



NATIONAL INSTITUTE OF JUSTICE

WRONGFUL CONVICTION

WHAT DOES SCIENCE TELL US ABOUT THE CAUSES?



An NIJ-funded study has identified 10 statistically significant case factors that distinguish a wrongful conviction from a “near miss” (a case in which an innocent person charged with a crime was acquitted or had charges dismissed before trial).

The 10 factors that led to a wrongful conviction of an innocent person charged with a crime were:

- A younger person charged with a crime
- A criminal history
- A weak prosecution case
- Prosecution withheld evidence
- Lying by a non-eyewitness
- Unintentional witness misidentification
- Misinterpreting forensic evidence at trial
- A weak defense
- A person charged with a crime offered a family witness
- A “punitive” state culture

This was the first large-scale empirical study of wrongful convictions in the nation. It was funded by the National Institute of Justice and conducted by researchers at American University.

NIJ is the research, development and evaluation agency of the U.S. Department of Justice. NIJ provides objective, independent, evidence-based knowledge and tools to enhance the administration of justice and public safety.

There are many ways to learn about the findings:

► Read a summary

nij.ojp.gov, keyword: “wrongful conviction”

► *Research for the Real World* — Watch and listen to the Web-based seminar

<https://nij.ojp.gov/media/video/24066>

At a *Research for the Real World* seminar, the study’s primary researcher, Jon Gould, talked about the findings. He was joined by John Firman, former director of research for the International Association of Chiefs of Police, who talked about implications for law enforcement, including recommendations based on an IACP summit on wrongful convictions.

► Read the full report

<https://www.ojp.gov/pdffiles1/nij/grants/241389.pdf>