Perhaps it is best for me to explain again the nature of the data set and the variables. The 1900 persons on this list were wrongly convicted of crimes and satisfy the definition of the National Registry of Exonerations as an exonerated person. In short, to be listed in the Registry, new evidence if innocence must arise after the conviction that results in a dropping or dismissal of charges against the person. For example, if a DNA sample is later discovered and it is determined that the convicted person could not have been the rapist, and charges are dropped, that person has been exonerated based on new evidence that came to light after trial.

The National Registry

<https://www.law.umich.edu/special/exoneration/Pages/detaillist.aspx>

studies each of these cases and identified certain features about them. The tags are listed and defined in the National Registry’s website.

My task has been to determine which of these exonerees sought compensation under a state statute (Chart columns Y-AE) and/or which sought compensation under a federal civil rights or torts theory (Chart column AF-AM). I am trying to determine whether there is a correlation, causation or relationship between different aspects of the person and their filing claims and winning or losing.

**Some Explanation on tags**

Q1: Guilty plea

A1: Guilty plea means that the person actually pled guilty to the crime that they did not commit. You might wonder why someone does that. It happens all the time. Police may trick or force a false confession and tell the person – if you plead guilty, you will be in jail for only (say) 5 years, but if you are tried and found guilty, it could be 25.

Q2: IO

A2: IO – An IO is an innocence organization. Who they are is not important for your analysis, but a good example is the Innocence Project. Their lawyers may have helped the person get freed. In contrast, sometimes it is an independent lawyer unassociated with an organization who helps.

Q3: FC & MWID (What does false confession mean? What’s the difference between mistaken witness ID with mistaken witness?)

A3: a false confession may for example follow the police questioning the person without an attorney for many many hours until the person is so worn that they falsely confess of a crime they did not commit. There is no difference between mistaken witness ID and mistaken witness, but this is another cause of wrongful conviction and happens frequently. For example, a white rape victim identifies her attacked as a black man with certain features. Science tells us that people of different races have trouble identify features of people with other races. She makes a mistake, but her testimony contributes to the guilty verdict.

Q4: State Claim Made (The meaning of this tag? What’s the difference between this tag with ‘Prem’ and ‘Pend’?)

A4: Column Y of the chart asks whether there was a state claim for compensation made, yes (1) or no (2). There is an entry in Y only in those states that permit such claims to be made. The issue in this column is simply whether the exoneree filed a lawsuit or an administrative claim for compensation under a state statute.

One reason why a person would not file a claim is because they spent 0 time in jail. That’s Column Z. States will usually only pay if time was spent in jail. You may wonder how someone could be convicted of a crime, but not spend time in jail. It happens frequently. It could be a minor crime or, perhaps, the person was released on bail during an appeal and, then, new evidence comes out.

Another reason why someone may not file a claim yet is because the time to file has not run up yet and they plan to do it later. In those cases, I applied the tag “premature” – Column AA. Maybe they will file later. We just don’t know yet.

Frequently, someone files a claim, but it takes time for it to be decided. We don’t know yet whether it will be granted or denied. In that case, I applied the tag “pending” – Column AB. The case was filed (so Column Y has a “1”) but we don’t have a result yet.

Q5: 0 time ( what’s the difference of the tag ‘0 time’ with ‘no time’? )

A5: 0 time and no time are exactly the same. The entry should be the same for everyone in column Z and column AG.

Q6: Prem

A6: Prem. means premature as described before. If it is too early to tell if they will file a state compensation claim, there will a “1” in column AA. If it is too early to tell if they will file a federal civil rights case, there is a “1” in column AL. Again, if the state case is pending, there will be a “1” in column AB. If the civil rights case is pending there will be “1” in column AJ”

Q7: State award

A7: In many cases, someone will file a state compensation claim (column Y) and we know the outcome. Sometimes it is denied are there will be a “1” in column AC. Sometimes it will be granted and there will be “1” in column AD. If it is granted you will see the amount in column AE. In either case there will be “1” in column Y because the claim was made. Once it is decided, it can never be pending.

The same is true in federal civil rights claims. If the lawsuit is dismissed or denied, there will be “1” in column AI. If there is an award made, there will a “1” in column AK. If there is an award, the amount will be in column AM. You will see that sometimes people get two awards, sometimes one or the other and sometimes none at all.

Q8: Unfiled

A8: In many cases, I know that the person did not file a federal civil rights claim and it is too late to do so. In such a case, I tagged it as unfiled and you’ll see a “1” in column AH.

Q9: Dismissed or verdict for D

A9: Dismissed or verdict for D in column AI indicates that the person lost their federal civil rights case. “D” means the defendant. “P” is the plaintiff or the exonerated person.

Q10: Years lost

A10: Years lost is the number of years the person was wrongly in prison. Yes, it is different than the year they went to jail. It is the number of years they were in prison. As said before, sometimes that number is 0.