

# MISCARRIAGES OF JUSTICE

*Actual Innocence, Forensic Evidence, and the Law*



Brent E. Turvey | Craig M. Cooley



# Miscarriages Of Justice Actual Innocence Forensic Evidence And The Law

**John M. Collins**



## **Miscarriages Of Justice Actual Innocence Forensic Evidence And The Law:**

**Miscarriages of Justice** Brent E. Turvey, Craig M Cooley, 2014-05-19 Miscarriages of justice are a regular occurrence in the criminal justice system which is characterized by government agencies that are understaffed underfunded and undertrained across the board We know this because every week DNA testing and innocence projects across the United States help to identify and eventually overturn wrongful convictions As a result the exonerated go free and the stage is set for addressing criminal and civil liability Criminal justice students and professionals therefore have a need to be made aware of the miscarriage problem as a threshold issue They need to know what a miscarriage of justice looks like how to recognize it s many forms and what their duty of care might be in terms of prevention They also need to appreciate that identifying miscarriages and ensuring legal remedy is an important function of the system that must be honored by all criminal justice professionals The purpose of this textbook is to move beyond the law review casebook and true crime publications that comprise the majority of miscarriage literature While informative they are not designed for teaching students in a classroom setting This text is written for use at the undergraduate level in journalism sociology criminology and criminal justice programs to introduce college students to the miscarriage phenomenon in a structured fashion The language is more broadly accessible than can be found in legal texts and the coverage is multidisciplinary Miscarriages of Justice Actual Innocence Forensic Evidence and the Law focuses on the variety of miscarriages issues in the United States legal system Written by leaders in the field it is particularly valuable to forensic scientists and attorneys evaluating evidence or preparing for trial or appeal in cases where faulty evidence features prominently It is also of value to those interested in developing arguments for miscarriage in post conviction review of criminal cases Chapters focus specifically on issues of law enforcement bias and corruption false confessions ineffective counsel and prosecutorial misconduct forensic fraud and more The book closes by examining innocence projects and commissions and civil remedies for the wrongfully convicted This text ultimately presents the issue of miscarriages as a systemic and multi disciplinary criminal justice issue It provides perspectives from within the professional CJ community and it serves as warning to future professionals about the dangers and consequences of apathy incompetence and neglect Consequently it can be used by any CJ educator to introduce any group of CJ students to the problem Written by practicing criminal justice professionals in plain language for undergraduate students Covers multiple perspectives across the criminal justice system Informed by experience working for Innocence Projects across the United States to achieve successful exonerations Topical case examples to facilitate teaching and learning Companion website featuring Discussion topics Exam questions and PowerPoint slides <http://textbooks.elsevier.com/web/Manuals.aspx?isbn=9780124115583>

**The Expert Witness, Forensic Science, and the Criminal Justice Systems of the UK** S. Lucina Hackman, Fiona Raitt, Sue Black, 2019-04-24 The global nature of crime often requires expert witnesses to work and present their conclusions in courts outside their home jurisdiction with the corresponding need for them to have an understanding of

the different structures and systems operating in other jurisdictions This book will be a resource for UK professionals as well as those from overseas testifying internationally as to the workings of all UK jurisdictions It also will help researchers and students to better understand the UK legal system     **Miscarriages of Justice in Canada** Kathryn M.

Campbell,2018-06-12 Innocent people are regularly convicted of crimes they did not commit A number of systemic factors have been found to contribute to wrongful convictions including eyewitness misidentification false confessions informant testimony official misconduct and faulty forensic evidence In *Miscarriages of Justice in Canada* Kathryn M Campbell offers an extensive overview of wrongful convictions bringing together current sociological criminological and legal research as well as current case law examples For the first time information on all known and suspected cases of wrongful conviction in Canada is included and interspersed with discussions of how wrongful convictions happen how existing remedies to rectify them are inadequate and how those who have been victimized by these errors are rarely compensated Campbell reveals that the causes of wrongful convictions are in fact avoidable and that those in the criminal justice system must exercise greater vigilance and openness to the possibility of error if the problem of wrongful conviction is to be resolved     *True Crime and the Justice of God* Vasko, Elisabeth T.,Ferrara, Lyndsie,2022-04-20 Utilizing the tools of forensic science and Christian

