



# Convicting The Innocent

SIXTY - FIVE ACTUAL  
ERRORS OF CRIMINAL  
JUSTICE

EDWIN M.  
BORCHARD

# Convicting The Innocent 65 Actual Errors Of Criminal Justice

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## **Convicting The Innocent 65 Actual Errors Of Criminal Justice:**

Wrongful Convictions and Forensic Science Errors John Morgan, 2023-03-29 Forensic Science Errors and Wrongful Convictions Case Studies and Root Causes provides a rigorous and detailed examination of two key issues the continuing problem of wrongful convictions and the role of forensic science in these miscarriages of justice This comprehensive textbook covers the full breadth of the topic It looks at each type of evidence historical factors system issues organizational factors and individual examiners Forensic science errors may arise at any time from crime scene to courtroom Probative evidence may be overlooked at the scene of a crime or the chain of custody may be compromised Police investigators may misuse or ignore forensic evidence A poorly trained examiner may not apply the accepted standards of the discipline or may make unsound interpretations that exceed the limits of generally accepted scientific knowledge In the courtroom the forensic scientist may testify outside the standards of the discipline or fail to present exculpatory results Prosecutors may suppress or mischaracterize evidence and judges may admit testimony that does not conform to rules of evidence All too often the accused will not be afforded an adequate defense especially given the technical complexities of forensic evidence These issues do not arise in a vacuum they result from system issues that are discernable and can be ameliorated Author John Morgan provides a thorough discussion of the policy practice and technical aspects of forensic science errors from a root cause scientific analysis perspective Readers will learn to analyze common issues across cases and jurisdictions perform basic root cause analysis and develop systemic reforms The reader is encouraged to assess cases and issues without regard to preconceived views or prejudicial language As such the book reinforces the need to obtain a clear understanding of errors to properly develop a set of effective scientific procedural and policy reforms to reduce wrongful convictions and improve forensic integrity and reliability Written in a format and style accessible to a broad audience Forensic Science Errors and Wrongful Convictions presents a thorough analysis across all of these issues supported by detailed case studies and a clear understanding of the scientific basis of the forensic disciplines

*The Elgar Companion to Capital Punishment and Society* Benjamin Fleury-Steiner, Austin D. Sarat, 2024-09-06 The Elgar Companion to Capital Punishment and Society presents a multidisciplinary overview of capital punishment's influences processes and outcomes across society A global range of philosophers social scientists legal experts political theorists and historians critically analyse the trajectory of the death penalty in both retentionist and abolitionist countries underscoring how state killing remains a crucial issue worldwide

**Bringing Ben Home** Barbara Bradley Hagerty, 2024-08-06 How states are making their legal systems more equitable seen through the story of a Black man falsely imprisoned for thirty years for murder In 1987 Ben Spencer a twenty two year old Black man from Dallas was convicted of murdering white businessman Jeffrey Young a crime he didn't commit From the day of his arrest Spencer insisted that it was an awful mistake The Texas legal system didn't see it that way It allowed shoddy police work paid witnesses and prosecutorial misconduct to convict Spencer of murder and it ignored later efforts to correct

this error The state's bureaucratic intransigence caused Spencer to spend more than half his life in prison Eventually independent investigators new witness testimony the foreman of the jury that convicted him and a new Dallas DA convinced a Texas judge that Spencer had nothing to do with the killing and in 2021 he was released from prison As Spencer's fight to clear himself demonstrates our legal systems are broken expedience is more important than the truth That is starting to change as states across the country implement new efforts to reduce wrongful convictions and one of the states leading the way is Texas Award winning journalist Barbara Bradley Hagerty has spent years digging into this issue and she has immersed herself in Spencer's case She has combed police files and court records interviewed dozens of witnesses and had extensive conversations with Spencer and in *Bringing Ben Home* she threads together two narratives how an innocent Black man got caught up in and couldn't escape a legal system that refused to admit its mistakes and what Texas and other states are doing to address wrongful convictions to make the legal process more equitable for everyone By turns fascinating and enraging personal and provocative *Bringing Ben Home* is the powerful story of one innocent man who refused to admit that he was guilty of murder and how his plight became part of a paradigm shift in how the legal system thinks about innocence as it institutes new methods to overturn wrongful convictions to better protect people like Ben Spencer *Wrongful Conviction in Sexual Assault* Matthew Barry Johnson, 2021 Despite the increasing public and academic interest in exonerations *Wrongful Conviction in Sexual Assault* is the first book to examine the preponderance of sexual assault cases among US wrongful convictions The book presents compelling coverage of high profile wrongful conviction cases and also lesser known cases that reveal disturbing patterns and demand attention *The Psychology of Criminal Investigation* Andy Griffiths, Rebecca Milne, 2018-05-20 The contribution of psychological research to the prevention of miscarriages of justice and the development of effective investigative techniques is now established to a point where law enforcement agencies in numerous countries either employ psychologists as part of their staff or work in cooperation with academic institutions The application of psychology to investigation is particularly effective when academics and practitioners work together This book brings together leading experts to discuss the application of psychology to criminal investigation This book offers an overview of models of investigation from a psychological and practical view point covering topics such as investigative decision making the presentation of evidence witness testimony the detection of deception interviewing suspects and evidence based police training It is essential reading for students researchers and practitioners engaged with police practice investigation and forensic psychology **How the Police Generate False Confessions** James L. Trainum, 2016-07-15 Despite the rising number of confirmed false confession cases most people have a hard time grasping why someone would confess to a crime they did not commit or even why a guilty person would admit to something that could put them in jail for life *How the Police Generate False Confessions* takes you inside the interrogation room exposing the tactics that law enforcement uses to make confessions happen James L Trainum reveals how innocent people can become suspects and then

