



The Impact of Wrongful Convictions: The Facts

Cristal N. Hernandez, M.A.

What are Wrongful Convictions?

A wrongful conviction occurs when a person is convicted of a crime they did not commit. A conviction may be classified as wrongful either because the person convicted is factually innocent of the charges or there were procedural errors that violated the convicted person's rights.[1] Wrongfully convicted individuals suffer emotionally, psychologically, socially, physically, and financially. For example, PTSD, depressive and panic disorders, paranoia, drug/alcohol dependence, and suicidal ideation have all been documented among wrongfully convicted individuals. In addition, those who are wrongfully convicted report suffering physical attacks while incarcerated, losing relationships with those closest to them, and struggling to obtain employment once they are exonerated. Despite the strides that have been made to better understand the scope, contributing factors, and impact of wrongful convictions on wrongfully convicted individuals, to date, little research has assessed the impact of wrongful convictions on victims of the original crimes.[2]

Have you Heard? [3,4]

- Contributing factors to wrongful convictions include eyewitness misidentification, false confessions, coerced pleas, misapplication of forensic science, inadequate defense, and official misconduct.
- An overwhelming majority of wrongfully convicted people are Black and Latinx.
- According to the National Registry of Exonerations, at least 86 Texans' convictions were overturned between 1989-2011.

What are the Consequences?

Although significant strides have been made to identify wrongfully convicted individuals, help them gain their freedom, and transition to life after exoneration, research is still needed to fully understand the experiences and address the needs of the original crime victims during this process.[5] Nonetheless, wrongful convictions matter to crime victims because convicting the wrong person leaves the real perpetrator free to commit more crimes, creates a new, innocent victim, and drains resources that could be devoted to victim services.[6]

How to Support Survivors

Wrongful convictions have a significant impact on the original crime victims, yet there is a notable lack of services available to them. In order to better support survivors, the widespread belief that the criminal legal system is "infallible" needs to be dispelled and society's understanding of wrongful convictions must be improved. Survivors and stakeholders have long stressed the need to expand notification, information, and services for the original crime victims in cases of wrongful conviction. For instance, crime victims are often unfamiliar with the criminal justice system and need information explaining the exoneration process. Additionally, the importance of counseling services in helping crime victims come to terms with the wrongful conviction must also be emphasized.[5]

Resources

Texas

- **Innocence Project of Texas --**
<https://innocencetexas.org/>
- **Exoneree Compensation in Texas (Innocence Project) --**
<https://innocenceproject.org/policies/exoneree-compensation-in-texas/>

National

- **Healing Justice Project --**
<https://healingjusticeproject.org/>
- **Innocence Project --** <https://innocenceproject.org/>

References

- [1]National Institute of Justice. (2024). <https://nij.ojp.gov/topics/justice-system-reform/wrongful-convictions>
- [2]Williamson, E. J., Stricker, J. M., Irazola, S. P., & Niedzwiecki, E. (2016). Wrongful convictions: Understanding the experiences of the original crime victims. *Violence and victims*, 31(1), 155-166.
- [3]The Innocence Project. (2024). https://innocenceproject.org/the-issues/?gad_source=1&gclid=Cj0KCQjwsPCyBhD4ARIsAPaaRf3EKc-IwVoXIA7rm6yHgT0PfsNIR3szV0Fu_9A-d3YqME6E9GzB10aAjNgEALw_wcB
- [4]Texas Tribune. (2024). https://flatpage-archive.texastribune.org/library/data/texas-wrongful-conviction-explorer/?gad_source=1&gclid=Cj0KCQjwsPCyBhD4ARIsAPaaRf0BoeT7IW_ddE6YerbJwTY9F41hHmJ7SKQ7-Lxz0UvSQ_Rt44SSg10aArIhEALw_wcB
- [5]Irazola, S., Williamson, E., Stricker, J., & Niedzwiecki, E. (2014). Addressing the impact of wrongful convictions on crime victims. *NIJ Journal*, 274, 34-38.
- [6]Bishop, J., & Osler, M. (2015). Prosecutors and victims: why wrongful convictions matter. *J. Crim. L. & Criminology*, 105, 1031.

Texas State University System Board of Regents

Duke Austin

Regent
Houston

Russell Gordy

Regent
Houston

Alan L. Tinsley

Chairman
Madisonville

Don Flores

Vice Chairman
El Paso

William F. Scott

Regent
Nederland

Stephen Lee

Regent
Beaumont

Sheila Faske

Regent
Rose City

Tom Long

Regent
Frisco

Charlie Amato

Regent
San Antonio

Kelvin Elgar

Student Regent
Beaumont

Resources

- Texas Abuse Hotline (suspicions of abuse, neglect, and exploitation of children, adults with disabilities, or people 65 +) <https://www.txabusehotline.org/Login/>
800-252-5400
- Texas Council on Family Violence <https://tcfv.org/survivor-resources/>
- Texas Association Against Sexual Assault <https://taasa.org/get-help/>
- National Domestic Violence Hotline 800-799-7233
- National Sexual Assault Hotline 800-656-4673
- National Human Trafficking Hotline 888-373-7888
- Aging and Disability Resource Center 855-937-2372
- Victim Connect Resource Center 855-484-2846
- National Suicide Prevention Lifeline 988