“NOW I SEE IT FOR WHAT IT REALLY IS”: THE IMPACT OF PARTICIPATION IN AN INNOCENCE PROJECT PRACTICUM ON CRIMINOLOGY STUDENTS

Rose Ricciardelli*
James G. Bell**
Kimberley A. Clow***

ABSTRACT

Despite the growing number of university and law school-based innocence projects in North America, the impact of participation in the case review process on students has been underexplored. The current study investigated the experiences of criminology students who participated in an innocence project practicum at a Canadian university. Overall, participants found the practicum to be a positive experience that led to greater empowerment and increased feelings of competence and self-worth. Additionally, the innocence practicum impacted students’ views of wrongful conviction and their beliefs about the criminal justice system. In particular, students left the practicum with a better appreciation of the factors that contribute to wrongful conviction, knowledge that wrongful convictions occur more frequently than they previously thought, feelings of empathy about the post-release challenges faced by exonerees, and the sense that they could make a difference in the lives of others. Moreover, students developed more negative views of, and lost faith in, the criminal justice system as a result of their involvement in the practicum. The implications of these findings are discussed.

* Faculty of Liberal Arts & Professional Studies, Department of Sociology, York University, 2152 Vari Hall–4700 Keele St., Toronto, ON, M3J 1P3. Tel: 416-736-2100 ext. 60309; Email: czarnuch@yorku.ca.
** Centre of Criminology & Sociolegal Studies, University of Toronto, 14 Queen’s Park Crescent West, Toronto, ON, M5S 3K9.
*** Faculty of Social Science and Humanities, University of Ontario Institute of Technology, 55 Bond St. East., Oshawa, ON, L1G 0A5.
I. INTRODUCTION

Research has found that many exonerees exhibit psychological symptoms similar to those of survivors of sustained catastrophes, such as victims of abuse and war veterans.¹ For example, Dr. Adrian Grounds conducted extensive assessments of eighteen men who had been erroneously convicted and incarcerated and found that wrongful imprisonment may lead to personality change, post-traumatic stress disorder, depression, and panic disorder.² Studies based on interviews with exonerees reveal that many exonerees experience feelings of profound grief and loss as a result of their wrongful imprisonment.³ Christopher Ochoa, for example, described the void left by his wrongful conviction when he said:

I have no family, I have no kids, I have no education, no car, no house. I used to get the newspaper from back home. I used to see these people that I went to school with. They had kids, beautiful homes, beautiful wives, and all this stuff, and I had nothing . . . .

Although freedom is initially a time of joy and celebration for the wrongly convicted, this joy often gradually subsides as exonerees experience the realities of life after exoneration.⁵ Like other ex-prisoners, exonerees face numerous challenges following their release, including locating housing and employment.⁶ However,

¹ See also Adrian Grounds, Psychological Consequences of Wrongful Conviction and Imprisonment, 46 CAN. J. CRIMINOLOGY & CRIM. JUST. 165, 169 (2004) [hereinafter Grounds, Psychological Consequences] (discussing symptoms of post-traumatic stress disorder exhibited by those who have suffered wrongful convictions); Saundra D. Westervelt & Kimberly J. Cook, Framing Innocents: The Wrongfully Convicted as Victims of State Harm, 53 CRIME, L. & SOC. CHANGE 259, 261 (2010) [hereinafter Westervelt & Cook, Framing Innocents] (“Wrongful convictions cause harm and produce victims.”); Saundra D. Westervelt & Kimberly J. Cook, Coping with Innocence After Death Row, CONTEXTS, Fall 2008, at 32, 34 [hereinafter Westervelt & Cook, Coping with Innocence] (“If incarceration of an innocent person can be considered a sustained catastrophe, we can understand the human suffering experienced by exonerees just as we do other trauma survivors.”). See generally Adrian T. Grounds, Understanding the Effects of Wrongful Imprisonment, in 32 CRIME AND JUSTICE: A REVIEW OF RESEARCH 1 (Michael Tonry ed., 2005) [hereinafter Grounds, Understanding the Effects] (discussing a clinical study of eighteen wrongfully convicted men finding that they experienced psychological trauma similar to that of war veterans).
³ Christopher Ochoa, My Life is a Broken Puzzle, in SURVIVING JUSTICE: AMERICA’S WRONGFULLY CONVICTED AND EXONERATED 13, 27 (Lola Vollen & Dave Eggers eds., 2005).
⁴ Westervelt & Cook, Coping with Innocence, supra note 1, at 36.
⁵ Westervelt & Cook, Framing Innocents, supra note 1, at 265.
because they are usually released with little notice, preparation, or support, they are often left to confront these challenges on their own. For example, because they are innocent of the crimes for which they were incarcerated, exonerees are generally not eligible to receive the reintegration counseling, housing assistance, and employment training provided to other ex-prisoners. Exonerees must also cope with social stigma and hostility, which is often fueled by prosecutors and police, who—despite evidence proving otherwise—maintain that they are guilty. Thus, after years of living in maximum security prisons for crimes they did not commit, exonerees are often re-victimized by those responsible for their wrongful conviction in the first place and left to fend for themselves.

As John Wilson remarked:

If you’re a victim of war, if you’re a victim of a disaster, there are all kinds of organizations that will help you. But if you’re a victim of our system of justice and you lose your freedom and you’re traumatized in a similar manner [as a war veteran or a refugee or a person who’s a victim of a disaster or a terrorist act], we don’t have any mechanisms to help you get back into a normal life and a normal place in society.

To date, over 280 American citizens have been exonerated through the use of post-conviction DNA testing. The actual number of innocent people incarcerated, however, is unknown. Yet, if only a half of a percent (0.5%) of all convictions are wrongful—an estimate that Ronald Huff and his colleagues proposed as representative of the views of their sample of criminal justice personnel—that would result in approximately 7,500 wrongly
convicted American citizens in the year 2000 alone. Based on the numbers of capital rape-murder convictions in the United States from 1982 through 1989 and known DNA exonerations, Michael Risinger calculated a minimum actual wrongful conviction rate of 3.3% for that time period, which is considerably higher than the aforementioned estimate. Thus, it appears that prisons house thousands of innocent men and women who have yet to be exonerated.

