

Students' Perception and Knowledge of Wrongful Convictions and Associated Issues

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Abstract

Wrongful convictions and exoneration research is still in its infancy. The purpose of this presentation is to replicate Bell, Clow, & Ricciardelli's (2008) work on college student knowledge of issues related to wrongful convictions, and along with that include undergraduate views on compensation and assistance for exonerated persons, and perceived level of sanction for criminal justice practitioners whose actions may adversely impact a case. Findings indicate that a student's tenure in academia is more impactful than major in many areas under study. Exposure to information related to wrongful convictions and exonerations may serve to sensitize students to the needs of those exonerated and the accountability expected by criminal justice practitioners.

Keywords: wrongful convictions, exonerations, compensation, undergraduate student perception

Introduction

Wrongful convictions and exonerations within the criminal justice system have become an area of intense interest within the last decade. Research on the perceptions and attitudes of the public in regards to wrongful convictions and exonerations is in its infancy (Zalman, Larson & Smith, 2012; Ramsey & Frank, 2007). Recent research has utilized a sample of college students (Ricciardelli, Bell & Clow, 2009; Bell, Clow & Ricciardelli, 2008) and criminal justice system practitioners (Ramsey & Frank, 2007) regarding attitudes and knowledge of issues related to wrongful convictions. Additionally, extant research has assessed state compensation statutes and assistance efforts (Norris, 2012) and perceptions of offenders and exonerated persons (Clow & Leach, 2013).

Existing research suggests that criminal justice majors are somewhat more knowledgeable of general factors that have a direct impact on wrongful convictions, but are less knowledgeable of issues related to police behavior, attorney actions and purpose (Bell, Clow, & Ricciardelli, 2008). An extension of this research found that fourth year criminal justice students were more sensitive to underlying factors of wrongful convictions when compared to first year criminal justice students (Ricciardelli, Bell, & Clow, 2009).

Zalman, Larson, and Smith (2012) found that respondents in their study recognize the problematic issues surrounding wrongful convictions and the need for reformation within the criminal justice system. In addition, Clow and colleagues (2012) found favor for compensation and apologies to those who have been wrongfully convicted. The purpose of this study is to replicate a portion of previous work by Bell and colleagues (2008) and investigate and identify differences between lower-level and upper-level criminal justice and non-criminal justice majors in areas of knowledge on wrongful convictions, and to extend research from Clow and associates (2012) by assessing undergraduate perceptions on compensation and assistance to those wrongfully convicted. Additionally, undergraduate student perception on the level of punitive actions towards criminal justice agents whose actions lead to and/or contribute to wrongful convictions was examined.

Literature Review

A wrongful conviction involves an individual who has been erroneously convicted of a crime for which they have been arrested, convicted, and punished (Ricciardelli et al., 2008). Bell, Clow, and Ricciardelli (2008) assert that wrongful convictions threaten our basic and fundamental right of liberty. According to the Innocence Project, as of the end of 2015, 336 post-conviction DNA exonerations have occurred (Innocence Project, 2015). There are a number of factors that impact wrongful convictions and have led to the exonerations of many.

Major Factors that Contribute to Wrongful Convictions

Eyewitness Misidentification

Researchers nationwide have identified many factors that contribute to wrongful convictions. Of those factors, eyewitness misidentification is the major cause of wrongful convictions (Wells, 2013; Innocence Project, 2009; Ricciardelli et al., 2009; Bell et al., 2008; Clow et al., 2008; Huff et al., 1996). Based on information provided by the Innocence Project (2009), eyewitness misidentification played a role in over 75% of cases overturned through DNA testing.

Police

Another major factor that contributes to wrongful convictions is police misconduct that may or may not include coerced confessions (Clow et al., 2009; Ricciardelli et al., 2009; Bell et al., 2008). It was found that in approximately 30% of DNA exoneration cases, innocent defendants made incriminating statements, delivered outright confessions, or pled guilty (Innocence Project, 2009). It is important to note that false confessions are not always motivated by feelings of guilt or knowledge of the crime in question, but many external forces play a role in coerced confessions. Investigator misconduct is also thought to include police “tunnel vision” which occurs when an investigator develops a single-minded focus on one subject and ignores other potentially relevant evidence (Bell et al., 2008; Huff et al., 1996). The Innocence Project (2009) adds that employing suggestive measures when conducting identification procedures, providing incentives to secure information from informants, and lying to or misleading jurors about their personal observations are other measures of investigator misconduct. Public pressure on law enforcement to solve violent crimes contributes to these phenomena (Bell et al., 2008; Huff et al., 1996).

