

What are wrongful convictions?

When a person is convicted of a crime they did not commit, it is a wrongful conviction.

These are cases of **actual innocence**.

DNA testing has scientifically proven the innocence of over 360 people convicted for crimes they did not commit.

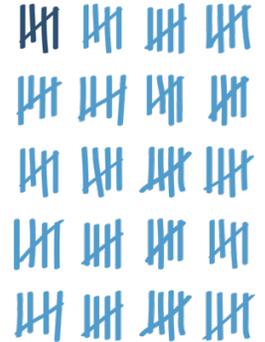


Actual innocence cases magnify flaws in the criminal justice system. By taking steps to remedy and prevent wrongful convictions, we improve the justice system for everyone.

How common is this problem?

Studies suggest 4 – 6% of people incarcerated in US prisons are innocent.

In Georgia, that means over **2,100** people are in prison for crimes that they did not commit.



This estimate does not include people in jail for misdemeanors.

1 of every 18 people in Georgia is under some form of correctional control (the highest rate in the country). How many of those people are innocent?

What factors contribute to wrongful convictions?



Eyewitness
Misidentification



Official
Misconduct



Invalid Forensic
Evidence



Perjury/False
Accusation



False
Confession



Incentivized
Testimony



Inadequate
Defense

Why does it matter?

Wrongful convictions erode faith in the criminal justice system. The original victim never receives justice, and a new, innocent victim is created.

Communities are put at risk when actual perpetrators remain free to commit other crimes.

DNA exonerations identified over 160 actual perpetrators who committed over 150 additional violent crimes (including 35 murders) while the innocent persons were imprisoned.



Did you know innocence is not enough?

You have no constitutional right to release from prison even if scientific evidence definitively proves you did not commit the crime.

There are people sitting in Georgia prisons today despite compelling post-conviction DNA evidence of their innocence.

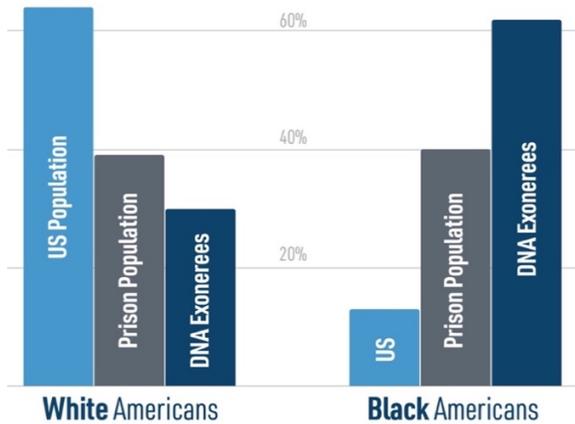
Why? Because past a certain point, our legal system values finality over innocence and truth.

Legislation can change this.



Snapshot: Racial Bias

Wrongful convictions disproportionately affect black Americans, as this chart shows. In addition, 88% of minors later exonerated by DNA testing are black.



Data: US Census Bureau, National Registry of Exonerations

Snapshot: Confirmation Bias

Confirmation bias is the tendency to interpret new information in ways that support one's existing beliefs. It's also called tunnel vision.

In a criminal investigation, this often takes the form of focusing on one suspect to the exclusion of all others.

Confirmation bias can cause police officers to rate evidence that suggests innocence as less relevant or credible than evidence that suggests guilt.



What steps help remedy the problem of wrongful convictions?



Strengthen eyewitness ID legislation



Impose consequences for official misconduct



Enhance standards for forensic testimony



Improve evidence preservation laws



Record all custodial interrogations in their entirety



Disclose witness incentives; corroborate testimony



Reduce public defender caseloads; increase funding

What role do prosecutors play?

Prosecutors hold immense power in our criminal justice system.

Especially when actual innocence is not enough, prosecutors must uphold justice and integrity, not merely uphold convictions.

Our justice system is not perfect. Mistakes will be made.

What matters is how prosecutors respond to those mistakes.



What happens after exoneration?

When a person is exonerated, one struggle ends, and another begins.

Georgia is one of only a few states that has no compensation law for the wrongfully convicted. Exonerates are released from prison with no support from the state, and no social security reserves.

Georgia's exonerates must privately petition the state's legislature for compensation, resulting in amounts and conditions that are often inconsistent.

