A Call
to Action.

Applied Research Questions

We asked our colleagues across the Innocence Project some important research questions: **1** What specific questions do you want researchers to address? **2** What answers would be most useful in your daily work? **3** And what recommendations do you have for researchers? **Here's what they said**.

Investigating the following questions would substantially improve our ability to litigate, advocate for policy changes, provide social work support, and more. At the Innocence Project we are guided by science and data. We look to social science research to inform our advocacy and depend on external experts to continue to explore the causes and consequences of wrongful conviction in a methodologically rigorous way. Thank you for being essential partners in this work.

If you have done research on or are interested in developing a project to address any of the questions below, please reach out to the Data Science & Research team at **science@innocenceproject.org** and please keep these recommendations from the field in mind.

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Research Recommendations.

- Center wrongfully convicted people.

- Approach research with a trauma-informed lens.

- Create a diverse research team, especially when gathering qualitative data.

- Integrate those with lived experience into the research process and the development of any survey or interview questions.

- Be mindful of identity intersectionality and how that may inform questions and answers.

- Consider aftercare to connect participants with support services from trained professionals (e.g., experts in complex PTSD).

- Consult policy experts before launching a study and again before publishing results/making policy recommendations.

- Present findings in terminology that is accessible to lay audiences, including policy makers and directly-impacted people.

- Unless a deep relationship between training and reform can be demonstrated, training should not be offered as a policy solution (policymakers often prefer to fund training rather than make foundational changes to the criminal legal system).

Deception Detection, Interrogations, Confessions ↘

- What is the latest research on trauma (e.g., using MRIs to measure brain changes) and interrogations and confessions?

- Do trauma-informed interrogation techniques protect against false confessions?

- Tests of [Reid](#) Technique-like methods of deception detection (e.g., validity and reliability of detecting whether someone is lying based on the direction they look, posture, speech patterns) would be useful.

- Are there recent studies regarding the impact of [ADHD](#), anxiety, and depression (or other specific diagnoses) on susceptibility to false confession?

- What is the psychological or cognitive impact of short-term isolation and detention (and/or an arrest itself) – distinct from the psychological impact of prolonged isolation, like solitary confinement – on suggestibility/risk of false confession?

- How does acute, immediate trauma impact suggestibility during interrogation?

- How do older teenagers (16-18) and emerging adults (18-21), as well as 21-25 year olds compare, in terms of suggestibility and susceptibility to police coercion? Experimental research in interrogations specifically could support existing neurological development wisdom.

- What is the impact of "Investigative Interviewing" techniques on vulnerable populations? Is the diagnosticity of [HIG](#) methods (rapport, strategic use of evidence tactics) impacted when the method is used with children/adolescents or those with mental health or cognitive issues?

- Is there a difference between rapport building and minimization tactics? How can this be measured?

- What is the prevalence of known false confessions in countries (or other jurisdictions) that use HIG/PEACE methods, or any other approaches developed for interrogations?

- How many police departments across the US are still using The Reid Technique? (The consulting agency, Wicklander-Zulawski & Associates, which works with police departments around the nation, has vowed to stop training police on the Reid method. With which departments are they working? With what did they replace Reid? What has happened with the rate of confessions in those jurisdictions since abandoning Reid?)

- What is the role and efficacy of interpreters in interrogation settings?

Exoneration ⬂

- What is the scope of the problem of wrongful convictions outside of the U.S.? What are the specific challenges and barriers to exoneration in other parts of the world?

- A literature review or meta-analysis of the existing research on life after wrongful conviction would be useful. What studies have already been done and where are the gaps?

- Can we learn anything about cases brought to a Conviction Integrity Unit (CIU) where the CIU elects not to take action or does not agree that the person is entitled to relief (e.g., is this only happening in cases with investigation/testing results that the CIU concludes are inculpatory, are they declining to take action in many cases where they conclude there's nothing new, etc.); are there any datasets available?

- How frequently are wrongful convictions the result of multiple factors? What is the average number of factors?

Eyewitness Identification ↘

- Is there a consensus on any and all things that are "new" in eyewitness ID research (i.e., bases for getting back into court)?

- What is the current status of the research on simultaneous and sequential lineup presentations (since the 2014 National Academy of Sciences publication on eyewitness identification)?

Forensic Science ↘

- We need more guidance on what is and is not task relevant information in pathology determinations.

- What types of physicians opine on death investigations at trial (e.g., cardiologists, pulmonologists, child abuse pediatricians, etc.)?

- What is the frequency of non-physician coroners making death determinations compared to physicians and/or board certified forensic pathologists?

- We could use a process map of how a case travels through different types of coroner and medical examiner offices to illustrate problematic points.

- More surveys or observational studies rather than lab experiments for gathering reliable information on physical injuries and factors that affect their development/manifestation would be incredibly helpful.

- How do jurors weigh DNA evidence compared to unreliable and insufficiently validated science (e.g., bite mark evidence, fiber evidence, etc.)?

- What weight do jurors put on non-DNA scientific evidence?

- How do human factors affect feature-comparison (fingerprint, toolmark, footwear, etc.) determinations? Which factors are the most detrimental and how can they be mitigated?