Prosecutors

Prosecutors also play a vital role when it comes to methods of misconduct and the convictions of the innocent. The most insidious forms of prosecutorial misconduct identified include overzealousness, ignoring relevant information, and failure to disclose exculpatory evidence (Wells, 2013; Clow et al., 2009; Ricciardelli et al., 2009; Bell et al., 2008; and Huff, 1996). In addition, allowing witnesses to testify when prosecutors are aware the testimony would be untruthful, relying on fraudulent forensic reports, and presenting misleading arguments that overstate the probative value of testimony are further examples (Innocence Project, 2009). Wells (2013) surmises that a weak case against an individual could limit the ability of the prosecution to explore all avenues of an investigation, and may lead to Brady violations if the importance of the evidence and its exculpatory nature is not identified, thus the potential for a plea bargain exists. On the other hand, it has been determined through research that some prosecutors recognize the importance of the evidence yet choose to intentionally dismiss it (Bell et al., 2008; Green 2005; Scheck et al., 2000). This type of misconduct violates a defendant’s due process rights and threatens the fundamental right of liberty afforded to all American citizens. Wells (2013) also suggests that errors in processing scientific evidence or presenting scientific evidence that is ambiguous and/or interpretive in nature also contribute to wrongful convictions because those who are responsible for examining the evidence (e.g. jury members) have limited knowledge and rely on expert testimony given during trials.

Just as with public pressure for an arrest weighs on police, much pressure is put upon the prosecution to “close” a case and obtain a conviction, which contributes to this problem (Innocence Project, 2009).

Defense

Other factors contributing to wrongful convictions include socioeconomic status, racial prejudice and/or stereotyping, and other measures of social inequality (Bell et al., 2008; Ricciardelli, 2009; Clow et al., 2011; Wells, 2013). This may impact the type of defense counsel made available to the accused. Westervelt and Cook (2010) suggest that the average defendant in a capital punishment case is poor and relies on a court appointed attorney who lacks the time and resources to effectively defend the individual. These authors also state the playing field is not level where prosecutors and defendants are concerned because those being accused do not have the same resources available to them that are at the disposal of the prosecutor.

Perceived Levels of Sanctions Against Criminal Justice Officials

Often prosecutors, judges, and law enforcement officials are granted immunity when involved in cases that have resulted in a wrongful conviction (Norris, 2011; Mandery, 2013; Westervelt & Colt, 2011). The burden of proof, which rests solely on the exoneree, is substantial, and requires the exoneree to prove that constitutional rights were violated in a malicious way with intent on the part of the prosecutor and/or judge (Mandery, 2013; Norris, 2011). Because the majority of wrongful convictions are the result of factors such as erroneous witness identification, police tunnel vision, and false confessions, it is nearly impossible to prove and/or hold an individual agent accountable for mistakes that resulted in a wrongful conviction (Norris, 2011; Mandery, 2013). Due to immunity protection, Westervelt and Cook (2010) surmise it provides criminal justice officials a subculture that exists both within law enforcement agencies and the public in general. An internal culture exists that promotes protection of colleagues regardless of whether their actions are lawful and honest or not. There is also an external culture that exists that promotes trust in those who society believes is there to protect and serve them as well as a shared belief that police only arrest guilty people.

Attitudes on Compensation and Assistance

Due to the stigma of being labeled as an offender, most individuals still experience the same social repercussions as someone released from prison who was guilty of the crime for which they served time. Existing research suggests that most individuals, when asked, agree that those who have been wrongfully convicted are deserving of compensation. Compensation was identified as financial compensation to recoup any financial loss suffered by the individual and/or their family as well as some form of public apology in an effort to repair the relationship of the individual and their community (Clow et al., 2012). Despite the public support for compensation, the Innocence Project (2009) reported that only 60% of those wrongfully convicted received some sort of financial compensation. As of 2015, 30 states within the United States and the District of Columbia have some form of compensation statute (Innocence Project, 2015). Of those with compensation statutes, the application process is often costly, legally complex, and takes an average of two years post-incarceration before compensation was considered (Clow et al., 2012; Norris, 2011; Mandery et al., 2013). Additionally, compensation statutes contain a variety of limitations that disqualify those who pled guilty or agreed to a plea bargain (Clow et al., 2012; Mandery, 2011). Studies involving undergraduate students have shown sympathetic attitudes towards those who have been exonerated with support for compensation (Clow et al., 2012; Zalman et al., 2011).

