

# Prosecutorial Misconduct: Understanding the Impact on Wrongful Convictions

Hannah Cola

Dr. Martha Hurley

## Abstract

Wrongful convictions are a problem in the United States. Factors such as prosecutorial misconduct, racial bias, mistaken eyewitness testimony, and false confessions are said to play a role. This study focuses on prosecutorial misconduct. Research examining prosecutorial misconduct as a factor in wrongful convictions is limited. The results from the content analysis of wrongful conviction cases are presented.

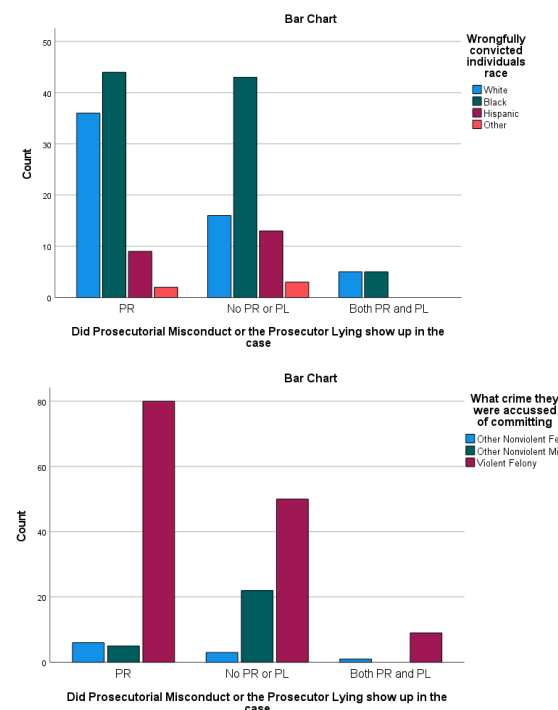
## Highlights from Previous Research

- There are three types of Prosecutor mindsets; Prosecutors move from a rookie to a veteran mindset and the stage they are at has great influence on how they perform their job (Levine & Wright, 2017).
- This emphasizes the Prosecutors cognitive bias which is a bias unknown to the individual based upon life experiences (Burke, 2007). This cognitive bias can result in the Prosecutor making assumptions about an individual without knowing they are doing it and can cause the Prosecutor to be blind to the truth.
- Bryan Stevenson is a black lawyer who started the Equal Justice Initiative in Alabama and works to free inmates on death row, some of which have been wrongfully convicted (Stevenson, 2014).

## Methods

Research Question:

- Does prosecutorial misconduct occurring in wrongful conviction cases vary by age, race, gender, crime, or minority status?
- The data for this study was obtained from The National Registry of Exonerations. The data was coded into SPSS for analyzation purposes.



## Results

- When the chi-square tests were run for age and gender against prosecutorial misconduct, both variables proved not to be significant and therefore failed to reject the nol hypothesis.
- Chi-square tests were run for race and crime against prosecutorial misconduct. However, due to missing data due to a non-occurrence of certain categories and skewness in data, a level of significance cannot be determined.
- A chi-square for the minority variable was run against prosecutorial misconduct and a level of significance was found. The results of the chi-square show that prosecutorial misconduct disproportionately affect minorities versus those who are non-minorities.
- Chi-square= 7.740, p= .021.