theological ethics this book resituates prominent criminal cases within their social and forensic contexts     **Detecting Malinger and Deception** Harold V. Hall,Joseph Poirier,2020-06-03 Detecting Malinger and Deception Forensic Distortion Analysis FDA 5 Third Edition maintains the tradition of the prior two editions following the Forensic Distortion Analysis FDA model Fully updated since the last edition nearly 20 years ago the book continues to serve as a comprehensive volume on deception and distortion in forensic clinical and several specialized contexts As with the previous editions the book presents a model of deception intended to be utilized and applied by the qualified evaluator The proposed model covers targets of the faker response styles shown and methods to detect the deception The goal is to summarize the historical and latest information on distortion detection to present guidelines for detecting deception that include variable accuracy rates based on different detection techniques and to stimulate further research of effective methods of deception detection Recommendations and guidelines for the practicing clinician are offered throughout the book including real world cases to inform and enlighten particularly in unique cases or those in which the certain outcomes are unexpected Key Features Outlines the role of the forensic professional in applying and integrating methods assessment in deception and distortion Provides base rates for deception related behavior and events especially useful in report writing or courtroom testimony as an expert witness Presents the latest advances in methodology and technology to assist in the search for ground truth in applied settings and situations Applies forensic distortion analysis to evaluate the deception related findings and statements of other professionals involved in a particular case New coverage includes sections on deception analysis for collectivities including media groups contemporary politics cross national corporations conflict and terrorism Detecting Malinger and

Deception incorporates the latest research providing practical application to utilize information and evaluative methods as they pertain to deception related settings and situations Sample reports and extensive graphs tables charts and histograms are provided and every chapter has been updated with new studies and investigations The Third Edition boasts several new chapters and updated working appendices of coverage to expand the exploration of deception addressing advances in the field and our current understanding of the phenomenon

**Wrongful Convictions and Miscarriages of Justice** C. Ronald Huff, Martin Killias, 2013-03-05 This innovative work builds on Huff and Killias earlier publication 2008 but is broader and more thoroughly comparative in a number of important ways 1 while focusing heavily on wrongful convictions it places the subject of wrongful convictions in the broader contextual framework of miscarriages of justice and provides discussions of different types of miscarriages of justice that have not previously received much scholarly attention by criminologists 2 it addresses in much greater detail the questions of how and how often wrongful convictions occur 3 it provides more in depth consideration of the role of forensic science in helping produce wrongful convictions and in helping free those who have been wrongfully convicted 4 it offers new insights into the origins and current progress of the innocence movement as well as the challenges that await the exonerated when they return to free society 5 it assesses the impact of the use of alternatives to trials especially plea bargains in the U S and summary proceedings and penal orders in Europe in producing wrongful convictions 6 it considers how the U S and Canada have responded to 9 11 and the increased threat of terrorism by enacting legislation and adopting policies that may exacerbate the problem of wrongful conviction and 7 it provides in depth considerations of two topics related to wrongful conviction voluntary false confessions and convictions which although technically not wrongful since they are based on law violations represent another type of miscarriage of justice since they are due solely to unjust laws resulting from political repression

*Practicing Forensic Criminology* Kevin Fox Gotham, Daniel Bruce Kennedy, 2019-05-29 Practicing Forensic Criminology draws on examples from actual court cases and expert witness reports and testimony to demonstrate the merits and uses of substantive criminological knowledge in the applied setting of civil law and the courts Throughout the book the authors provide a highly readable informative discussion of how forensic criminologists can apply their research and teaching skills to assist judges and juries in rendering legal decisions Engaging and lively the chapters include excerpts from forensic criminological investigations in depth discussions of the methodological and analytical bases of these investigations and important lessons learned from real litigation cases Case examples are drawn from the forensic realms of premises liability administrative negligence workplace violence wrongful conviction litigation and litigation involving police departments and corrections facilities Well referenced and thoroughly researched Practicing Forensic Criminology serves as an introduction to the vast and heterogeneous field of forensic social science that is rapidly changing and expanding This unique and original book guides readers through the research work of expert witnesses working as consultants researchers and crime analysts and investigators Offering expert criminological

insights into litigation cases the chapters reveal how forensic social science research can be an effective mechanism for reaching beyond the academy to influence public policy reform and legal proceedings Practicing Forensic Criminology will appeal to a diverse audience including social scientists criminal justice students and researchers expert witnesses attorneys judges and students of judicial proceedings seeking to understand the value and impact of criminology in the civil court system Introduces readers to the impact of evidence based criminological theory and forensic social science investigations in the legal system Demonstrates the usefulness of forensic criminology as a research tool revealing novel relational dynamics among crime events and the larger socio spatial context Advances the development of a translational criminology i e the translation of knowledge from criminological theory and research to forensic practice as an expedient to forming robust interactive relationships among criminological social scientists and policy makers *Inside the Cell* Erin E.