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- How do human factors affect feature-comparison (fingerprint, toolmark, footwear, etc.) determinations? Which factors are the most detrimental and how can they be mitigated?
- We need work assessing the homogeneity of a specific forensic method and determining how method variations affect final outcomes.

- How do inconclusive decisions in feature-comparison methods impact forensic science decision making, investigations, and fact finders?

- How often are medicolegal death investigators asked if findings support the prosecution's theory? How often are they asked if their findings also support alternative theories?

- How does an examiner's training, certification, or educational background affect the quality of medicolegal death investigations?

- Does blinding both autopsies and independent reviews of the original autopsy effectively reduce bias in autopsy assessments?

- What are best practices for blinded autopsy protocols, including:
    - Removing irrelevant non-medical and non-scientific information?
    - Applying sequential unmasking of contextual information?
    - Using a panel for independent review of the autopsy?
    - Standardizing reporting templates, procedural checklists, and guidelines for consulting other relevant medical specialties?

- What oversight mechanisms are most effective in promoting accuracy in medicolegal death investigations?

- How does the presence of law enforcement, especially homicide detectives, during autopsies affect the objectivity of findings?

- Are case review panels effective at enhancing accuracy for potentially controversial cases such as deaths in custody or unexpected deaths of infants and toddlers?

- How often do defense attorneys retain forensic experts to challenge cause or manner of death findings, and how does this impact case outcomes?

Guilty Pleas ↘

- Can we determine the extent to which extreme sentences incentivize false guilty pleas from the innocent?

- How common are false guilty pleas in misdemeanor cases?

- Is there a "sweet spot" for a plea offer that doesn't coerce pleas from the actually innocent?

- A monograph with real world case studies speaking to the coerced plea phenomenon would be amazing.

Ineffective Assistance of Defense Counsel and Official Misconduct ↘

- How common are *Brady* violations?

- In what percent of ineffective assistance of counsel cases does the trial attorney acknowledge their error versus contest their ineffectiveness?

Informants ↘

- Real world data on informants would be incredibly useful (e.g., age of informant, age of the informed-upon person, in what settings did these conversations supposedly take place, the amount of time these people spent with each other, and did they know each other prior to incarceration).

- How often are the same people used as jailhouse informants in multiple cases, what's the average and range of number of cases, do law enforcement offices have policies or guidelines around using a jailhouse informant multiple times?

Juries ↘

- What impact do sustained objections have on jurors' impressions of an attorney and their subsequent impression of the case?

- What impact do instructions to disregard evidence have on a jury?

- What are the demographics of people who are most likely to be jurors, how does this differ from or reflect the community, and how does this impact jury decision-making?

- How do juries evaluate competing experts (e.g., a situation where the defense puts on a competing expert with the state and there are disagreements about what science says), are there factors that might lead them to credit/not credit defense experts over the state's experts?

- How do manner of death opinions influence jury decision-making? Should these opinions be admissible in court?

- Do jurors view testimony from medicolegal death investigators as inherently scientific or conclusive? How heavily do they rely on it compared to other evidence?

- Do jurors understand the distinction between the forensic pathology and legal definitions of the term "homicide"?

- How does testimony limited to cause of death influence the jury compared to testimony that includes both cause and manner of death?

- Are jurors more persuaded when medicolegal death investigators:
  - Disclose steps taken to reduce bias (e.g., sequential unmasking, peer review)?
  - Acknowledge possible influence from non-medical or contextual factors?

- How do jurors perceive credibility of medicolegal death investigators based on their institutional affiliation (e.g., government vs. defense-retained)?

- Does testimony from a medicolegal death investigator carry more weight–even when addressing non-scientific issues–than similar testimony from a lay or law enforcement witness?

- How do jurors interpret forensic phrases such as "consistent with (the prosecution's theory)," and does such language imply a high level of certainty to them?

- Do jurors assign equal weight to expert testimony stating evidence is "consistent with" a theory of the case when they are called by the prosecution versus the defense?

Public Education ↘

- How has the Innocence Project's work on wrongful convictions shifted general perceptions of our criminal legal system over the years? Can this be quantified?

- What is the most effective way to explain complex scientific principles to the non-scientists (e.g., emerging technologies)?

- What language do wrongfully convicted people want to use to describe themselves and their experiences; what language appropriately centers wrongfully convicted people?

- To what extent have perceptions of the validity of Shaken Baby Syndrome (SBS) and Abusive Head Trauma (AHT) diagnoses changed over time and what are the "upstream" effects (e.g., how many parents/caregivers suspected of SBS/AHT are acquitted at trial or not prosecuted at all now as compared to 10, 20, or 30 years ago because of a better understanding of the bad science associated with diagnosing SBS)?

Race, Ethnicity, Identity-Related ↘

- How do wrongful convictions impact Asian American and Native American communities, specifically? Ensure that analysis of the impact on Asian American, Native American and other BIPOC communities are included in all studies.

- What racial differences exist with regard to the application of the trial penalty?

- How does stereotype threat play out in the interrogation room for different populations and with different interview/interrogation approaches?

- How do police officers perceive Black teenagers, in particular (and young people of color in general) in the interrogation room? Do they approach Miranda/interrogation questions differently for young people based on racial identity?

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