Considerable research has examined a number of the factors that can lead to wrongful conviction, such as eyewitness misidentification, false confessions, jailhouse informants, ineffective lawyering, and tunnel vision. Research on eyewitness misidentification and false confessions has led some police departments to institute changes, such as improved lineup administration and videotaping interrogations, with the hope of reducing wrongful convictions and improving evidence against actual offenders. Other factors that contribute to wrongful convictions in the United States. Robert J. Ramsey & James Frank, Wrongful Conviction: Perceptions of Criminal Justice Professionals Regarding the Frequency of Wrongful Conviction and the Extent of System Errors, 53 CRIME & DELINQUENCY 436, 452–53 (2007). For the results of a similar survey of criminal justice professionals in Michigan, see Marvin Zalman et al., Officials’ Estimates of the Incidence of “Actual Innocence” Convictions, 25 JUST. Q. 72, 85 (2008).


E.g., Clifford S. Zimmerman, From the Jailhouse to the Courthouse: The Role of Informants in Wrongful Convictions, in WRONGLY CONVICTED: PERSPECTIVES ON FAILED JUSTICE 55, 55–56 (Sandra D. Westervelt & John A. Humphrey eds., 2001) [hereinafter WRONGLY CONVICTED]. E.g., Dwyer et al., supra note 16, at 183–92; Adele Bernhard, Effective Assistance of Counsel, in WRONGLY CONVICTED, supra note 18, at 220–21.


See, e.g., James M. Doyle, True Witness: Cops, Courts, Science, and the Battle Against Misidentification 172–73 (2005); William A. Geller, Videotaping Interrogations
conviction, such as invalid forensic evidence and expert witness testimony, are less widely researched.22

Nevertheless, a number of wrongful convictions based on flawed forensic pathology and misleading expert testimony have recently received considerable media attention in Canada.23 The names of victims of miscarriages of justice, like William Mullins-Johnson,24 Sherry Sherrett-Robinson,25 Tammy Marquardt,26 and Lianne Gagnon,27 are now common place in the media, as the men and women wrongly accused or convicted due to the errors and incompetence of disgraced child forensic pathologist, Dr. Charles Smith, are exonerated or financially compensated.28 Dr. Smith was employed at the Toronto Hospital for Sick Children for twenty-four years in the pediatric forensic pathology unit.29 The Chief Coroner’s Review of forty-five of Dr. Smith’s criminal cases spanning the 1990s took issue with Smith’s report, expert testimony, or both in at least twenty of these cases.30 Overall, Smith’s incompetence and misleading testimony led to numerous charges of infanticide and murder, and at least thirteen criminal convictions.31

These cases have demonstrated the tragedy and loss that victims of wrongful conviction endure. Some mothers—accused of killing...
their own children who actually died in tragic accidents—have lost their other children to social services because of Dr. Smith’s incompetence and misleading testimony.\textsuperscript{32} For example, Tammy Marquardt, who was wrongly convicted of murdering her two-and-a-half-year-old son, spent fourteen years in prison\textsuperscript{33} and had her second child taken away from her two days after he was born.\textsuperscript{34} When asked by a reporter how wrongful conviction has impacted her life, Marquardt replied, “Try having your heart ripped out and someone squeezing it right in front of your face . . . . There are no real words for it. It’s just a lot of pain and hurt that cannot be fixed.”\textsuperscript{35} The many years that pass between wrongful conviction and exoneration, and the struggles that exonerees go through in their attempts to obtain financial compensation also receive considerable media attention.

Although they receive little recognition for their work in the media and from the public, wrongful convictions are often identified first by students. In countries like Canada, the United States, and the United Kingdom, applications from inmates seeking assistance are generally reviewed and assessed by students and other volunteers.\textsuperscript{36} Typically, the students involved in the case review process are law students participating in clinical legal education programs, or students in journalism or criminology/criminal justice programs who are reviewing cases as part of an internship or practicum.\textsuperscript{37} Yet, little is known about the influence of being involved in an innocence project on students’ attitudes toward wrongful conviction. Research on the experiences of those involved in the case review process is virtually nonexistent. The present


\textsuperscript{34} See Mandel, supra note 32.

\textsuperscript{35} Perkel, supra note 33.


study addresses this gap in the literature by exploring the impact that participation in an innocence project practicum has on criminology students and their attitudes toward wrongful conviction, those who were wrongly convicted, and the criminal justice system in general.

II. PRACTICUMS: AN OVERVIEW

Practicums, also called internships or field placements, are used to supplement in-class learning in a variety of disciplines. \(^{38}\) Research investigating the impact and effectiveness of these learning tools\(^{39}\) has been conducted in many disciplines, including criminal justice,\(^{40}\) social work,\(^{41}\) rehabilitation counseling,\(^{42}\) and psychology.\(^{43}\) General findings regarding the educational benefits of the practicum experience suggest that, despite disagreement among educators about the purpose of internships,\(^{44}\) internships can provide students with a valuable opportunity for specialized


\(^{41}\) See generally, e.g., Anne E. Fortune et al., *Special Section: Field Education in Social Work Achievement Motivation and Outcome in Social Work Field Education*, 41 J. SOC. WORK EDUC. 115 (2005) (discussing a study of four social work field programs).

\(^{42}\) See generally, e.g., Stacia Scaletta Carone & Eileen J. Barker, *Student Judgments Regarding the Effectiveness of a Problem-Based Learning Project in a Rehabilitation Counseling Practicum*, 21 REHABILITATION EDUC. 59 (2007) (discussing a problem-based learning project in a rehabilitation counseling program's practicum course).


learning and a chance to apply theoretical foundations learned in the classroom.\textsuperscript{45}

Research has found that students typically enjoy and recognize the significance of internships and appreciate having the opportunity to test their suitability for a particular profession.\textsuperscript{46} For example, psychology students who completed internships at correctional facilities have reported being satisfied with the quality of training they received during their internship, feeling more prepared for future employment, and becoming more interested in the field as a result of the experience.\textsuperscript{47} Similar findings were evident among students in social work practicums.\textsuperscript{48}

Practicums have also become an important component of many undergraduate criminology and criminal justice programs.\textsuperscript{49} Consistent with students who completed practicums in other fields of study, criminal justice students have reported overwhelming support for internship programs.\textsuperscript{50} Criminal justice students appear to appreciate the practicum experience for two main reasons: (1) it allows them to apply knowledge acquired in the classroom to the workplace,\textsuperscript{51} and (2) it allows them to prepare and assess their suitability for specific careers within the criminal justice system.\textsuperscript{52} Practicums have also been found to provide students with the opportunity to acquire knowledge about the criminal justice system that cannot be learned as effectively in the classroom,\textsuperscript{53} and to influence the attitudes students hold toward prisoners.\textsuperscript{54} The perceived value of internships in criminal justice education has led the Academy of Criminal Justice Sciences to recommend that all programs make internship opportunities available to upper-year criminal justice students.\textsuperscript{55} In the same vein, scholars have researched the value of internship preparation courses in criminal justice programs, with the goal of improving the overall practicum

\textsuperscript{45} See Schaafsma, supra note 38, at 12–13; Stone & McLaw, supra note 39, at 171–72; Stichman & Farkas, supra note 40, at 160.