While financial compensation is often hard to obtain, most individuals require immediate assistance upon release. Due to the time spent in prison there is a large gap in existing job skills, lack of job experience, lack of experience with modern technology, depressive disorders, broken social ties, and health issues (Mandery, 2013; Clow et al., 2012; Westervelt, 2010). Norris (2011) examined various assistance programs available to exonerated individuals by state, but to date, research on public opinion of these options is limited, if not nonexistent.

This research seeks to replicate the Canadian study by Bell and associates (2008) using an American population of undergraduate students to determine contributing factor knowledge on wrongful convictions and add the literature with regard to attitudes on compensation and assistance for exonerees, as well as the perceived level of sanction to impose against criminal justice agents dependent upon constitutional rights violations. It is anticipated the criminal justice undergraduate students will be more knowledgeable regarding issues related to wrongful convictions (e.g., causes, compensation, and sanctions). Additionally, it is expected that upperclassmen will have different views than underclassmen in the same areas.

Methods

Participants

After IRB approval was granted, 326 undergraduate students were recruited from various introductory and upper-level criminal justice and political science classes with instructor permission and administered a survey in early Fall 2013. This included 169 males (52.6%) and 152 females (47.4%) in varying years at an eastern university. Students were primarily Caucasian (84.4%), but there was representation of African-American (8.1%), with other races collapsed into one category (7.5%). When compared to the overall university population, males were slightly overrepresented and females were somewhat underrepresented, and the percentage of Caucasian and African-Americans in the sample was similar to the overall population of the university. Of these students 78.5% (n = 256) were criminal justice majors, whereas 21.5% (n = 70) were enrolled in other majors. Participants ranged in age from 18 to 56 years (M = 21.7). The majority of participants were upperclassmen in at least their third year (64.6%). Underclassmen in their first or second year at the university represented 33.9% of the sample. The university does have a dedicated wrongful convictions course, and 11% of the sample had taken (n=10) or were currently taking (n=26) the course. Additionally, the issue of wrongful conviction may be discussed in various upper-level courses. The majority (63%) of participants believed the issue of wrongful convictions is a problem in the United States; however 62.8% of the participants (n= 205) were unaware of the Innocence Project.

Measures

The data set collected is partially based upon using a survey administered by Bell, Clow, and Ricciardelli (2008) in their study examining Canadian student knowledge of wrongful convictions. In addition, Norris' (2011) compilation work on state compensation and assistance was adapted for purposes of this study.

Knowledge of Wrongful Convictions

Within this survey, 15 items were offered as a measuring tool to assess participants' knowledge of the various underlying factors that contribute to or lead to a wrongful conviction. Per Bell and associates (2008), four main areas were identified: fallibility of hard evidence, police misconduct, prosecutorial and defense attorney practices that may include prosecutorial misconduct, and discrimination based upon certain socioeconomic and/or social group(s). Participants were asked to indicate on a Likert-scale how they personally felt about each item with a range of responses where 1 = "strongly disagree" to 5 = to "strongly agree."

Fallibility of Hard Evidence

Fallibility of hard evidence includes things such as eyewitness testimony, misinterpretation of DNA evidence, and false confessions. Factors such as these contribute to wrongful convictions (Bell et al., 2008; Clow et al., 2008; Huff et al., 1996; Ricciardelli et al., 2009; Wells, 2013). In order to measure students' knowledge and perception of these issues, three reverse-coded items were included in the survey. These items included: "Eyewitnesses are rarely wrong"; "No one would confess to a crime they did not commit"; and "DNA evidence cannot be misinterpreted."

Police Behavior

Prior research has defined some behaviors on the part of law enforcement officers that can potentially lead to wrongful convictions. These behaviors could include "tunnel vision" and certain interrogation techniques that result in a coerced and/or false confession (Bell et al., 2008; Huff et al., 1996; Scheck et al., 2000). To assess students' knowledge, the following questions were asked: "I believe that police interrogations sometimes result in a person confessing to a crime they did not commit"; "Sometimes the police focus on one suspect so much that the true perpetrator goes undetected"; and "Sometimes police officers arrest a suspect prematurely due to public pressure to solve the crime."