Murphy, 2015-10-06 a version less likely to play out on dramatic television shows In *Inside the Cell* Erin Murphy shows how DNA typing can be subject to misuse mistake and error and lead to a police state run amok Murphy shows the perils of a society in which stop and frisk becomes stop and spit or in which police pose undercover to get a DNA sample from your discarded lunch Already police can collect DNA when making an arrest sometimes before charging a person with a crime The government is building a massive DNA database stockpiling samples from as much as a third of the male population and the laws regulating what they can and cannot do with them are weak Murphy shows how this invites the riskiest kind of genetic surveillance imaginable Just because DNA testing is good science does not mean that it is foolproof Faulty forensic science is the number two factor leading to wrongful conviction and yet we have done little to improve the use of science in criminal justice *Wrongful Convictions and Miscarriages of Justice* C. Ronald Huff, Martin Killias, 2013 This innovative work builds on Huff and Killias earlier publication 2008 but is broader and more thoroughly comparative in a number of important ways 1 while focusing heavily on wrongful convictions it places the subject of wrongful convictions in the broader contextual framework of miscarriages of justice and provides discussions of different types of miscarriages of justice that have not previously received much scholarly attention by criminologists 2 it addresses in much greater detail the questions of how and how often wrongful convictions occur 3 it provides more in depth consideration of the role of forensic science in helping produce wrongful convictions and in helping free those who have been wrongfully convicted 4 it offers new insights into the origins and current progress of the innocence movement as well as the challenges that await the exonerated when they return to free society 5 it assesses the impact of the use of alternatives to trials especially plea bargains in the U S and summary proceedings and penal orders in Europe in producing wrongful convictions 6 it considers how the U S and Canada have responded to 9 11 and the increased threat of terrorism by enacting legislation and adopting policies that may exacerbate the problem of wrongful conviction and 7 it provides in depth considerations of two topics related to wrongful conviction voluntary false confessions and convictions which although technically not wrongful since they are based on law

violations represent another type of miscarriage of justice since they are due solely to unjust laws resulting from political repression

**Technologies of Human Rights Representation** Alexandra S. Moore, James Dawes, 2022-02-01 The speed of technological development from cell phones to artificial intelligence opens up exciting new opportunities for promoting human flourishing It also raises grave risks threatening not only personal privacy and dignity but also our collective survival Technologies of Human Rights Representation brings together three fields of research critical to securing our future changing technologies human rights and representation For each of these fields this book asks key questions How can we open the black box of technological advances so that we can more fully understand their effects upon our lives What can we do to make sure that these effects align with the values of human rights And how does the way we talk about technology and rights from military reports and corporate marketing to human rights reports and poetry amplify or diminish our capacity both to understand and to control what happens next Contributors from anthropology communications criminology global studies law literary and cultural studies and women and gender studies bring diverse methodological approaches to these crucial questions

**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      *Forensic Victimology* Brent E. Turvey, 2013-08-08 Published in 2009 the first edition of *Forensic Victimology* introduced criminologists and criminal investigators to the idea of systematically gathering and examining victim information for the purposes of addressing investigative and forensic issues The concepts presented within immediately proved vital to social scientists researching victims offender relationships investigators and forensic scientists seeking to reconstruct events and establish the elements of a crime and criminal profilers seeking to link pattern crimes This is because the principles and guidelines in *Forensic Victimology* were written to serve criminal investigation and anticipate courtroom testimony As with the first this second edition of *Forensic Victimology* is an applied presentation of a traditionally theoretical subject written by criminal justice practitioners with years of experience both in the field and in the classroom It distinguishes the investigative and forensic aspects of applied victim study as necessary adjuncts to what has often been considered a theoretical field It then identifies the benefits of forensic victimology to casework providing clearly defined methods and those standards of practice necessary for effectively serving the criminal justice system 30% new content with new chapters on Emergency Services False Confessions and Human Trafficking Use of up to date references and case examples to demonstrate the application of forensic victimology Provides context and scope for both the investigative and forensic aspects of case examination and evidence interpretation Approaches the study of victimology from a realistic standpoint moving away from stereotypes and archetypes Useful for students and professionals working in relation to behavioral science criminology criminal justice forensic science and criminal investigation      *Counter-terrorism, Constitutionalism and Miscarriages of Justice* Genevieve Lennon, Colin King, Carole McCartney, 2018-11-01 The purpose of this book is to honour the influential and wide ranging work of Professor Clive Walker It explores Professor Walker s influence from three perspectives Firstly it provides a historical reflection upon the development of the law and policy in relation to counter terrorism and miscarriages of justice since the 1970s This historical perspective which is often overlooked is particularly timely 17 years after 9 11 as trends become clearer and historical perspective even more valuable So too with miscarriages of justice while there was considerable public and political scrutiny following high profile miscarriages such as the Birmingham Six Guildford Four and others in the early 1990s today there is much less scrutiny despite significant concern relating to issues such as legal aid and access to justice increasing the potential if not likelihood for miscarriages to occur By including a critical historical perspective this book enables us to learn lessons from the past and to minimise contemporary risks of miscarriages of justice Secondly this book provides a critical analysis of the law and policy as it stands today and its future trajectory Applying Walker s theoretical and analytical contributions to the field the authors focus on pressing contemporary concerns identifying lacunae where relevant as well as the possible probable and preferable future trends Finally the book celebrates and recognises the significant contributions by Walker with each chapter built around one or more of Walker s key works      **Crime Lab Report** John M.