\textsuperscript{46} See, e.g., Ross & Elechi, supra note 40, at 298; Sgroi & Ryniker, supra note 40, at 189.

\textsuperscript{47} Pietz, supra note 43, at 104–97.

\textsuperscript{48} Fortune, supra note 41, at 120–21.

\textsuperscript{49} See, e.g., Stichman & Farkas, supra note 40, at 145.

\textsuperscript{50} See Ross & Elechi, supra note 40, at 301–02.

\textsuperscript{51} See id. at 306–07.

\textsuperscript{52} Stone & McLaren, supra note 39, at 172.

\textsuperscript{53} Bayens et al., supra note 40, at 27.

\textsuperscript{54} Michael E. Fichter, Criminal Justice Internships: What Effect Do They Have on the Attitudes of Participants?, 2 JUST. PROF. 32, 47 (1987).

\textsuperscript{55} Reed & Carawan, supra note 40, at 153.
learning experience.\textsuperscript{56} Criminology and criminal justice students are generally permitted to complete their internships or practicums at a wide variety of organizations and community-based agencies,\textsuperscript{57} including: police and court services, parole and probation agencies, youth custodial facilities, and various social justice agencies.\textsuperscript{58} These organizations also benefit from internships. For instance, some agencies use internships as recruiting and screening tools, allowing supervisors to observe and assess the skills and abilities of students before offering them employment.\textsuperscript{59} Internships also allow organizations to bring in students with specific skills, not possessed by current employees, to complete special projects and provide fresh perspectives on particular issues.\textsuperscript{60} Without internships, some agencies—such as nonprofit, charitable organizations that operate solely on donations and limited funding—may find it difficult to manage workloads and achieve organizational objectives. For these organizations, practicum students and other volunteers are invaluable resources, providing stability and assurance that they can continue to provide the services central to their mission.

III. STUDENTS REVIEWING AND ASSESSING CLAIMS OF WRONGFUL CONVICTION

Barry Scheck and Peter Neufeld, who established the Innocence Project at New York’s Cardozo Law School in 1992,\textsuperscript{61} first recognized the pedagogical value of having students review and assess claims of wrongful conviction.\textsuperscript{62} Since then, at least fifty innocence projects have been established in the United States,\textsuperscript{63} and

\textsuperscript{56} See Parilla & Smith-Cunnie, supra note 40, at 228–29 (discussing the role an internship course may play in integrating students’ experienced-based education with academic study). See generally Sigre & Rynker, supra note 40 (discussing the value of an internship-preparation course prior to starting an internship).


\textsuperscript{58} See Parilla & Smith-Cunnie, supra note 40, at 225–26; Stone & McLaren, supra note 39, at 177.

\textsuperscript{59} Stone & McLaren, supra note 39, at 173.

\textsuperscript{60} Id.


\textsuperscript{62} Barry Scheck and Peter Neufeld were likely inspired by Centurion Ministries, a small, nonprofit organization, believed to be the first organization to have a mandate to free the wrongly incarcerated, founded by Jim McCloskey in 1983. See About Us, CENTURION MINISTRIES, http://www.centurionministries.org/about (last visited Mar. 15, 2012).

innocence projects now exist at law schools and universities in Australia, New Zealand, Canada, Ireland, and throughout the U.K. 64 Most innocence projects are affiliated with law schools, journalism schools, or criminology/criminal justice departments at universities, 65 and are used innovatively to provide students with pre-practice/employment experience. 66 Despite differences in how they operate, innocence projects generally share two common goals: (1) the identification and rectification of wrongful convictions; and (2) the provision of “rich” and “deep” educational experiences to students. 67

Law schools are generally required to provide students with opportunities to participate in clinical legal education programs where they can develop the skills necessary to practice law. 68 In these programs, students typically provide pro bono legal services to the poor and other underrepresented social groups in exchange for academic credit. 69 In innocence projects, legal assistance is provided to inmates who have been tried, convicted, and sentenced, despite continued claims of factual innocence. 70 Here, law students review—and often collect information missing from—case files of claimants of wrongful convictions in need of assistance. 71 Students may conduct investigative work, draft legal documents, and appear at legal proceedings. 72 Moreover, many programs involve a curriculum component. 73 Of course, innocence project programs do vary from institution to institution, depending on the particular

64 See Innocence Network Member Organizations, INNOCENCE NETWORK, http://www.innocencenetwork.org/members (last visited Mar. 15, 2012). The Innocence Network is an affiliation of sixty-four innocence project organizations dedicated to providing legal and investigative assistance to the wrongly convicted and addressing the factors that contribute to wrongful convictions. The INNOCENCE NETWORK, supra note 63, at 3; About the Innocence Network, INNOCENCE NETWORK, http://www.innocencenetwork.org/ (last visited Mar. 15, 2012). The United Kingdom has a similar affiliation, The Innocence Network UK, which acts as a casework referral service to its member projects, and has helped establish over thirty innocence projects in universities in England. Welcome, INNOCENCE NETWORK UK, http://www.innocencenetwork.org.uk/ (last visited Mar. 15, 2012).

65 See Jan Stiglitz et al., The Hurricane Meets the Paper Chase: Innocence Projects New Emerging Role in Clinical Legal Education, 38 CAL. W. L. REV. 413, 421 (2002); Findley, supra note 37, at 232–36; Medwed, supra note 37, at 1088; McCartney, supra note 36.