Prosecutorial and Defense Attorney Practices

Some prosecutorial practices have been identified as being unethical and/or problematic in nature. To evaluate students' knowledge in the area of prosecutorial misbehavior, four items were included: "It is the prosecutor's job to get a conviction"; "Prosecutors should be allowed to make deals with criminals in exchange for their testimony against someone else" (reverse coded); "If someone confesses to their cellmate while in jail, this information should be allowed in court" (reverse coded); and "I think some people are so afraid of being found guilty of a serious crime they did not commit that they plead guilty to a less serious crime (plea-bargain), even if they did not commit that crime either."

Ineffective and/or incompetent counsel has been cited as a major contributing factor in a large portion of wrongful convictions cases (Bell et al., 2008; Clow et al., 2009; Ricciardelli et al., 2009; Huff et al., 1996; Innocence Project, 2009.). The following assessed knowledge and attitude as related to counsel: “Prosecutors should be allowed to make deals with criminals in exchange for their testimony against someone else” (reverse coded); “If someone confesses to their cell mate while in jail, this information should be allowed in court” (reverse coded); and “I think some people are so afraid of being found guilty of a serious crime they did not commit that they plead guilty to a less serious crime (plea-bargain), even if they did not commit that crime either.”

Discrimination Based Upon Socioeconomic Status and/or Social Group(s)

Prior research has suggested that racial discrimination, social inequality, and class bias have contributed to wrongful convictions, and that such factors place an accused individual at greater risk to be a victim of wrongful conviction (Bell et al., 2008; Scheck et al., 2000; Wells, 2013). Three questions assessed perceptions of race and included: “Poor defendants are more likely to be wrongfully convicted than rich defendants”; “If Black defendants are more likely to be wrongfully accused, it is because Black people are more likely to be criminals”; and “I believe that racial prejudice and stereotypes may influence jury members to wrongly convict ethnic minority defendants.”

Attitudes on Compensation and Assistance

Based on work done by Norris (2011), a list of various items related to compensation and assistance for those wrongfully convicted were examined. Participants were asked their level of agreement or disagreement on a Likert scale ranging from 1 = “strongly disagree” to 5 = “strongly agree.” Compensation items included whether financial compensation should be provided, the starting level and maximum total of compensation, if additional compensation should be provided for time served on death row, parole or required participation in the sex offender registry, and if disqualification from receiving compensation should occur for various reasons (e.g., subsequent felony, entered a guilty plea, or waiving appellate rights) . The availability of assistance programs and record expungement process were also assessed.

Perceived Level of Sanction

Seven items, which served as examples of violations of the 4th, 5th and 6th Amendments, were posed to respondents. They were designed to measure the students' perceived level of sanction against various criminal justice agents who engaged in behavior that resulted in a wrongful conviction. Among the items, three examined police behaviors (illegal search, planting evidence, and coerced confessions); two aimed at prosecutorial behaviors (withholding exculpatory evidence and overzealous prosecution), and one item each focused on defense attorneys (fail to zealously represent) and judges (consistent overruling of defense). For all items, participants were given four options: no sanctions (0); limited punitive sanctions – administrative leave and retaining (1); moderately punitive sanctions – disbarment or firing (2); and extremely punitive sanctions – disbarment or firing and criminal charges filed (3).

Table 2 provides the overall sample means and standard deviations for the survey items by category.

Analysis

Descriptive statistics of the sample were gathered with regard to demographics and also general knowledge of wrongful convictions (see Table 1). Of those students surveyed, 11% (n=36) have taken or were currently taking a course on wrongful convictions at the time the survey was administered.

Table 1. Demographics

	M (range)	N (%)
Sex		
Male		169 (52.6%)
Female		152 (47.4%)
Race		
Caucasian		271 (84.4%)
African American		26 (8.1%)
Other		24 (7.5%)
Age	21.7 (18-56)	
Major		
Criminal Justice		256 (78.5%)
Non-Criminal Justice		70 (21.5%)
University Year		
Underclassmen (1 st & 2 nd Year)		111 (33.9%)
Upperclassmen (3 rd Year +)		211 (64.6%)
Wrongful conviction course exposure		36 (11.0%)
Wrongful convictions is a problem in the US		121 (37.0%)
Knowledge of Innocence Project existence		121 (37.2%)

Bivariate statistics were used to assess student knowledge of wrongful convictions, perceptions regarding compensation and assistance for those wrongfully convicted, as well as perceived sanctions for criminal justice agents involved in wrongful convictions. Comparison of means was used to determine any significant differences by major (criminal justice versus non-criminal justice) and university year (1st and 2nd year students (33.9%) and 3rd year and beyond (57.1%) and are reported below.

