduct. The lowest shown is sexual violence, but this still has a higher percentage. This could be attributed to police and prosecutors wanting to secure a conviction for cases like these.

Table for Inadequate Defense: Cross-tabulation of Crime Type with Wrongful Conviction Inadequate Defense as a Contributing Factor (n=2,753)			
	Inadequate Defense		
	No	Yes	%
Murder	711 67.33%	345 32.67%	32.67%
Sexual Violence	484 76.34%	150 23.66%	23.66%
Other Violent Offense	286 63.27%	166 36.73%	36.73%
Drug Possession or Sale	357 94.20%	22 5.80%	5.80%
Property	85 83.33	17 16.67%	16.67%
Chi2= 141.22			
Notes: ***p<.000;			

This shows that the highest percentage is other violent offenses with 36.73%. The lowest here is drug possession or sale where it is only 5.80%. There are many offenses

that are included in this crime which can contribute to things such as technical violations, perjury, or public defenders not having enough time to contribute fully to their client's cases.

Discussion

There are some policy implications for this study that can be looked at and taken into account for future studies or research. With the False Forensic Evidence table showed that drug possession was the highest at 35.09% and property crimes were the lowest. This suggests that forensic evidence may not be as influential in property crime convictions compared to other types of evidence. Offenses like forgery involve digital forensics which are less prone to issues associated with traditional forensic methods. This implies that in property crimes, forensic evidence is likely weighted alongside other types of evidence rather than being super influential. With understanding this dynamic can inform policy decisions related to the use of forensic evidence in property crimes and show the need for a balanced approach that considers the strengths and also limitations of the different evidence. The table for Official Misconduct showed that 72.54% of murders had official misconduct in the case. This also has some policy implications where the focus could be on seeing how the prosecutors might not be spending an adequate amount of time on the case and see if there are any extra protections that can be given to those accused of murder.

It's important to acknowledge the limitations of this study, which may impact the generalizability and scope of the findings. One limitation is the reliance on data from the National Registry of Exonerations, which may not capture the full spectrum of wrongful convictions due to underreporting or data limitations. Additionally, the retrospective

nature of the study limits the ability to establish causal relationships between variables and outcomes. Future research could address these limitations by incorporating diverse datasets and longitudinal approaches to enhance the robustness and validity of findings.

In conclusion, this study underscores the need for evidence-based policy reforms and continued research efforts to address the complex factors contributing to wrongful convictions. By leveraging these insights, policymakers can implement targeted interventions aimed at improving the integrity and fairness of the criminal justice system, ultimately promoting trust and confidence among stakeholders and the public.

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