66 See Medwed, supra note 37, at 1127–28.


68 See Medwed, supra note 37, at 1105.

69 See Findley, supra note 37, at 277.

70 See Medwed, supra note 37, at 1139–42; Stiglitz, supra note 67, at 430–31.

71 Stiglitz, supra note 67, at 422.
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culture, resources, and needs of each school.\textsuperscript{74}

Although much has been written about the pedagogical value of clinical legal education programs in general,\textsuperscript{75} few studies have addressed the educational objectives and benefits of innocence project programs.\textsuperscript{76} Nevertheless, as the popularity of law school and university-based innocence projects demonstrates,\textsuperscript{77} the opportunities that innocence projects provide for unique and innovative ways of teaching and learning have been widely recognized and embraced. In addition to the growing number of law schools establishing innocence projects, investigating claims of wrongful conviction has become an integral component of several journalism and criminology/criminal justice programs at universities in Canada and the United States.\textsuperscript{78} As a result, the pedagogical value of having students participate in the post-conviction review process has also been recognized by educators in disciplines outside of those directly related to the practice of criminal law. The impact that involvement in the case review process has on these students, however, has received little, if any, scholarly attention.

IV. THE PRESENT STUDY

Generally speaking, criminal cases involving claims of wrongful conviction are reviewed by law students at innocence projects. Undergraduate student involvement in the case review process is rare.\textsuperscript{79} The present study used a grounded approach to understand undergraduate criminology students’ perspectives of their practicum experiences reviewing claims of wrongful conviction for

\textsuperscript{74} Id. at 421–22.


\textsuperscript{76} For examples of such studies, see Stiglitz, \textit{supra} note 67, at 414–16; Findley, \textit{supra} note 37, at 267; McCartney, \textit{supra} note 36; and Medwed, \textit{supra} note 37, at 1150.

\textsuperscript{77} Daniel Medwed described the growing effort to free the wrongly convicted as the “civil rights movement” of the twenty-first century or “innocence movement.” See Daniel S. Medwed, \textit{Innocentrism}, 2008 U. ILL. L. REV. 1549, 1550–51 (2008). Medwed uses the term “innocentrism” to describe the transformation that the American criminal law is undergoing “due to the increasing centrality of issues related to actual innocence in courtrooms, classrooms, and newsrooms.” See id. at 1549.

\textsuperscript{78} See Stiglitz, \textit{supra} note 67, at 415.

\textsuperscript{79} See Findley, \textit{supra} note 37, at 235 n.11; Stiglitz, \textit{supra} note 67, at 415.
an innocence project. The research examined how participation in the practicum affected students’ views regarding wrongful conviction, their perceptions of people who were wrongly convicted, and their attitudes toward the criminal justice system more generally. In-depth interviews were conducted with nine students who had recently completed the practicum. Interviews were used to allow participants to convey their experiences in their own words.

V. Method

A. Brief History of the Practicum

The department of criminology at a small Canadian university embarked on a pilot project with an innocence project to provide senior criminology students with an opportunity to review claims of wrongful conviction to fulfill their senior practicum requirement. Although many students applied to participate in the innocence practicum, on average only eight students were selected to participate each term. As this practicum was housed at the university, the university provided a supervisor to assist students in the review process. Students were provided with a guidebook containing information on how to review case files, prepare memorandums and case summaries, keep records, and adhere to confidentiality standards. The students were primarily responsible for reading police and forensic evidence reports, witness statements, and trial transcripts; locating and obtaining legal documents; interviewing past legal counsel, witnesses, the applicant, and the applicant’s family members; and assessing new evidence.

The academic component of the practicum involved lectures on the Canadian criminal trial and appeal process, the legislation that governs the post-conviction review process in Canada, and corresponding information regarding the American criminal justice system. In addition to completing weekly progress reports, students were also required to submit a preliminary summary of their case mid-semester, a final summary at the end of the semester, and, if appropriate, present their case orally to a panel of lawyers at the innocence project’s head office. Students were assessed using a “pass or fail” grade.

Due to an overwhelming number of applications for assistance from prisoners outside of Canada, the innocence organization asked students to review applications from inmates incarcerated in the
United States. Students reviewed cases from a “fact-based storytelling perspective” and were not concerned with, or involved in, legal arguments and analysis. As such, their limited knowledge of U.S. law and the American criminal justice system did not inhibit their ability to effectively screen and assess cases. Exposure to U.S. law, criminal procedure, and the U.S. criminal justice system in general, provided an opportunity for rich academic discussion on the similarities and differences between the Canadian and American criminal justice systems.

B. Participants

Semi-structured interviews were conducted with nine participants (five men, four women) at a small Canadian university. Ages ranged from twenty to twenty-four ($M=22$, $SD=1.22$). Students could only participate in the interviews after completing the innocence practicum. At the time of the interviews, seven of the participants were currently enrolled as students in the university and two had graduated. All of the participants had completed the practicum during their fourth year of study. The interviews were conducted between September 2008 and December 2008.

C. Materials

A twenty-six item interview guide was constructed to touch on different topics related to wrongful conviction and the innocence practicum experience. The interview guide was created in light of previous research on student attitudes toward and knowledge of wrongful convictions. Findings from these studies provided some insight into the types of topics included in the interview guide for the current study. Although the guide was used at the beginning of the interviews, it offered leeway for the interviewer to probe

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80 Findley, supra note 37, at 243.
81 See generally James G. Bell & Kimberley A. Clow, Student Attitudes Toward the Post-Conviction Review Process in Canada, 7 J. INST. JUST. & INT'L STUD. 90 (2007) (discussing a study examining student attitudes toward the post-conviction review process); James G. Bell et al., Causes of Wrongful Conviction: Looking at Student Knowledge, 19 J. CRM. JUST. EDUC. 75 (2008) (discussing a study examining the effect criminal justice education has on students’ knowledge about wrongful conviction); Rosemary Ricciardelli et al., Student Attitudes Toward Wrongful Conviction, 51 CAN. J. CRIMINOLOGY & CRM. JUST. 411 (2009) (discussing a survey of Canadian undergraduate students regarding attitudes towards aspects of wrongful conviction); Rosemary Ricciardelli & Kimberley A. Clow, The Impact of an Exoneree’s Guest Lecture on Students’ Attitudes Toward Wrongly Convicted Persons, 23 J. CRM. JUST. EDUC. (forthcoming 2012) (discussing a study which examined how attitudes toward the wrongfully convicted change).
 conversational paths as they surfaced. The interview guide was most often used to help draw respondents into conversation (e.g., the interview guide was used until the participant became more comfortable and conversation flowed).

