



# NATIONAL INSTITUTE OF JUSTICE

# WRONGFUL CONVICTION:

## WHAT DOES SCIENCE TELL US ABOUT THE CAUSES?



A new study has identified 10 statistically significant case factors that distinguish a wrongful conviction from a “near miss” (a case in which an innocent defendant was acquitted or had charges dismissed before trial).

The 10 factors that led to a wrongful conviction of an innocent defendant were:

- A younger defendant
- 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
- Defendant offered a family witness
- A “punitive” state culture

This is 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.

**There are many ways to learn about the findings:**

► **Read a summary**

[NIJ.gov](#), keyword: “wrongful conviction”

► **Watch a video**

<http://nij.ncjrs.gov/multimedia/video-gould.htm>

► **Research for the Real World — Watch and listen to the Web-based seminar, coming in mid-April**

<http://www.nij.gov/events/research-real-world.htm>

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, director of research for the International Association of Chiefs of Police, who talked about implications for law enforcement, including recommendations based on a recent IACP summit on wrongful convictions.

► **Read the full report**

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

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