confessed criminals even when they have not committed a crime Using real stories he looks at the inherent coerciveness of the interrogation process and why so many false confessions contain so many of the details that only the true perpetrator would know More disturbingly the book examines how these same processes corrupt witness and victim statements create lying informants and cooperators and induce innocent people to plead guilty Trainum also offers recommendations for change in the U S by looking at how other countries are changing the process to prevent such miscarriages of justice The reasons that people falsely confess can be complex and varied throughout How the Police Generate False Confessions Trainum encourages readers to critically evaluate confessions on their own by gaining a better understanding of the interrogation process

**Who Lives, Who Dies, Who Decides?** Sheldon Ekland-Olson, 2012-02-17 Issues of Life and Death such as abortion assisted suicide capital punishment and others are among the most contentious in many societies Whose rights are protected How do these rights and protections change over time and who makes those decisions Based on the author's award winning and hugely popular undergraduate course at the University of Texas this book explores these questions and the fundamentally sociological processes which underlie the quest for morality and justice in human societies The Author's goal is not to advocate any particular moral high ground but to shed light on the social movements and social processes which are at the root of these seemingly personal moral questions This book is also broken down into four smaller How Ethical Systems Change volumes Abortion and neonatal care [www.routledge.com/9780415504492](http://www.routledge.com/9780415504492) Lynching and capital punishment [www.routledge.com/9780415505192](http://www.routledge.com/9780415505192) Eugenics the Final Solution and Bioethics [www.routledge.com/9780415501620](http://www.routledge.com/9780415501620) Tolerable Suffering and Assisted Dying [www.routledge.com/9780415505161](http://www.routledge.com/9780415505161)

**Expert Evidence and Scientific Proof in Criminal Trials** Paul Roberts, 2017-07-05 Forensic science evidence and expert witness testimony play an increasingly prominent role in modern criminal proceedings Science produces powerful evidence of criminal offending but has also courted controversy and sometimes contributed towards miscarriages of justice The twenty six articles and essays reproduced in this volume explore the theoretical foundations of modern scientific proof and critically consider the practical issues to which expert evidence gives rise in contemporary criminal trials The essays are prefaced by a substantial new introduction which provides an overview and incisive commentary contextualising the key debates The volume begins by placing forensic science in interdisciplinary focus with contributions from historical sociological Science and Technology Studies STS philosophical and jurisprudential perspectives This is followed by closer examination of the role of forensic science and other expert evidence in criminal proceedings exposing enduring tensions and addressing recent controversies in the relationship between science and criminal law A third set of contributions considers the practical challenges of interpreting and communicating forensic science evidence This perennial battle continues to be fought at the intersection between the logic of scientific inference and the psychology of the fact finder's common sense reasoning Finally the volume's fourth group of essays evaluates the limited success of existing procedural reforms aimed at improving the reception of

expert testimony in criminal adjudication and considers future prospects for institutional renewal with a keen eye to comparative law models and experiences success stories and cautionary tales

**Wrongful Conviction and Criminal Justice Reform** Marvin Zalman, Julia Carrano, 2013-10-30 Wrongful Conviction and Criminal Justice Reform is an important addition to the literature and teaching on innocence reform This book delves into wrongful convictions studies but expands upon them by offering potential reforms that would alleviate the problem of wrongful convictions in the criminal justice system Written to be accessible to students Wrongful Conviction and Criminal Justice Reform is a main text for wrongful convictions courses or a secondary text for more general courses in criminal justice political science and law school innocence clinics