D. Procedure

Interviews were conducted in various locations depending on the participants’ preferences (i.e., the university cafeteria, the interviewer’s campus office, or in a coffee shop). A digital voice recorder was used to audio-record the interviews. Field notes were also taken after each interview. On average, interviews took approximately fifty-five minutes to complete. After the interview participants were asked to provide some demographic information. Participants were then thanked for their participation. No respondents were contacted for follow-up information.

Both interviews and field notes were transcribed. The transcripts were coded into emergent themes as determined through a grounded approach, where core variables and major themes were identified and less relevant data removed from the analysis (i.e., selective coding). Virtual coding maps were used to organize the data (organizing the data by themes rather than by participant). Emergent themes resulted from multiple respondents expressing a similar perspective or experience in relation to a topic that arose during the interview.

Participant anonymity and confidentiality were protected and the study received research ethics approval. Pseudonyms are used to protect the participants’ identities. Quotations used have been edited to remove any slang, non-word utterances, speech fillers (e.g., umm, like, ahh), and to assist with comprehensibility and flow. To stay true to the voice of a participant, grammar was rarely modified. Information that could potentially identify a respondent was also removed.

VI. RESULTS

A. The General Practicum Experience

Overall, students considered the practicum experience to be extremely positive. Seven of the nine students interviewed described their overall experiences as “amazing,” “inspiring,” or “enlightening.” They felt the practicum educated them about wrongful convictions and made them more knowledgeable about the
fact that wrongful convictions occurred more frequently than they thought. As Ashley explained, “you don’t expect wrongful convictions to be happening at really any level, to any quantity. But then when you see how many there actually are, or how many there could possibly be, it’s really a bit of a shock.”82

A few students described their experience in the practicum as unique and felt it was something that would separate them from other university graduates when entering the workforce. For example, Arial, who graduated from the university a year prior to the interview, indicated that “even now I think it’s really the only thing, when at a [job] interview, that I find really makes us stand out.”83 Feeling honored to have participated in the practicum was expressed by eight of the nine students interviewed. They felt honored to have been selected to be a part of the practicum (students had to compete for a position and only a few students were selected each term), to have the opportunity to review cases, and to potentially help others much less fortunate than themselves. Richard remarked:

I’m thinking, okay, there are probably smarter people than me. I’m not going to get in, but I filled the application in, and I spent a lot of time on it. I thought I want to do this . . . and when they said “you’re in the practicum,” I was like “wow I can’t believe it. I’m actually going to be reviewing cases.” . . . You think, “wow it is real big stuff.”84

This remark suggests that the benefits of participating in the practicum were more than educational. Participants sounded as if the practicum boosted their self-esteem and increased their confidence in their abilities and potential.

Many students mentioned the “realness” of the cases as something they would take away from their experience. These students felt they were making a difference in society and at times were overwhelmed with the emotions of actually being a part of something much larger than themselves. For instance, Arial explained:

It just felt so real, and it was exciting. As much as it was a lot of reading and grunt work, it was exciting to have that, and to think that some guy in jail who has . . . touched the same papers that I’m touching right now. It just made it

82 Interview with Ashley, Practicum Participant, in Can. (2008).
83 Interview with Arial, Practicum Participant, in Can. (2008).
very real.\textsuperscript{85} This “realness” is particularly noteworthy in that it seemed to drive home the reality of wrongful conviction.

Although most students enjoyed the practicum, several students found some aspects of the work disappointing. This was most evident among students whose cases did not progress quickly (e.g., students who were not able to get the files they needed, contact their applicant or his or her family members or lawyers, or find answers to pertinent questions). For example, Felix explained “I’d say that my case was kind of in a position where nothing could really be done . . . . That was my problem. In such a short span of time, I didn’t have a lot of activity.”\textsuperscript{86}

\textbf{B. An Opportunity to Help Others}

The majority of students believed the innocence practicum provided them with a genuine opportunity to help others, and, therefore, felt honored to have participated in the program. When asked directly, “do you feel the practicum enables students to help other community members?” almost all interviewees responded affirmatively. Across these students’ responses, underlying themes emerged: students felt they could help correct an injustice and provide hope to wrongly incarcerated individuals and their families.

Students discussed correcting an injustice and the opportunity to free the wrongly convicted largely in reference to their cases progressing toward an applicant’s\textsuperscript{87} possible exoneration and release. For example, Pat remarked:

If the case is successful, if the case is moving towards a person becoming released, we can really make an impact. I think it definitely helps out the community, and it shows that . . . . we are students who are volunteers. We’re not getting paid to do this . . . . Everyone is doing their part in the practicum. It may not be a big main case that gets all the media [attention], but when everyone does their part, it has a big impact on the community.\textsuperscript{88}

Simultaneously, students were aware of the “bigger picture,”

\textsuperscript{85} Interview with Arial, Practicum Participant, in Can. (2008).
\textsuperscript{86} Interview with Felix, Practicum Participant, in Can. (2008).
\textsuperscript{87} In this study, “applicants” are individuals who applied to the innocence project for assistance and claim to have been wrongly convicted. Students frequently use the term “my applicant” to refer to the individual involved in the case they are reviewing.
\textsuperscript{88} Interview with Pat, Practicum Participant, in Can. (2008).
believing that more innocent people could be freed if everyone helped review cases. Several students stressed the need for more community involvement in case review work, often with reference to the state’s palpable disinterest in rectifying miscarriages of justice. These students were aware that without innocence projects and their associated volunteers, there would be an even greater strain on the minimal resources available to help the wrongly convicted. Ashley, for example, remarked, “[t]here is no government fund to do this . . . . There’s a need for volunteers. I know [the innocence project] is always looking for more people to help. We’re really helping some of the people, real special people who’ve spent a considerable amount of time in jail as a wrongful convict.”

Several students spoke about their plans to continue reviewing cases after they completed the practicum. Reasons for wanting to continue included: enjoying the experience, excitement about the progress made on a case, and the desire to assist incoming practicum students. Pat, for example, remarked:

I’m just waiting on [the supervisor] to tell me when the new set of students come in so, whoever’s working on my case, I’d be able to talk to them: “you should look into this.” . . . “You can start off here and maybe that will lead to a new break in the case.”

This kind of dedication is suggestive of the enormity of the experience for students, as students were often willing to continue working on their cases to ensure their applicant received the assistance that they felt he or she deserved. Students often described the work as “motivational” and “inspiring.” As Kristen explained, “this guy’s sitting in jail, he’s doing nothing. You’re the only one fighting for him right now . . . . So it gives you motivation if you think about it like that. It was pretty inspiring to do.”