Results

Knowledge of Wrongful Convictions Issues

Table 2 provides the comparison of means by major. As demonstrated, there are no significant differences in undergraduate student knowledge of the issues. Regardless of major, college students seem to have similar knowledge of issues related to wrongful convictions. Table 3, however, provides a host of differences between undergraduates in their first and second years (underclassmen) and those who are considered at least a third-year student (upperclassmen). Whereas no statistically significant differences were found between criminal justice and non-criminal justice majors, upperclassmen agreed more than underclassmen that eyewitnesses are fallible, false and coerced confessions occur, police tunnel vision happens, along with premature arrests due to public pressure. Upperclassmen also agreed plea bargains occur due to fear of being found guilty of a serious crime they did not commit, ineffective defense and being of lower socioeconomic status contributes to wrongful convictions. The areas listed were found to be statistically significant between groups ($p \leq .05$).

Table 2. Knowledge of Wrongful Convictions Issues – By Major

Theme	Major	N	Wrongful Convictions Question			
			M	SD		
Fallibility of Hard Evidence	CJ	249	Eyewitnesses are rarely wrong.			
			3.81	1.00	Non-CJ	74
					3.86	0.98
			No one would confess to a crime they did not commit.			
			3.92	1.01		
Police Behavior	CJ	247	DNA evidence cannot be misinterpreted.			
			3.42	1.11	Non-CJ	75
					3.47	1.14
			I believe that police interrogations sometimes result in a person confessing to a crime that they did not commit.			
			4.06	0.85		
Prosecution & Defense	CJ	248	Sometimes the police focus on one suspect so much that the true perpetrator goes undetected.			
			4.21	0.72	Non-CJ	75
					4.23	0.75
			Sometimes police officers arrest a suspect prematurely due to public pressure to solve the crime.			
			4.06	0.70		
Social Group Discrimination	CJ	248	Prosecutors sometimes withhold evidence to ensure they get a conviction.			
			3.73	0.87	Non-CJ	75
					3.72	1.06
			It is the prosecutor's job to get a conviction.			
			2.56	1.13		
Fallibility of Hard Evidence	CJ	249	Prosecutors should be allowed to make deals with criminals in exchange for their testimony against someone else.			
			2.67	1.03	Non-CJ	75
					2.73	0.99
			If someone confesses to their cell mate while in jail, this information should be allowed in court.			
			2.45	1.06		
Police Behavior	CJ	249	I think some people are so afraid of being found guilty of a serious crime they did not commit that they plead guilty to a less serious crime (plea-bargain), even if they did not commit that crime either.			
			4.18	0.78	Non-CJ	75
					4.27	0.62
			Ineffective defense counsel contributes to wrongful convictions.			
			4.05	0.70		
Prosecution & Defense	CJ	249	Poor defendants are more likely to be wrongly convicted than rich defendants.			
			4.15	0.89	Non-CJ	75
					4.25	0.87
			If Black defendants are more likely to be wrongfully accused, it is because			
			3.31	1.12		
Social Group Discrimination	CJ	248	Black people are more likely to be criminals.			
			3.40	1.19	Non-CJ	75
					4.05	0.85
			I believe that racial prejudice and stereotypes may influence jury members to wrongly convict ethnic minority defendants.			
			4.05	0.85		
Prosecution & Defense	CJ	248	I believe that racial prejudice and stereotypes may influence jury members to wrongly convict ethnic minority defendants.			
			4.16	0.74	Non-CJ	75

Note: *p <.05; **p<.01; ***p<.001

Table 3. Knowledge of Wrongful Convictions Issues – By University Year

Theme	University Year	Wrongful Convictions Question		
		N	M	SD
Fallibility of Hard Evidence	1st & 2nd Year	109	3.50	1.00 ^{***}
	3rd+ Year	211	3.99	0.96
	1st & 2nd Year	109	3.60	1.08 ^{***}
	3rd+ Year	212	4.14	0.87
	1st & 2nd Year	107	3.39	1.03
	3rd+ Year	212	3.46	1.17
Police Behavior	1st & 2nd Year	109	3.85	0.90 ^{**}
	3rd+ Year	210	4.17	0.80
	1st & 2nd Year	109	4.03	0.80 ^{**}
	3rd+ Year	212	4.31	0.67
	1st & 2nd Year	108	3.86	0.72 ^{***}
	3rd+ Year	212	4.21	0.70
Prosecution & Defense	1st & 2nd Year	108	3.74	0.73
	3rd+ Year	212	3.72	0.99
	1st & 2nd Year	107	2.29	0.97 [*]
	3rd+ Year	211	2.62	1.16
	1st & 2nd Year	109	2.53	0.99
	3rd+ Year	212	2.74	1.03
	1st & 2nd Year	109	2.51	1.04
	3rd+ Year	212	2.47	1.08
	1st & 2nd Year	109	4.07	0.69 [*]
	3rd+ Year	212	4.28	0.77
1st & 2nd Year	109	3.90	0.69 [*]	
3rd+ Year	211	4.11	0.74	
Social Group Discrimination	1st & 2nd Year	109	3.95	1.00 ^{**}

