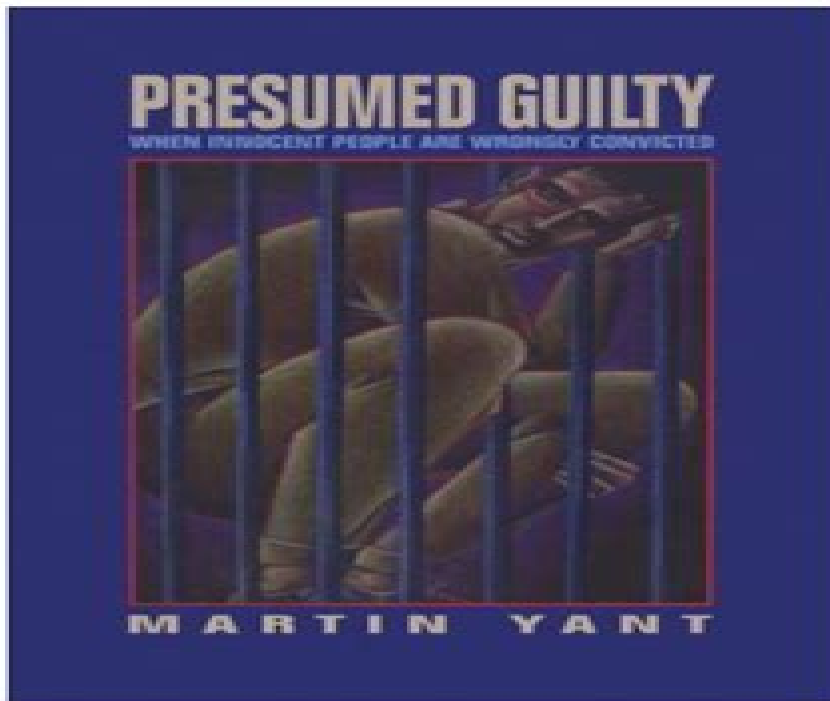


# Presumed Guilty: When Innocent People Are Wrongly Convicted



# Presumed Guilty When Innocent People Are Wrongly Convicted

**Jon B. Gould**



## **Presumed Guilty When Innocent People Are Wrongly Convicted:**

**Presumed Guilty** Martin Yant, 1991 The American judicial system is far too often a source of injustice for the innocent rather than justice for the guilty Despite all the alleged protections built into the trial process a person facing criminal charges is virtually presumed guilty until proven innocent not the reverse Presumed Guilty is about thousands of innocent Americans who each year are convicted of serious crimes they did not commit Many are convicted of crimes that did not even occur Journalist Martin Yant vividly and dramatically explains the process by which American justice is miscarried providing carefully researched details about more than 100 wrongful convictions Yant s writing reveals both passion and frustration as he explains how most mistaken convictions could easily be avoided No criminal justice system is infallible he writes but most errors aren t the result of carefully considered decisions that happen to be wrong He cites examples of outrageous carelessness investigations that conform facts to predetermined theories the use of long discredited investigative techniques rampant prejudice and the desire of police and prosecutors to win convictions at any price even if evidence is fabricated to do so Yant goes on to propose achievable solutions that would not only prevent years of imprisonment for the wrongfully convicted but also save the lives of innocent individuals who face the increasingly used death penalty Presumed Guilty reveals not only how often the American justice system goes awry but how easily and how quickly it is possible to become its victim

Presumed Guilty Martin D. Yant, 2009-12-30 The American judicial system is far too often a source of injustice for the innocent rather than justice for the guilty Despite all the alleged protections built into the trial process a person facing criminal charges is virtually presumed guilty until proven innocent not the reverse Presumed Guilty is about thousands of innocent Americans who each year are convicted of serious crimes they did not commit Many are convicted of crimes that did not even occur Journalist Martin Yant vividly and dramatically explains the process by which American justice is miscarried providing carefully researched details about more than 100 wrongful convictions Yant s writing reveals both passion and frustration as he explains how most mistaken convictions could easily be avoided No criminal justice system is infallible he writes but most errors aren t the result of carefully considered decisions that happen to be wrong He cites examples of outrageous carelessness investigations that conform facts to predetermined theories the use of long discredited investigative techniques rampant prejudice and the desire of police and prosecutors to win convictions at any price even if evidence is fabricated to do so Yant goes on to propose achievable solutions that would not only prevent years of imprisonment for the wrongfully convicted but also save the lives of innocent individuals who face the increasingly used death penalty Presumed Guilty reveals not only how often the American justice system goes awry but how easily and how quickly it is possible to become its victim