Several students felt their work provided hope to the applicants and their families. This was most evident among students who had made contact with their applicant and/or one of their applicant’s family members. Generally, students who had contact with their applicant described the experience as gratifying. Students explained how making contact with the applicant, or one of his or her family members, revived the family’s hope that justice might be served and that their loved one might one day be freed and

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89 Interview with Ashley, Practicum Participant, in Can. (2008).
exonerated. Kristen described the emotions of her applicant’s mother when she spoke to her on the telephone: “I talked to her and she’s like ‘Oh my god. You’ve just answered my prayers. . . . That’s what she talked about all the time. Thank you for doing this all the time. You definitely feel like you’re helping.”92

Contact with family members appeared to have a positive impact on students. Pat explained:

It just really motivated me more when I heard the mom’s voice. This is her son and I have to do my part. I have to do this . . . . You hear the mother’s voice: “bless your heart, bless your heart.” Not only does it tug at your emotions, but it’s the fact that you have to do your part to try and help them out. That’s the realness, the real component that really stuck with me.93

This response was echoed by other students. The practicum made students feel that they could help others in need. Moreover, hearing hope in the voices of those they contacted made them feel as if something positive might emerge from their involvement in the case.

C. Sense of Empowerment

All respondents expressed experiencing a sense of empowerment during the innocence practicum. This sense was credited to different aspects of the practicum, including having access to confidential files and potentially being able to change someone’s life. Generally, students described feelings of responsibility and authority. Ashley, for example, explained: “You’re given this nice little office to work out of and stuff like that, so it is a real empowering experience. You’re given a lot of responsibility, a lot of privileges that I don’t think a lot of undergraduate students are given.”94

The majority of students described a sense of empowerment garnered from power and knowledge (having access to the information and resources needed to make a difference in the lives of others) obtained from their involvement in the practicum. For example, Pat reported feeling “empowered to the point that I felt I would be able to make a difference.”95 Arial described it as having

the “fate” of an individual “in her hands.” Although students were aware their work would pass through various stages prior to having an impact on an applicant’s life, they knew that if their applicant was eventually exonerated, it would be their work and persistence that contributed to this result. Students felt a sense of pride knowing they could potentially discover evidence that could exonerate their applicant, or, at least, ensure that his or her case remained open for further investigation and review. Kristen remarked, “What I’d say about the case determined whether we kept looking at it or dropped it . . . I could have said ‘why don’t we drop this case,’ or ‘we need to investigate this case further because it has a lot of [potential].’ You feel empowered.” These feelings of empowerment can be viewed as exercises in building self-confidence and self-esteem—essential experiences for young adults preparing to enter the workforce.

Three students indicated that their feelings of empowerment faded as the term progressed, and that this was because they felt that their accomplishments were minimal. In addition, as the practicum work became routine (“normal”), they felt less empowered. For example, Max mentioned that “at the beginning I was empowered, I have this opportunity, it’s great but toward the end it wasn’t really valuable . . . I didn’t feel special towards the end because I didn’t accomplish anything.”

D. Influence of the Practicum on Perceptions of the Importance of Wrongful Conviction

We were interested in how the practicum experience impacted student perceptions of the criminal justice system. When students were asked how they felt the problem of wrongful conviction compared to other issues in criminal justice, responses varied. Two students felt that wrongful conviction was a serious issue, but that the criminal justice system was experiencing other more pressing concerns. The remaining seven thought that wrongful conviction was the most important issue in the criminal justice system.

Students who viewed other issues as more “important” than wrongful conviction still thought wrongful conviction was a serious issue. Felix, for example, explained: “I think it’s really important . . . throwing innocent people in jail; just the sound of it is

96 Interview with Arial, Practicum Participant, in Can. (2008).
Although they felt that wrongful conviction was a problem, these respondents perceived other issues, such as violence against women and police corruption, as more important. Two students mentioned factors that influenced what issues they perceived as most important. For Arial, the importance of a particular issue depended upon personal interests (“I’m focused on woman abuse, I think that’s important . . . it definitely depends on your interest”)

99 and for Felix it was the immediate danger to society (“things that are happening right now in the world . . . things that are hurting us at this moment”). Felix’s rationale seemed to be that, because wrongful convictions do not pose an immediate danger to society, they must give way to other, more pressing, concerns (e.g., domestic violence). He did not consider the immediate emotional and physical safety of the wrongly incarcerated, the social and psychological effects of wrongful conviction and imprisonment, and the threat posed by the true perpetrators still at liberty to re-offend. Moreover, Felix seemed to feel that wrongful convictions were part of a larger problem, and that “other things like police corruption and things that go on in the courtroom are important to look at too.”

Wrongful conviction was described as either one of the greatest, or the greatest, social injustices that an individual could experience by the other students. Students who viewed wrongful conviction as the “most important” issue in criminal justice tended to situate their views in discussions of social injustice. In particular, students mentioned the unfairness experienced by the wrongly convicted and their families, and various injustices (e.g., racial discrimination, professional malfeasance) within the criminal justice system that produce and sustain wrongful convictions.

Kristen, for instance, thought that wrongful conviction “represents the worst possible truth . . . The worst social injustice.”

Students were aware of the many obstacles and challenges that exonerees experience after their release from prison (e.g., finding employment, rebuilding relationships, coping with loss). Max declared, “nobody can buy somebody’s life back when they’ve spent thirty years in prison. Giving them money? . . . So

100 Interview with Felix, Practicum Participant, in Can. (2008).
what! I think it’s a huge issue. Very huge.”103 They also recognized that the erroneous conviction of innocent people dramatically affects the lives of their family members. Noteworthy is that, in this context, only one student mentioned the fact that when wrongful convictions occur, the actual offenders go unpunished. The focus here was largely on the impact that wrongful conviction has on its victims, rather than on the guilty who go free to possibly re-offend. Students were generally empathetic about the post-release obstacles and challenges the wrongly convicted experienced, and this empathy seemed to be a motivating force through the practicum.