3rd+ Year	211	4.28	0.81
If Black defendants are more likely to be wrongfully accused, it is because			
1st & 2nd Year	109	3.21	1.12
Black people are more likely to be criminals.			
3rd+ Year	212	3.41	1.12
I believe that racial prejudice and stereotypes may influence jury members			
1st & 2nd Year	109	4.04	0.87
to wrongly convict ethnic minority defendants.			
3rd+ Year	211	4.09	0.80

Note: *p ≤.05; **p≤.01; ***p≤ .001

Attitudes on Compensation and Assistance

Table 4 provides the comparison of means by major related to compensation and assistance. The area where a significant difference was found between criminal justice and non-criminal justice majors was the maximum total compensation limit. Criminal justice majors agreed less than non-criminal justice majors that there should be a maximum amount of total compensation.

Differences between underclassmen and upperclassmen provided additional information (see Table 5). Upperclassmen agreed more than underclassmen that state laws should be in place to assist with financial compensation for wrongfully convicted persons, as well as the need for greater compensation for time spent on death row and on the sex offender registry, reentry assistance and record expungement for those wrongfully convicted; while they disagreed more on imposing compensation limitations and disqualifications from compensation if a guilty plea was entered or appellate rights or post-conviction remedies were waived. The areas listed were found to be statistically significant between groups (p ≤ .05).

Table 4. Attitudes on Compensation & Assistance– By Major

Compensation & Assistance Questions				Major
N	M	SD		
The wrongfully convicted should be financially compensated				CJ
249	4.25	1.82		
75	4.35	0.69		Non-CJ
There should be state laws in place to assist those who are wrongfully convicted to be financially compensated.				CJ
249	4.26	0.81		
			Non-CJ	75 4.27 0.72
Financial compensation for the wrongfully convicted should start at \$50,000 for every year the exonerated spent in prison?				CJ
249	3.38	1.07		
75	3.36	1.10		Non-CJ
Additional compensation, beyond a set amount per year, should be provided to :				
Those who spent time on death row				CJ
248	3.79	0.98		
			Non-CJ	75 3.80 1.07
Those who spent time on parole.				CJ
248	2.99	0.95		
			Non-CJ	74 3.18 1.03
registry.				CJ
			Non-CJ	249 3.68 1.05
Those who spent time on a sex offender				Non-CJ
74	3.66	1.09		

There should be a maximum total compensation limit.					CJ
	249	3.45	1.15**		
					Non-CJ
	74	3.89	1.08		
Wrongfully convicted persons should receive reentry assistance (e.g., employment assistance and training, education assistance, counseling, and medical services).	249	4.38	0.71		CJ
	74	4.51	0.58		Non-CJ
Wrongfully convicted persons' criminal record should be expunged immediately upon their exoneration.	249	4.40	0.80		CJ
	74	4.43	0.85		Non-CJ
A separate hearing should be held to expunge the criminal record for wrongfully convicted persons.	249	3.62	1.17		CJ
	74	3.55	1.26		Non-CJ
Wrongfully convicted persons should be disqualified from receiving compensation:					
If they have a prior felony conviction.	249	2.85	1.03		CJ
	74	2.92	1.06		Non-CJ
If they commit a subsequent felony.	248	3.23	1.02		CJ
	74	3.36	1.00		Non-CJ
If they entered a guilty plea.	249	2.49	0.97		CJ
	74	2.57	0.99		Non-CJ
If they waived appellate rights or post-conviction remedies.	249	2.67	0.96		CJ
	74	2.76	0.98		Non-CJ