**Presumed Guilty: How the Supreme Court Empowered the Police and Subverted Civil Rights** Erwin Chemerinsky, 2021-08-24 An unprecedented work of civil rights and legal history Presumed Guilty reveals how the Supreme Court has enabled racist policing and sanctioned law enforcement excesses through its decisions over the last half

century Police are nine times more likely to kill African American men than they are other Americans in fact nearly one in every thousand will die at the hands or under the knee of an officer As eminent constitutional scholar Erwin Chemerinsky powerfully argues this is no accident but the horrific result of an elaborate body of doctrines that allow the police and crucially the courts to presume that suspects especially people of color are guilty before being charged Today in the United States much attention is focused on the enormous problems of police violence and racism in law enforcement Too often though that attention fails to place the blame where it most belongs on the courts and specifically on the Supreme Court A smoking gun of civil rights research Presumed Guilty presents a groundbreaking decades long history of judicial failure in America revealing how the Supreme Court has enabled racist practices including profiling and intimidation and legitimated gross law enforcement excesses that disproportionately affect people of color For the greater part of its existence Chemerinsky shows deference to and empowerment of the police have been the *modi operandi* of the Supreme Court From its conception in the late eighteenth century until the Warren Court in 1953 the Supreme Court rarely ruled against the police and then only when police conduct was truly shocking Animating seminal cases and justices from the Court s history Chemerinsky who has himself litigated cases dealing with police misconduct for decades shows how the Court has time and again refused to impose constitutional checks on police all the while deliberately gutting remedies Americans might use to challenge police misconduct Finally in an unprecedented series of landmark rulings in the mid 1950s and 1960s the pro defendant Warren Court imposed significant constitutional limits on policing Yet as Chemerinsky demonstrates the Warren Court was but a brief historical aberration a fleeting liberal era that ultimately concluded with Nixon s presidency and the ascendance of conservative and originalist justices whose rulings in *Terry v Ohio* 1968 *City of Los Angeles v Lyons* 1983 and *Whren v United States* 1996 among other cases have sanctioned stop and frisks limited suits to reform police departments and even abetted the use of lethal chokeholds Written with a lawyer s knowledge and experience Presumed Guilty definitively proves that an approach to policing that continues to exalt Dirty Harry can be transformed only by a robust court system committed to civil rights In the tradition of Richard Rothstein s *The Color of Law* Presumed Guilty is a necessary intervention into the roiling national debates over racial inequality and reform creating a history where none was before and promising to transform our understanding of the systems that enable police brutality

*Police Interrogation and American Justice*  
 Richard A. Leo, 2009-09-30 Read him his rights We all recognize this line from cop dramas But what happens afterward In this book Leo sheds light on a little known corner of our criminal justice system the police interrogation An important study of the criminal justice system this book provides interesting answers and raises some unsettling questions

**Claiming Knowledge** Olav Hammer, 2021-11-08 This volume deals with the transformation of unchurched religious creativity in the late modern West It analyzes the ways in which the advance of science globalization and individualism have fundamentally reshaped esoteric religious traditions from theosophy to the New Age This publication has also been published in paperback

please click here for details      **HYPNOSIS, DISSOCIATION, AND ABSORPTION** Marty Sapp, 2015-02-01 This updated edition of Hypnosis Dissociation and Absorption Theories Assessment and Treatment presents the psychological theories and applications of how to use hypnosis with clients who display dissociation absorption fantasy proneness and imaginative capabilities This second edition adds information on the history of Division 30 The Society of Psychological Hypnosis of the American Psychological Association In addition this new edition presents sociophenomenological regression relaxation and other contemporary theories of hypnosis This text discusses the clinical implications of applying hypnosis to several overlapping psychological disorders such as dissociative identity disorder borderline personality disorder somatoform disorder acute stress disorder and posttraumatic stress disorder Applications of eye movement techniques and hypnosis for children are included within this new edition A new section on multicultural applications of hypnosis is presented with applications of hypnosis for African American and Latino patients In addition the uses of hypnosis for pain control anxiety and stress ego strengthening unipolar depression smoking cessation weight loss and rehabilitation are described This text provides treatment transcripts including but not limited to the following theoretical approaches cognitive behavioral psychodynamic Adlerian and Ericksonian This unique and comprehensive book will be of interest to students and professionals in the counseling and psychology fields

**Criminal Justice** Association for Legal and Social Philosophy (Great Britain). Conference, 1995 Content Michael Zander The Austin Lecture Reform of the Criminal Justice System The Report of the Runciman Royal Commission T R S Allan The Concept of Fair Trial Gerry Maher Dialogue and the Criminal Process Richard H S Tur Lawyers Ethics and Criminal Justice John Jackson The Value of Jury Trial Mark Ockleton Rules of Evidence Susan Easton The Right to Silence and the Pursuit of Truth Celia Wells What Runciman Didn't Say Michael A Heather The Revival Arbitration as a Post modern Solution to Problems in the Criminal Justice System Franz Steiner 1995