In comparison, social injustices emanating from within the criminal justice system (e.g., racial discrimination, police misconduct) were viewed as structural and systemic factors that produce and sustain wrongful convictions. Students believed that wrongful convictions affect everyone within the criminal justice system; largely because their occurrence highlights poor functioning and inadequately performed duties. Cal, for example, remarked, “It affects the victims, the lawyers, the judges, the police and, of course, the innocent and the guilty.”104 Moreover, students felt that wrongful convictions challenge the legitimacy of the entire criminal justice system. Richard explained: “There are a lot of problems with the criminal justice system. I mean major issues. It comes down to the integrity of the system, and the faith that people have in the system. Just to think, someone who didn’t do anything is being punished. It’s just ridiculous.”105

Students understood that, more often than not, more than one person was responsible for a miscarriage of justice, and that the existence of wrongful convictions was indicative of problems throughout the entire system. They were aware of the system’s flaws. As a result, many appeared less trusting of the system and had less faith in the system’s ability to convict the guilty. There was also a perceived lack of integrity to the system due to corruption and “poorly” trained personnel. Conceptualizing Sir William Blackstone’s famed principle,106 Ashley summed up the general view of most students stating, “I think you’re better off to let ninety-nine guilty men walk free than to convict one innocent

106 2 WILLIAM BLACKSTONE, COMMENTARIES *358.
man. That’s really my standpoint on it.”

Because of the bias and inefficiencies they were exposed to, students felt that anyone could be wrongly convicted. Pat, for example, explained:

[The wrongly convicted individual] may have been at the wrong place at the wrong time. They may look a certain way or talk a certain way. Or even if they did have a prior record... Someone may have just pointed them out of a crowd. I mean, it can happen to anyone of us, right? Everyone has a chance of being wrongfully convicted.

In particular, the students felt that race and other social traits can play a role in wrongful conviction. Students felt that the majority of wrongful convictions involved black men. Many explained that their experiences within the practicum exposed them to the extent of racism in society—an issue more prevalent than they had previous thought. These students felt that racial discrimination, particularly in the criminal justice system, needed to be addressed to eliminate the possibility that it would contribute to wrongful convictions in the future. Steve, for example, stated: “I think race has a lot to do with it. The issue is really big and we need to address it more and maybe educate people about it.”

E. Influence of the Practicum on General Beliefs about Wrongful Conviction

All students noted a change in their general beliefs about wrongful conviction as a result of their participation in the practicum. Roman stated, “It broadened my knowledge, and I realized that wrongful convictions are not necessarily black and white; there is also a grey area.”

In particular, students mentioned: (1) the fact that persons responsible for wrongful convictions were not held accountable; (2) the role that public pressure to arrest plays in wrongful convictions; (3) the lack of government officials working to reduce wrongful convictions; and (4) the reality of how frequently wrongful convictions occur.

For example, four interviewees found the failure to reprimand or hold criminal justice personnel accountable for their role in the conviction of an innocent person reprehensible. Felix stated that criminal justice personnel often “aren’t even held accountable after

they’ve ruined someone’s life. I think it’s important to just talk about it. It’s important to publicize.”

Many students felt that public pressure pushed officers to make arrests and that arresting someone was more important than the innocence or guilt of the person involved. As Cal explained: “the rights of the individual, including the right to a fair trial, is often sacrificed in order to make sure any person is guilty for a crime, so the public can be pleased, whether the individual in question is innocent or guilty.” Specifically, students believed that when a serious crime occurs, citizens need to know that someone has been arrested in order to feel the “streets are safe” again. As Arial explained, “society feels better when somebody’s locked up or something. It doesn’t matter if it’s the right person.” Students also questioned how safe “the streets” really are given that some people are being held captive erroneously while the true perpetrators of the crimes for which they were convicted roam about.

Students also felt the government should be doing more to prevent wrongful convictions from occurring. This general feeling was best articulated by Steve who remarked that wrongful convictions are “just an absolute atrocity, and the government, as well as everyone else, should be committed to preventing them at all costs. I think it really is the greatest injustice . . . .” The most predominant theme that emerged here—one that was articulated by all students—was that wrongful convictions occurred more frequently than students had previously thought. Steve, for example, explained “[without the practicum] I couldn’t have imagined how often it actually can occur. Even though you can’t really know how often it does occur, it definitely occurs more often than I assumed beforehand.” All students were surprised by how often wrongful convictions occur. Some hoped that wrongful convictions were more common in the United States (simply because they worked on American cases), but highly doubted that this was true. Generally, students felt the public was misinformed about the frequency of wrongful conviction and that more awareness was needed. The students themselves felt that they had been almost duped into thinking that wrongful convictions were less prevalent than they actually are. Richard explained: “this problem is actually

113 Interview with Arial, Practicum Participant, in Can. (2008).
bigger than I thought it was. You think ‘oh wrongful convictions, it’s probably very small.’ Yeah right [shakes head].” 116

F. Influence of the Practicum on Student Perceptions of the Criminal Justice System

Participants were open about the influence of the practicum experience on their views of the criminal justice system. Most students felt that exposure to the inner workings of the system opened their eyes to many of its inadequacies (i.e., their experience negatively affected their views of the justice system). Ashley explained: “I used to think that our justice system was the best in the world or something . . . . Now I see it for what it really is. There are a lot of things that can go wrong within it, and it’s really scary.” 117 The one student who did not feel the practicum influenced his/her view of the criminal justice system implied this was because he/she entered the practicum already aware of the criminal justice system’s many “flaws.”

Students felt the practicum experience reduced their naivety by allowing them to see how the system did not always work in everyone’s best interest and did not always function as intended. Many had always thought the system had its downfalls—just not to the extent revealed by their involvement in the practicum. As Cal remarked, “the program really opened my eyes.” 118

The majority of students indicated that the practicum changed their views about the certainty of criminal convictions. Students described how their understanding of reasonable doubt and beliefs about the probability of human error were challenged. For example, several students felt that human error in criminal investigations was largely due to police tunnel vision and pressure to “put closure on a crime.” Kristen remarked:

I took police foundations in college . . . that side was like “oh there’s no mistakes. We don’t do this. We don’t target certain people.” Well yeah you [the police] do and yes it does happen . . . . [The innocence practicum] opens your eyes to things that most people don’t want to talk about, things that aren’t supposed to happen and are happening.” 119

Corruption emerged as a theme as well. Although students were

exposed to corruption via their work on American cases, they believed the Canadian system was also largely “corrupt.” Noteworthy here is that all four students voluntarily described the system as “corrupt”—rather than indicate this view through descriptors or words. For example, Steve stated: “it was just really interesting, like just learning about murder and looking at the criminal justice system from a different light. Like corruption, the police officers, the judges, the prosecutors, there’s a lot of stuff that I didn’t learn in school.”120 These students felt that criminal justice personnel (e.g., judges, prosecutors, police officers) did not consistently act in a just and fair manner. For example, echoing Steve, Kristen explained that her case demonstrated:

Tunnel vision . . . As soon as they arrested the guy, it was pretty much he was guilty, although they had nothing on him . . . they just built evidence against him. Fabricated it . . . So it kind of made me a little more leery of our justice system.121

Students felt more informed and knowledgeable about how the criminal justice system worked; they were aware that wrongly convicted individuals were imprisoned around the world and they perceived this as an absolute tragedy.