Note: *p ≤.05; **p≤.01; ***p≤.001

Table 5. Attitudes on Compensation & Assistance– By University Year

Compensation & Assistance Questions							
	University Year	N	M	SD			
The wrongfully convicted should be financially compensated					1st	&	
2nd Year	109	4.11	0.84				
Year	212	4.37	0.72		3rd+		
There should be state laws in place to assist those who are wrongfully convicted to be financially compensated.					1st	&	
2nd Year	109	4.08	0.85**				
3rd+ Year	212	4.35	0.74				
Financial compensation for the wrongfully convicted should start at \$50,000 for every year the wrongfully convicted spent in prison?					1st	&	
2nd Year	109	3.27	1.09				
Year	212	3.43	1.06		3rd+		

Additional compensation, beyond a set amount per year, should be provided to :								
				Those who spent time on death row.				1st &
2nd Year	108	3.54	1.05***				3rd+	
Year	212	3.93	0.94					
				Those who spent time on parole.				1st &
2nd Year	108	3.06	0.97				3rd+	
Year	212	3.02	0.97					
				Those who spent time on a sex offender registry.				1st &
2nd Year	109	3.50	1.03*				3rd+	
Year	212	3.78	1.05					
There should be a maximum total compensation limit.							1st &	
2nd Year	109	3.73	1.02*				3rd+	
Year	212	3.45	1.20					
Wrongfully convicted persons should receive reentry assistance (e.g., employment assistance and training, education assistance, counseling, and medical services).							1st & 2nd Year	
2nd Year	109	4.26	0.83*				3rd+	
Year	212	4.50	0.78					
Wrongfully convicted persons' criminal record should be expunged immediately upon their exoneration.							1st &	
2nd Year	109	4.20	0.83***				3rd+	
Year	212	4.53	0.78					
A separate hearing should be held to expunge the criminal record for wrongfully convicted persons.							1st &	
2nd Year	109	3.76	1.05				3rd+	
Year	212	3.50	1.26					
Wrongfully convicted persons should be disqualified from receiving compensation:								
				If they have a prior felony conviction.				1st &
2nd Year	109	3.00	0.99				3rd+	
Year	212	2.78	1.05					
				If they commit a subsequent felony.				1st & 2nd Year
2nd Year	108	3.24	0.90				3rd+	
Year	212	3.27	1.08					
				If they entered a guilty plea.				1st &
2nd Year	109	2.69	0.85*				3rd+	
Year	212	2.40	1.02					
				If they waived appellate rights or post-conviction remedies.				1st &
2nd Year	109	2.96	0.86***				3rd+	
Year	212	2.54	0.98					

Note: * $p \leq .05$; ** $p \leq .01$; *** $p \leq .001$

Perceived Level of Sanction

Lastly, perceived level of sanction against various criminal justice agents whose actions resulted in a wrongful conviction was analyzed by major and university year (see Tables 6 and 7). When examined by major (Table 6), non-criminal justice majors were more punitive than criminal justice majors towards police behavior that violated the 4th (illegal searches) and 5th Amendments (coerced confession). Upperclassmen were more punitive towards police behavior that violated the 4th (planting evidence) and 5th Amendments (coerced confession), as well as prosecutors who withheld exculpatory evidence (see Table 7).

Table 6. Level of Perceived Sanctions – By Major

Theme	Violation Questions				
Major	N	M	SD		
4 th Amendment Violation	246	1.89	0.79*	Police who knowingly violate the 4th Amdt (illegal search)	CJ
				that results in a wrongful conviction.	
				Non-CJ	73 2.12 0.82
5 th Amendment Violation	246	1.98	0.80*	Police who knowingly violate the 4th Amdt (plant evidence)	CJ
				that results in a wrongful conviction.	
				Non-CJ	74 2.76 0.52
Prosecutorial Misconduct	246	2.37	0.69	Police who knowingly violate the 5th Amdt (coerced confession)	CJ
				that results in a wrongful conviction.	
				Non-CJ	72 2.24 0.76
Defense	245	1.74	0.79	Prosecutors who knowingly withhold exculpatory evidence	CJ
				that results in a wrongful conviction.	
				Non-CJ	73 2.52 0.67
Judges	243	1.85	0.81	Prosecutors who overzealously seek convictions that result in wrongful convictions.	CJ
				that results in a wrongful conviction.	
				Non-CJ	73 1.97 0.83
Defense	245	1.74	0.79	Defense attorney who fail to represent their client zealously	CJ
				that results in a wrongful conviction.	
				Non-CJ	74 1.81 0.92

