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Wrongful Convictions: Helping the Wicked and Punishing the Innocent

It is written in the book ‘Just Mercy’ by Bryan Stevenson, "I couldn't stop thinking that we don't spend much time contemplating the details of what killing someone involves(*Just Mercy Quotes by Bryan Stevenson(Page 5 of 8)*).” The innocent person's wrongful conviction is considered the worst nightmare for anyone who wants or cares about justice. From the past few decades, even the good judge proved wrong. However, the system of criminal justice has developed several safeguards that make sure that nobody is wrongly convicted and most of the convictions determined accurately on facts. The innocent conviction is avoided so, that no wrongful conviction occurs. Even if the criminal justice courts of America prove that they have done accurate convictions up to 99.5% then still it will generate almost 10,000 wrong convictions(Furman). Whenever an innocent is convicted wrongfully the real offender set free and that person continuously victimizes others. The particular problems related to society wrongful convictions are researched through survey data and case studies to analyze the exact factor related to the issue of wrongful convictions. The factor related to the error potential in the system of criminal justice is determined, the significance to focus on these errors is to reduce the injustice conviction number, also noted the false confessions and the issues related to the identification of eye-witness. The wrongful convictions policy issues identified through reintegrating the convicted innocents, how the crime control process is done of capital punishment nature.

In ‘Just Mercy’ Stevenson acknowledged the ‘surreal experience’ which is related to his struggle to release Walter McMillian, who is a wrongfully convicted person and the author gives the inequality urgent reminder in the system of criminal justice. Although the subject is uncontrollable Stevenson remains hopeful throughout the novel he said, “We can change things, we can expect more. We can do more I hope together we can create a more just world." It gives Goosebumps to the people in the auditorium that this person is fuelled by the galvanized believes that he individually can bring change. Author Bryan Stevenson when in his 20s lived at Atlanta as well as practice law in the Defense Committee of Southern Prisoners. One evening he encounters a horrible event, when he was listening to the radio in his car the unit of SWAT policed approached his car and parked him outside the apartment and pulled a gun on him. The police suspected him because of threat and threatened him because of his color by saying ‘Move otherwise I will blow your head.’ This incident fueled in Stevenson to challenge the economic inequalities and racial biases in the justice system of the United States. ‘Just Mercy’ is related to his early days when he grew up in the racially segregated and poor settlements and then he became a lawyer who represented the abandoned. He works for the clients who are on death row, neglected and abused children who face adult prosecution and also they are placed in the adult prisons in which they are sexually abused, beaten and some are mentally disabled persons their illness land them in prison and their requirements are not fulfilled there. His script, ’Just Mercy’ describes his famous case when the author helped the man who is on death row for murdering Ronda Morison who is 18 years old his body found at dry cleaner under the clothing rack in 1986. Against McMillian, three witnesses came while there were also sox witnesses of black people, according to them he was at fish fry of the church when this crime took place. From the court, McMillian found guilty as well as on death row from six years. "I think everyone knew that the evidence against Mr. McMillian was pretty contrived," said Stevenson(*"Just Mercy," Tells the Story of Walter McMillian, a Wrongfully Convicted Man Who Fights a Flawed Criminal Justice System*). Through the representation of Stevenson, McMillian was released in the year1993. Eventually, McMillian was freed but not from the death row scars. The author regarded this issue as one of the critical cases of his career in which he got death and bomb threats. As he was fighting for this man survival and to set him free as he is seen as innocent. According to the author, one thing which is painful for me was that we create so many hardships for some people by treating them unfairly and also imprison them unfairly. The innocent people are continuously threatened, traumatized and are threatened in profound ways. Also, when these innocent people got released the people around them behave as they should be grateful as they didn’t execute. In a way that they won’t get compensation every time. People used to question them and still, people have doubts about them. Brayan said, “You can't segregate and humiliate people decade after decade without creating long-lasting injuries.” The act of humiliation produce long term effects on the person behavior this develop dementia in people which doctors might believe as the induced trauma, the person feels like he/she is almost killed through such experience as well as author witness almost 8 execution while his client was at death row(*Punishing the Wrongfully Convicted – Center for Public Integrity*). The most important thing which the author wants that people must understand, the justice system cannot be continued when unfairness exists as well as when we tolerate racial biases and lastly when we as people do not change our behavior either acting individually or in society. This character represents hundreds of people who went through this traumatic situation. The author also referred to one case as the most surreal case where he met the person before his scheduled execution. In such executions, they used to shave all the body hairs of the person and then put that person on the electric chair. In this case, they are killing a person who is not a threat to anyone. But this the system which convicts poor and innocent people and also murders them without any reason. This book 'just Mercy' taking people closer to the harsh realities of the justice system and society(*One Lawyer’s Fight For Young Blacks And ’Just Mercy’ : NPR*).