Collins,2019-09-17 Crime Lab Report compiles the most relevant and popular articles that appeared in this ongoing periodical between 2007 and 2017 Articles have been categorized by theme to serve as chapters with an introduction at the beginning of each chapter and a description of the events that inspired each article The author concludes the compilation with a reflection on Crime Lab Report the retired periodical and the future of forensic science as the 21st Century unfolds Intended for forensic scientists prosecutors defense attorneys and even students studying forensic science or law this compilation provides much needed information on the topics at hand Presents a comprehensive look behind the curtain of the forensic sciences from the viewpoint of someone working within the field Educates practitioners and laboratory administrators providing talking points to help them respond intelligently to questions and criticisms whether on the witness stand or when meeting with politicians and or policymakers Captures an important period in the history of forensic science and criminal justice in America      **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      **Silence and Confessions** S.

Easton,2014-10-29 This book examines the treatment of suspects in interrogation and explores issues surrounding the right to silence Employing a socio legal approach it draws from empirical research in the social sciences including social psychology to understand the problem of obtaining reliable evidence during interrogation      **Forensic Science and the**

**Administration of Justice** Kevin J. Strom,Matthew J. Hickman,2014-04-04 Uniting forensics law and social science in meaningful and relevant ways Forensic Science and the Administration of Justice by Kevin J Strom and Matthew J Hickman is structured around current research on how forensic evidence is being used and how it is impacting the justice system This unique book written by nationally known scholars in the field includes five sections that explore the demand for forensic services the quality of forensic services the utility of forensic services post conviction forensic issues and the future role of forensic science in the administration of justice The authors offer policy relevant directions for both the criminal justice and forensic fields and demonstrate how the role of the crime laboratory in the American justice system is evolving in concert with technological advances as well as changing demands and competing pressures for laboratory resources      *The*

*Innocent and the Criminal Justice System* Michael Naughton,2013-06-11 The Innocent and the Criminal Justice System examines competing perspectives on and definitions of miscarriages of justice to tackle these questions and more in this critical sociological examination of innocence and wrongful conviction This book Is the first book of its kind to cover wrong convictions from definition and causation to the limits of redress Provides a wealth of case studies and statistics to apply

theoretical discussions of the criminal justice system to real life situations Discusses ideas and challenges that are highly relevant to current political and social debates Elegantly written by a leading expert in the field this book is essential reading for students of criminology criminal justice and law looking to understand the workings of the criminal justice system and how it can fail the innocent      *Forensic Criminology* Wayne Petherick,Brent E. Turvey,Claire E. Ferguson,2009-07-30

Forensic Criminology gives students of criminology and criminal justice an introduction to the forensic realm and the applied forensic issues they will face when working cases within the justice system It effectively bridges the theoretical world of social criminology with the applied world of the criminal justice system While most of the competing textbooks on criminology adequately address the application and the social theory to the criminal justice system the vast majority do not include casework or real world issues that criminologists face This book focuses on navigating casework in forensic contexts by case working criminologists rather than broad social theory It also allows criminology criminal justice instructors outside of the forensic sciences the ability to develop and instruct a core course that might otherwise be considered beyond their expertise or in conflict with forensic courses taught in chemistry biology or medical programs at their institutions because of its focus on criminology and criminal justice careers With its practical approach this textbook is well suited for forensic criminology subjects being taught and developed in law criminology and criminal justice programs around the world Approaches the study of criminology from an applied standpoint moving away from the purely theoretical Contains relevant and contemporary case examples to demonstrate the application of forensic criminology Provides an integrated philosophy with respect to criminology forensic casework criminal investigations and the law Useful for students and professionals in the area of criminology criminal justice criminal investigation forensic science and the law      *Courts* Cassia Spohn,Craig Hemmens,2011-11-09

Authored text sections and carefully selected accompanying readings that illustrate the questions and controversies legal scholars and court researchers are investigating in the 21st century Edited readings introduce students to classic studies of the criminal court system and to cutting edge research on decision making by court actors An introduction to each reading gives students an overview of the purpose main points and conclusion of each article and evaluates their policy implications How to Read a Research Article tied to the first reading in the book guides students in understanding and learning from the research articles Mini chapters precede the selection of readings and offer clear and concise explanations of key terms and concepts in each section coupled with boxes with special interest topics and review materials that enhance student comprehension

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