**Yale Law Journal** Yale Law Journal, 2013-06-29 Symposium The Gideon Effect Rights Justice and Lawyers Fifty Years After Gideon v Wainwright The year 2013 marks the golden anniversary of the U S Supreme Court s landmark ruling in Gideon v Wainwright 1963 which established a constitutional right to counsel for criminal defendants A half century later there remains a compelling need for a reexamination of its legacy extensions shortfalls and long shadow over other areas of law such as immigration and custody disputes This special Symposium issue of the Yale Law Journal is in effect a new and extensive book on this important subject featuring contributions by internationally recognized legal and political scholars It is one of the most thorough detailed and wide ranging analyses of the current standing and reach of what may be the Court s most important criminal law decision The contributors are Rebecca Aviel John H Blume Sheri Lynn Johnson Stephen B Bright Sia M Sanneh Paul D Butler Jeanne Charn Erwin Chemerinsky Gabriel J Chin Martha F Davis Ingrid V Eagly Roger A Fairfax Jr Bruce A Green M Clara Garcia Hernandez Carole J Powell Emily Hughes Kevin R Johnson Neal Kumar Katyal Nancy J King Nancy Leong Justin F Marceau Hope Metcalf Judith Resnik Pamela R Metzger David E Patton Eve Brensike Primus L Song Richardson Phillip Atiba Goff Jenny Roberts and Carol S Steiker The issue the eighth and final one of academic year 2012 2013 also includes a cumulative Index to the eight issues of Volume 122 As with previous digital editions of the Yale Law Journal available from Quid Pro Books features include active Tables of Contents including links in each Essay s own table linked footnotes and URLs and proper ebook formatting

*Brigham Young University Law Review* , 2005

**Women and Capital Punishment in the United States** David V. Baker, 2015-11-26 The history of the execution of women in the United States has largely been ignored and scholars have given scant attention to gender issues in capital punishment This historical analysis examines the social political and economic contexts in which the justice system has put women to death revealing a pattern of patriarchal domination and female subordination The book includes a discussion of condemned women granted executive clemency and judicial commutations an inquiry into women falsely convicted in potentially capital cases and a profile of the current female death row population

[Controversies in Innocence Cases in America](#) Sarah Lucy Cooper, 2016-05-13 Controversies in Innocence Cases in America brings together leading experts on the investigation litigation and scholarly analysis of innocence cases in America from legal political and ethical

perspectives The contributors many of whom work on these cases daily investigate contemporary issues presented by innocence cases and the exoneration movement as a whole These issues include the challenges faced by the movement causes of wrongful convictions problems associated with investigating proving and defining innocence and theories of reform Each issue is placed within a multi disciplinary perspective to provide cogent observations and recommendations for the effective handling of these cases and for what changes should be adopted in order to improve the American criminal justice system when it is faced with its most harrowing sight an innocent defendant **The National Union Catalog, Pre-1956**

**Imprints** Library of Congress,American Library Association. Committee on Resources of American Libraries. National Union Catalog Subcommittee,1970 **Erros foram cometidos (mas juro que não fui eu)** Elliot Aronson,Carol

Tavris,2025-08-26 Error humano uma afirmação incontestável e já virou um clichê Mas como de fato lidamos com os erros que cometemos Com amplo respaldo científico e olhar afiado sobre a sociedade contemporânea os psicólogos sociais Elliot Aronson e Carol Tavris exploram neste livro histórias reais algumas trágicas outras bem humoradas que revelam como enfrentamos ou evitamos nossos deslizes tanto na vida pessoal quanto na esfera pública No centro dessa análise está um mecanismo poderoso e muitas vezes inconsciente a autojustificação Da política aos relacionamentos íntimos esta obra um verdadeiro tratado sobre a natureza humana e por isso leitura incontornável para todos nós Um dos livros mais necessários e importantes para o nosso tempo Warren Bennis autor de A essência do líder Se este livro não mudar a maneira como pensamos sobre nossos erros então estamos todos condenados Michael Shermer autor de Por que as pessoas acreditam em coisas estranhas pseudociência superstição e outras confusões dos nossos tempos [Police Interrogation and American Justice](#)

Richard A. Leo,2009-07-01 Read him his rights We all recognize this line from cop dramas But what happens afterward In this book Leo sheds light on a little known corner of our criminal justice system the police interrogation An important study of the criminal justice system this book provides interesting answers and raises some unsettling questions **Convicting the Innocent** Edwin M. Borchard,2010-05-14 My major interests lie in an aspect of the law somewhat remote from criminal law I have nevertheless long urged that the State or community assume the risks of official wrongdoing and error instead of permitting the losses resulting from such fault or mistake to be borne by the injured individual alone Among the most shocking of such injuries and most glaring of injustices are erroneous criminal convictions of innocent people The State must necessarily prosecute persons legitimately suspected of crime but when it is discovered after conviction that the wrong man was condemned the least the State can do to right this essentially irreparable injury is to reimburse the innocent victim by an appropriate indemnity for the loss and damage suffered European countries have long recognized that such indemnity is a public obligation Federal and state governments in the United States ought to adopt the same policy instead of merely releasing the innocent prisoner from custody by pardoning him for a crime he never committed and without any admission of error or public vindication of his character A district attorney in Worcester County Massachusetts a few years ago is reported