It is no doubt that if the innocent are convicted for punishment it is regarded as the failure and tragedy. It must be known to everyone that the system of criminal justice isn’t infallible. The wrongful convictions might increase the crime level(*"It's Better Than 10 Guilty Men Go Free than One Innocent Man Be Wrongly Convicted" | The Independent*). The wrongful convictions issue is an extremely serious problem in such areas where crime becomes endemic and also for particular citizen groups it is stereotyped.Such issues can be mitigated through state liability who used to compensate with induced wrongful convictions in which few people did not commit the crime but convicted wrongfully which lead towards the reduction of crime level.Although, the liability might be distorted through judges' behavior in case judges' welfare is related inversely with the wrongful conviction compensation. The policy implication techniques are addressed which reduce these types of distortions. There is no system of criminal justice which is a fallible and perfect one which leads towards the justice miscarriage(*Innocence and Wrongful Convictions*). When every fair trial standards are held wrongful convictions could happen. Several countries who practice capital punishment, won't fulfill these standards. In the US, police misconduct and torture contributed to the innocent person's conviction. Through inadequate racial prejudice, shoddy investigation of police and misidentification of an eyewitness.In every region of the world, innocent people are convicted and given the death sentence. Although DNA testing plays a major role in identifying false convictions in the United States(*SAGE Books - Convicted but Innocent: Wrongful Conviction and Public Policy*).

The fair trial is assured under the international law which protects individuals through unlawful detentions as well as reduces the wrongful conviction possibility. The standards of international law related to the fair trial evolve continuously but consist of innocence presumption, fair hearing, provide adequate facilities and time in defense preparation. Various treaties of human rights affirm fair trials, it is written in the treaties that equality is given to each person through fair hearing by the impartial and independent tribunal for determining person obligations and rights from any criminal charge against that person(*State Liability for Wrongful Conviction: Incentive Effects on Crime Levels on JSTOR*). There are various international tools given for the compensation right if the person is convicted wrongfully. Generally, the compensation right needs pardon or reversal before final conviction based on facts which are newly discovered which demonstrate that this conviction is unjust. There are several international laws which give the citizen the authority to hide unjust conviction and compensation review from the damages they suffered(*Innocence and Wrongful Convictions*). However, most countries who passed these types of legislation no longer apply the penalty to death. Some countries developed the particular commissions which possess the right to refer and investigate the claim through wrongful convictions of a court(*CRIMINAL SANCTIONS IN THE DEFENSE OF THE INNOCENT on JSTOR*). Although the US failed in adopting the federal legislation which provides compensation to people who are convicted wrongfully. Though some of the states adopted laws of compensation sometimes discharge people based on compensation by civil lawsuits or state laws.

**Works Cited**

*CRIMINAL SANCTIONS IN THE DEFENSE OF THE INNOCENT on JSTOR*. https://www.jstor.org/stable/23216794?seq=1#page\_scan\_tab\_contents. Accessed 12 Nov. 2019.

Furman, H. Patrick. *Wrongful Convictions and the Accuracy of the Criminal Justice System*. p. 21.

*Innocence and Wrongful Convictions*. http://www.deathpenaltyworldwide.org/wrongful-convictions.cfm. Accessed 12 Nov. 2019.

*"It's Better Than 10 Guilty Men Go Free than One Innocent Man Be Wrongly Convicted" | The Independent*. https://www.independent.co.uk/news/uk/home-news/its-better-that-10-guilty-men-go-free-than-one-innocent-man-be-wrongly-convicted-944059.html. Accessed 12 Nov. 2019.

*Just Mercy Quotes by Bryan Stevenson(Page 5 of 8)*. https://www.goodreads.com/work/quotes/28323940-just-mercy-a-story-of-justice-and-redemption?page=5. Accessed 12 Nov. 2019.

*"Just Mercy," Tells the Story of Walter McMillian, a Wrongfully Convicted Man Who Fights a Flawed Criminal Justice System*. https://www.nbcnews.com/news/nbcblk/just-mercy-tells-story-walter-mcmillian-wrongfully-convicted-man-who-n1070431. Accessed 12 Nov. 2019.

*One Lawyer’s Fight For Young Blacks And ’Just Mercy’ : NPR*. https://www.npr.org/2014/10/20/356964925/one-lawyers-fight-for-young-blacks-and-just-mercy. Accessed 12 Nov. 2019.

*Punishing the Wrongfully Convicted – Center for Public Integrity*. https://publicintegrity.org/federal-politics/state-politics/harmful-error/punishing-the-wrongfully-convicted/. Accessed 12 Nov. 2019.

*SAGE Books - Convicted but Innocent: Wrongful Conviction and Public Policy*. http://sk.sagepub.com/books/convicted-but-innocent. Accessed 12 Nov. 2019.

*State Liability for Wrongful Conviction: Incentive Effects on Crime Levels on JSTOR*. https://www.jstor.org/stable/40752642?seq=1#page\_scan\_tab\_contents. Accessed 12 Nov. 2019.