Note: *p ≤.05; **p≤.01; ***p≤ .001

Table 7. Level of Perceived Sanctions – By University Year

Theme	Violation Questions				
University Year	N	M	SD		
4 th Amendment Violation	107	1.98	0.79	Police who knowingly violate the 4th Amdt (illegal search)	1st & 2nd Year
				that results in a wrongful conviction.	3rd+ Year
				210	1.91 0.81
5 th Amendment Violation	107	1.88	0.76*	Police who knowingly violate the 4th Amdt (plant evidence)	1st & 2nd Year
				that results in a wrongful conviction.	3rd+ Year
				107	2.55 0.66*
Prosecutorial Misconduct	107	2.23	0.73***	Police who knowingly violate the 5th Amdt (coerced confession)	1st & 2nd Year
				that results in a wrongful conviction.	3rd+ Year
				211	2.72 0.55
Defense	106	1.75	0.86	Prosecutors who knowingly withhold exculpatory evidence	1st & 2nd Year
				that results in a wrongful conviction.	3rd+ Year
				210	2.50 0.64
Judges	104	1.89	0.84	Prosecutors who overzealously seek convictions that result in wrongful convictions.	1st & 2nd Year
				that results in a wrongful conviction.	3rd+ Year
				210	1.88 0.82
Defense	106	1.75	0.86	Defense attorney who fail to represent their client zealously	1st & 2nd Year
				that results in a wrongful conviction.	3rd+ Year
				211	1.76 0.79

Note: *p ≤.05; **p≤.01; ***p≤ .001

Discussion

This research set out to understand student knowledge of wrongful convictions issues, and to assess undergraduate perception of compensation and assistance to exonerees, as well as a perceived level of sanction against criminal justice agents whose behaviors impacted a case negatively resulting in a wrongful conviction.

It was hypothesized that criminal justice students would be more knowledgeable concerning factors that contribute to wrongful convictions. Overall, our data is unable to support this claim. There were very limited statistically significant differences when comparisons were made of criminal justice majors and noncriminal justice majors. Analysis demonstrates that major was not as impactful as university year with regard to knowledge about wrongful convictions issues. The latter hypothesis did provide significant results in various areas. Differences were seen between upper- and lower-classmen in the fallibility of eyewitness identification, potential false confessions, police interrogation methods, potential tunnel vision by law enforcement, public pressure for an arrest, ineffective counsel, the role plea bargains play in a conviction and the socio-economics of the alleged offender with upperclassmen agreeing more with those statements and factors contributing to a wrongful or erroneous conviction. Additionally, upperclassmen were more in agreement for state laws regarding financial compensation with more compensation for those who spent time on death row and the sex offender registry. They also agreed reentry assistance should be available and record expungement should occur immediately to exonerees. This may speak to students' exposure to the topic of wrongful convictions or related issues and factors within coursework (e.g., wrongful conviction issues, Constitutional violations, police & prosecutorial misconduct, and reentry assistance & compensation). Alternately, underclassmen (e.g., 1st and 2nd year students) may reflect more of a negative view or not fully appreciate the related issues of wrongfully convicted persons as evidenced by their agreement with limitations and disqualification for compensation under certain circumstances.

Results indicated non-criminal justice majors' perceived sanctions were more punitive for Constitutional violations with regard to illegal searches and coerced confessions. A potential explanation could be that criminal justice students relate to law enforcement efforts and the idea of "good faith." Upperclassmen were more punitive in sanctions with regard to planting of evidence, withholding exculpatory evidence and coerced confessions. These areas may be seen as more serious in their intent and clear potential for a miscarriage of justice. Additionally, potentially due to the perceived egregious actions of those whose job is uphold the law and seek justice, criminal justice majors were more likely to disagree that a maximum compensation limit be implemented. Overall, academic progression within criminal justice may allow for knowledge and exposure to the implications of serious Constitutional violations committed by criminal justice agents and the need for remedies.

As with most research, this study is not without its limitations. It is a cross-sectional survey administered to a convenience sample of students at a public university. While results are not generalizable to the larger population, it does provide an exploratory analysis of criminal justice student knowledge within the major and among its undergraduate population. Further studies should attempt greater understanding of knowledge, especially as these results differ from the original Canadian undergraduate sample of criminal justice and non-criminal justice majors (see Bell, Cloward and Ricciardelli, 2008). Additionally, studies should determine the utility of a wrongful convictions course versus exposure to wrongful convictions-related information that may be discussed in various criminal justice courses. It would also be beneficial to include other universities from different geographical locations in order to obtain a wider scope of opinions.

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