to have said Innocent men are never convicted Don't worry about it it never happens in the world It is a physical impossibility The present collection of sixty five cases which have been selected from a much larger number is a refutation of this supposition Inasmuch as the conditions described are of interest primarily to the American public American cases mainly from the twentieth century have for the most part been chosen for publication Fifty cases by reason of their importance or some striking characteristic have been used as principal cases the other fifteen more concisely reported follow thereafter Together they present an interesting cross section of American life

**Les erreurs des autres** Carol Tavis, Elliot Aronson, 2010 Do vient notre besoin de justifier nos idées stupides nos mauvaises décisions et nos actes nuisibles Pourquoi avons nous tant de mal reconnaître nos propres erreurs Nous invoquons les circonstances nous rejetons la faute sur les autres ou nous refusons tout simplement de l'admettre Ainsi nous persistons dans nos erreurs et les conséquences qui en résultent peuvent se révéler désastreuses Comme nous le montrent Carol Tavis et Elliot Aronson la théorie de la dissonance cognitive nous clarifie sur le fonctionnement de l'autojustification et sur son rôle décisif dans des domaines aussi divers que la politique la justice la médecine la psychiatrie et les relations de couple Or si nous comprenons les mécanismes psychologiques qui produisent l'autojustification nous ne serons plus condamnés à subir par des mesures individuelles ou collectives nous pourrions la prévenir et nous pardonner ainsi ses conséquences les plus néfastes

The Behavioral Foundations of Public Policy Eldar Shafir, 2013-01-10 An interdisciplinary look at the behavioral roots of public policy from the field's leading experts In recent years remarkable progress has been made in behavioral research on a wide variety of topics from behavioral finance labor contracts philanthropy and the analysis of savings and poverty to eyewitness identification and sentencing decisions racism sexism health behaviors and voting Research findings have often been strikingly counterintuitive with serious implications for public policymaking In this book leading experts in psychology decision research policy analysis economics political science law medicine and philosophy explore major trends principles and general insights about human behavior in policy relevant settings Their work provides a deeper understanding of the many drivers cognitive social perceptual motivational and emotional that guide behaviors in everyday settings They give depth and insight into the methods of behavioral research and highlight how this knowledge might influence the implementation of public policy for the improvement of society This collection examines the policy relevance of behavioral science to our social and political lives to issues ranging from health environment and nutrition to dispute resolution implicit racism and false convictions The book illuminates the relationship between behavioral findings and economic analyses and calls attention to what policymakers might learn from this vast body of groundbreaking work Wide ranging investigation into people's motivations abilities attitudes and perceptions finds that they differ in profound ways from what is typically assumed The result is that public policy acquires even greater significance since rather than merely facilitating the conduct of human affairs policy actually shapes their trajectory The first interdisciplinary look at behaviorally informed policymaking Leading behavioral experts



across the social sciences consider important policy problems A compendium of behavioral findings and their application to relevant policy domains      **Wrongful Convictions and Miscarriages of Justice** C. Ronald Huff, Martin Killias, 2013 This volume brings together the world class scholarship of 23 widely acclaimed and influential contributing authors from North America and Europe The latest research is presented in 18 chapters focusing on the frequency causes and consequences of wrongful convictions and other miscarriages of justice and offering recommendations for both legal and public policy reforms that can help reduce the causes of these errors while protecting public safety as well

This book delves into Convicting The Innocent 65 Actual Errors Of Criminal Justice. Convicting The Innocent 65 Actual Errors Of Criminal Justice is a crucial topic that must be grasped by everyone, ranging from students and scholars to the general public. This book will furnish comprehensive and in-depth insights into Convicting The Innocent 65 Actual Errors Of Criminal Justice, encompassing both the fundamentals and more intricate discussions.

1. The book is structured into several chapters, namely:
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    - Chapter 4: Convicting The Innocent 65 Actual Errors Of Criminal Justice in Specific Contexts
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  6. In chapter 5, the author will draw a conclusion about Convicting The Innocent 65 Actual Errors Of Criminal Justice. This chapter will summarize the key points that have been discussed throughout the book.
- The book is crafted in an easy-to-understand language and is complemented by engaging illustrations. This book is highly recommended for anyone seeking to gain a comprehensive understanding of Convicting The Innocent 65 Actual Errors Of Criminal Justice.

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