*The Myth of Moral Panics* Bill Thompson, Andy Williams, 2013-09-11 This study provides a comprehensive critique forensic historical and theoretical of the moral panic paradigm using empirically grounded ethnographic research to argue that the panic paradigm suffers from fundamental flaws that make it a myth rather than a viable academic perspective      Law, Justice and the State Michel Troper, Mikael M. Karlsson, 1995

Law and Society Steven Vago, Steven E. Barkan, 2017-09-22 In the 11th edition of Law and Society Steven E Barkan preserves Dr Vago's voice while making this classic text more accessible for today's students Each chapter now includes an outline learning objectives key terms and chapter summaries A new epilogue chapter examines law and inequality in the United States as it moves into the third decade of this century The 11th edition reflects new developments in law and society literature as well as recent real life events with legal relevance for the United States and other nations Law and Society is for one semester undergraduate courses in Law and Society Sociology of Law Introduction to Law and a variety of criminal justice courses offered in departments of Sociology Criminal Justice and Political Science      **Dead Wrong** Richard A. Stack, 2006-09-30 Attitudes toward the death penalty have changed

dramatically throughout the course of history evolving from times when public executions were occasions of solemn and pious ritual to excuses for raucous entertainment and finally to the modern era of private bureaucratized mechanized and sanitized executions that are out of sight and out of mind Conforming thus to modern sensibilities state sanctioned killing is somehow more acceptable to us than public hangings would have been because we can imagine that the inmate s death is relatively painless and not in violation of the Eighth Amendment s prohibition against cruel and unusual punishment This may or may not be true Stack presents compelling arguments to the contrary What is certain is that Dead Wrong demonstrates beyond a doubt that death row is itself a form of psychological torture and of slow painful dehumanization Polls indicate that 75 percent of Americans favor the death penalty but they also show that minds change when individuals are confronted with the facts This book was written to offer those facts and to change those minds The United States is alone among Western democracies in its support for capital punishment which was only briefly abolished throughout this country between 1972 and 1976 Today 38 states have some form of capital punishment Yet studies show that the death penalty is not a deterrent to crime that racial disparities in the implementation of capital punishment are rampant and that all kinds of procedural errors incompetent defense lawyers and mistaken eyewitness identifications lead to an alarming number of wrongful convictions Attitudes toward the death penalty have changed dramatically throughout the course of history evolving from times when public executions were occasions of solemn and pious ritual to those when it was an excuse for raucous entertainment and finally to the modern era of private bureaucratized mechanized and sanitized executions conducted out of sight and out of mind Conforming thus to modern sensibilities state sanctioned killing is somehow more acceptable to us than public hangings because we can imagine that the inmate s death is relatively painless and not in violation of the Eighth Amendment s prohibition against cruel and unusual punishment This may or may not be true Stack presents compelling arguments to the contrary What is certain is that Dead Wrong demonstrates beyond a doubt that death row is itself a form of psychological torture and of slow painful dehumanization

**Voice of the Innocent** Emmett K. Shasha, 2012-10 As stated in the book that integrity of character is all that one holds on to when all else is lost In Liberia where I was born when a common man stole he was called a thief if an official of government did the same acts it is called embezzlement Well here in America my reputation is being destroyed by the Department of Homeland Security by spreading false rumors about me Is it G14 classified or a pack of lies My life even the Ministry we are all affected by the DHS lies It is in this light that I am appealing to United States Congress through this medium to please conduct an investigation so I can live in peace with a peace of mind Emmett Shasha

*Rotten to the Core 2* Martin Yant, 2003-07 **False Justice** Jim Petro, Nancy Petro, 2014-07-11 Compelling and engagingly written this book by former Attorney General of Ohio Jim Petro and his wife writer Nancy Petro takes the reader inside actual cases summarizes extensive research on the causes and consequences of wrongful conviction and exposes eight common myths that inspire false confidence in the justice system and undermine reform Now published in paperback with an

extensive list of web links to wrongful conviction sources internationally False Justice is ideal for use in a wide array of criminal justice and criminology courses Myth 1 Everyone in prison claims innocence Myth 2 Our system almost never convicts an innocent person Myth 3 Only the guilty confess Myth 4 Wrongful conviction is the result of innocent human error Myth 5 An eyewitness is the best testimony Myth 6 Conviction errors get corrected on appeal Myth 7 It dishonors the victim to question a conviction Myth 8 If the justice system has problems the pros will fix them