VII. GENERAL DISCUSSION

All of the participants in this study described the innocence practicum as a positive experience. Students felt the practicum was an enlightening and educational experience that exposed them to many of the realities of the criminal justice system. The experience allowed students to apply the knowledge learned in the class room to “real world” experiences—as has been reported by students who completed practicums and internships in other areas of study.122 Participants felt the innocence practicum really brought home the point of their university education, and that it furthered their understanding of the concepts and theories they had learned in class. Students described this opportunity to merge theoretical learning with practical experience as “invaluable.”

Beyond the educational component, the innocence practicum appeared to positively impact the confidence students had in their

121 Interview with Kristen, Practicum Participant, in Can. (2008).
122 See, e.g., Ross & Elechi, supra note 40, at 299; Stone & McLaren, supra note 39, at 172.
skills and abilities. Students expressed a sense of pride and accomplishment simply because they were selected to participate in the program (e.g., those who did not think they would be selected because others were “smarter than them,” but, nevertheless, “got in”). Participation in the practicum also appeared to promote self-esteem and help students recognize their abilities and potential. Students expressed feeling empowered by having access to confidential files and resources, which may have also positively impacted self-confidence and esteem.

Importantly, students felt they could make a difference in the lives of the wrongly convicted. The hands-on practicum experience provides an opportunity for students to learn that they have the ability and skills needed to make a difference in the lives of others—something that may be overlooked throughout the university experience. Participation in an innocence practicum, therefore, may provide students with an opportunity to learn that they possess the knowledge, skills, and power necessary to make a difference in society. The idea that everyone can make a difference is widespread; yet, opportunities to witness the fruitions of one’s contributions are limited. Rarely can one see the differences made in practice. The innocence practicum provided students with an opportunity to experience the short-term effects of their work (e.g., finding exculpatory evidence, contact with applicants and their families), and to recognize and consider the long-term repercussions of their work on the lives of others (e.g., possible vindication and freedom for the wrongly convicted). Students were able to see how they could make a difference in society, which may be useful to them in their future endeavors, and appeared to have become more sensitive about the post-release needs of exonerees.

In line with past findings, students expressed an increased understanding of the inner-workings of the criminal justice system as a result of their practicum experience.\(^\text{123}\) The innocence practicum exposed students to the reality of human error, public pressure to solve crimes, and inadequate policy in the criminal justice system. As these practicum students were enrolled in a criminology program and many were aspiring toward careers within the criminal justice system, the practicum experience may have made students more aware of the potentially detrimental implications of hasty and/or erroneous decisions and encouraged them to be more cautious in their future careers.

\(^{123}\) E.g., Bayens et al., supra note 40, at 26; Ross & Elechi, supra note 40, at 299.
Students expressed concern about public pressure on police officers to make arrests and criminal justice personnel not being held responsible for their role in wrongful convictions. However, if public awareness of wrongful conviction increased, perhaps public pressure for arrests may decrease, as citizens would understand that the “streets are only safer” if guilty individuals are imprisoned. Increased awareness of wrongful conviction may be achieved by ensuring that those—like the aforementioned Dr. Charles Smith—who play a role in wrongful convictions are held accountable and, when appropriate, held criminally and civilly responsible. This may, in turn, result in public pressure on state officials to ensure that only the true perpetrators of crimes are convicted and punished. Moreover, if expert witnesses, police officers, and prosecutors were held accountable for their actions when they lead to wrongful convictions, perhaps expert witnesses would be more cautious when testifying on subject matters they truly do not understand,124 perhaps police officers would be less likely to succumb to tunnel vision125 and use procedures known to lead to false confessions,126 and perhaps prosecutors would be less tempted to withhold exculpatory evidence.127 For many future criminal justice professionals, accountability and awareness of the causes and consequences of wrongful conviction could begin with involvement in an innocence project practicum.

The innocence practicum also exposed students to the post-release challenges and obstacles that exonerees face.128 Students were aware that exonerees were not automatically compensated for the injustices they experienced and felt that financial compensation did little to redress the suffering and losses they endured. As many criminology and criminal justice students will eventually play a role in the creation and implementation of public policy,129 student involvement in the case review process may ultimately lead to positive changes in policy that seeks to prevent and rectify miscarriages of justice, and the enactment of legislation that provides post-release assistance and support to exonerees and their families.

124 See, e.g., Goudge, supra note 29, at 19.
125 See, e.g., Martin, supra note 20, at 848.
126 See, e.g., Kassin, supra note 17, at 215.
127 See, e.g., Dwyer et al., supra note 16, at xviii.
128 See generally, e.g., Beth English, Life After Death Row, UNCG Res., Spring 2006, at 8 (examining the difficulties that death row exonerees experience after release).
129 See Thomas G. Blomberg, Continuing to Advance Criminology and Public Policy, 11 AM. SOCY CRIMINOLOGY 1, 2 (2012).
The benefits of an innocence practicum for undergraduate students are numerous. Not only do students enjoy the experience, it appears to benefit them educationally, practically, personally, and professionally. Moreover, undergraduate students appear more than capable of assisting in the review of claims of wrongful conviction. Given the number of cases needing review, introducing innocence practicums at the undergraduate level in more institutions could assist with moving greater numbers of cases forward at a faster and more effective pace, and allow for the review of cases involving crimes other than rape and murder.

VIII. CONCLUSION

Overall, the innocence practicum had a positive influence on students and increased support for the view that miscarriages of justice are a serious issue in the criminal justice system. Learning more about wrongful conviction reduced the faith of students in the criminal justice system, but it did demonstrate to students that they could make a positive difference in the lives of others. The practicum also provided students with feelings of empowerment, a personal sense of importance and achievement, and gave them the opportunity to put theory into practice. Given the multitude of benefits for students, as well as to other members of society (e.g., the applicants and their families, the criminal justice system), we recommend that innocence practicums be established in more undergraduate programs.