

Baumgartner, POLI 195 Spring 2013

Shifting Frames of the Death Penalty

Reading: Decline, ch 3, a chronology
of innocence

February 18, 2013

The Innocence “Movement”

- Interesting phenomenon: how to create a movement for people whom a lot of members of the public consider to be:
 - Vicious murderers
- And who are in any case:
 - Poor
 - Minority
 - In jail
- With no corporate or big dollar backing.
- And yet this happened, so how?

No documented rise in actual innocence

- No evidence that actual rates of error are higher now than before
- Salem Witch trials (!), 1820 case when the victim appeared at the hanging, 1932 book with 65 wrongful convictions listed...
- DNA is certainly convincing, but the first DNA exoneration was in 1989
- OJ trial, 1995
- Rather, a shift in focus, “discovery” of innocence
- But this was not random; it was created by a network of individuals

Positive Feedback Systems

- Snow-ball effect, when one thing leads to another, gaining momentum
- How this occurred with exonerations
- General story: initial push leads to some success, which leads to more pushing, which leads to more success, which leads...

Centurion Ministries

- First innocence project, 1983
- Not church-related, in spite of the name
- Focuses on non-DNA cases
- <http://www.centurionministries.org/>

Innocence Project

- Barry Scheck and Peter Neufield,
- Yeshiva University School of Law
- Focuses on DNA-related cases
- Founded, 1992
- <http://www.innocenceproject.org/>

Death Penalty Information Center

- Purely collects and disseminates statistical information
- Founded 1990
- <http://www.deathpenaltyinfo.org/>
- “The more you know, the less you like it” is the general idea.
- Huge media presence for Dick Dieter, Exec Director, go-to person for quotes.

Northwestern University

- Innocence Project, in the J-School, founded 1999
- <http://www.medilljusticeproject.org/>
- First student-focused project, led to huge impact in Chicago when a student videotaped a killer admitting to a crime, in her mom's living room. (She is now the director of the MidAtlantic States Innocence Project in DC)
- Law School Project, Center on Wrongful Convictions
- <http://www.law.northwestern.edu/cwc/>

Innocence Network

- Conference in Charlotte this April
- Self-help, support for over 100 exonerees
- Networking, training, for staff members
- <http://www.innocencenetwork.org/conference>

We could go on...

- So what happens:
- Guy on death row says “I’m innocent” - duh.
- Lab coat guy says “He’s not the one” – newsworthy
- Undergrad students say: “Chicago Police have tortured innocent people, 5 of whom are on death row for crimes they did not commit” -- Pulitzer Prize

Copy-cat effects

- J-Schools and Law-Schools saw the Northwestern student projects
- More were created
- They look for local cases, in their states
- Look and ye shall find
- More cases lead to more news coverage
- Coverage leads to more investigations
- Money comes in. Schools see the value in hands-on clinics.
- A self-reinforcing system is created

Punctuated Equilibrium

- Most things don't change much, most of the time
- When change occurs, it comes in these spurts, related to these positive-feedback process
- These are very unpredictable
- Could it be reversed? Yes.