**The Innocence Commission**  
Jon B. Gould, 2009-11 Beyond Exonerating the Innocent Author on WAMU Radio Convicted Yet Innocent The Legal Times Review Choice Outstanding Academic Title for 2008 DNA testing and advances in forensic science have shaken the foundations of the U S criminal justice system One of the most visible results is the exoneration of inmates who were wrongly convicted and incarcerated many of them sentenced to death for crimes they did not commit This has caused a quandary for many states how can claims of innocence be properly investigated and how can innocent inmates be reliably distinguished from the guilty In answer some states have created innocence commissions to establish policies and provide legal assistance to the improperly imprisoned The Innocence Commission describes the creation and first years of the Innocence Commission for Virginia ICVA the second innocence commission in the nation and the first to conduct a systematic inquiry into all cases of wrongful conviction Written by Jon B Gould the Chair of the ICVA who is a professor of justice studies and an attorney the author focuses on twelve wrongful conviction cases to show how and why wrongful convictions occur what steps legal and state advocates took to investigate the convictions how these prisoners were ultimately freed and what lessons can be learned from their experiences Gould recounts how a small band of attorneys and other advocates in Virginia and around the country have fought wrongful convictions in court advanced the subject of wrongful convictions in the media and sought to remedy the issue of wrongful convictions in the political arena He makes a strong case for the need for Innocence Commissions in every state showing that not only do Innocence Commissions help to identify weaknesses in the criminal justice system and offer workable improvements but also protect society by helping to ensure that actual perpetrators are expeditiously identified arrested and brought to trial Everyone has an interest in preventing wrongful convictions from police officers and prosecutors who seek the latest and best investigative techniques to taxpayers who want an efficient criminal justice system to suspects who are erroneously pursued and sometimes convicted Free of legal jargon and written for a general audience The Innocence Commission is instructive informative and highly compelling reading

**The Top Ten Death Penalty Myths** Rudolph J. Gerber, John M. Johnson, 2007-11-30 The death penalty remains one of the most controversial issues in the United States Its proponents claim many things in their defense of its continued application For example they claim that it deters crime that death by lethal injection is painless and humane that it is racially neutral and that it provides closure to families of the victims In this comprehensive review of the major death penalty issues the authors systematically dismantle each one of these myths about capital punishment in a hard hitting critique of how our social political and community leaders

have used fear and myth symbolic politics to misrepresent the death penalty as a public policy issue They successfully demonstrate how our political and community leaders have used myth and emotional appeals to misrepresent the facts about capital executions Successive chapters address the following topics the notion of community bonding the expectation of effective crime fighting the desire for equal justice deterrence the hope for fidelity to the Constitution the claim of error free justice closure retribution cost effectiveness and the messianic desires of some politicians In each of these areas the authors quote from death penalty advocates making these claims and then proceed to analyze and ultimately dismember the claimed advantages of the death penalty

*Unperturbed by Nietzsche's Anti-Christ* Marius Mancini, 2010-02 Throughout history several attempts have been made to discover pierced holes in the curtain of the Christian moral system One of these efforts was performed by Friedrich Nietzsche Nietzsche exhorts his readers to expatiate above and beyond any moral system primarily the Christian moral system which in his book the Anti Christ he considers to be the most pernicious one and thereby emancipate themselves from the fetters that these systems emanate In this book this type of exhortation is challenged along with the accusations that it hosts consequences to such exhortation are exposed As a guide to Nietzsche's ideology this book focuses on the main arguments offered by Nietzsche in his book the Anti Christ

**The Hastings Law Journal**, 2007

**The Supreme Court on Trial** George C. Thomas, III, 2010-02-09 Has the American criminal justice system abandoned its duty to protect the innocent

**The Right to Earn a Living** Timothy Sandefur, 2010-10-01 America's founders thought the right to earn a living was so basic and obvious that it didn't need to be mentioned in the Bill of Rights The Right to Earn a Living charts the history of this fundamental human right from the constitutional system that was designed to protect it by limiting government's powers to the Civil War Amendments that expanded protection to all Americans regardless of race



## Unveiling the Energy of Verbal Beauty: An Emotional Sojourn through **Presumed Guilty When Innocent People Are Wrongly Convicted**

In a global inundated with displays and the cacophony of quick communication, the profound energy and psychological resonance of verbal art usually fade in to obscurity, eclipsed by the constant assault of noise and distractions. Yet, situated within the musical pages of **Presumed Guilty When Innocent People Are Wrongly Convicted**, a fascinating perform of fictional elegance that pulses with organic thoughts, lies an memorable trip waiting to be embarked upon. Written with a virtuoso wordsmith, this exciting opus instructions visitors on a mental odyssey, lightly revealing the latent possible and profound affect embedded within the intricate internet of language. Within the heart-wrenching expanse with this evocative analysis, we shall embark upon an introspective exploration of the book is central styles, dissect its interesting publishing type, and immerse ourselves in the indelible impact it leaves upon the depths of readers souls.

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