The Discovery of Innocence

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Overview

The death penalty is in historic decline. From the beginning of the modern era of capital punishment in 1976 through the mid-1990s, the death penalty grew more common and was increasingly accepted as a "normal" part of American political life. In 1994, 314 death sentences were imposed and nearly 3,000 inmates were on the various death rows across the United States. Public opinion hovered around 80 percent in favor for persons convicted of murder, with less than 20 percent of Americans opposed, reflecting a steady increase in public support over a 35-year period. Media coverage of the death penalty was increasingly positive as well, reflecting its wide use, its constitutional acceptability, and public support. These trends reversed, however, in the mid-1990s, and by 2005 the annual number of death sentences had declined by almost two-thirds. Over 120 Americans have been released from death row as a result of exonerations, and a few highly publicized cases have focused public attention on the possibility of errors in the system. The "discovery of innocence" refers to the shift in public attention away from the traditional morality-based discussion of the issue toward a new topic: The possibility that the justice system, dealing as it does with thousands of cases every year, could potentially make mistakes, sending the wrong person from time to time to death row or even, tragically, to the gallows.

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In this book, we offer an explanation of one of the most dramatic and unlikely policy reversals in modern times. After all, a solid majority of Americans support the death penalty and few politicians are anxious to appear "soft on crime." Further, those who stand to benefit most directly from an abolition of capital punishment are often notorious killers, brutally insensitive to the lives of others. As convicted felons, they do not have the right to vote. The collection of activists who have campaigned for changes in death penalty laws is made up of public defenders, criminal defense attorneys, and a few student-dominated organizations in law and journalism schools at a small number of universities. There is no broad social movement in favor of criminal justice reform. (This is not to say that important religious constituencies are unconcerned with the issue; many general human rights groups are involved with the issue, and some major ethnic and minority groups have long been concerned with criminal justice reform and the death penalty. None of these organizations has made this a fundamental priority, however, and the major voices on the issue are specialized, not general organizations.) A majority of Americans continually report support for the concept of a sentence of death for those convicted of murder, even though many states never impose the death sentence and the vast majority of murderers never face a death sentence in spite of their crimes. Further, the constellation of forces traditionally cool to the idea of death-penalty reform includes many politically powerful actors including prosecuting attorneys and Attorneys General as well as the US Department of Justice and a majority of members of the US Supreme Court.

Social and political trends are not particularly favorable to the "innocence" movement: The number of Americans affiliated with evangelical Protestant denominations has increased over the past 30 years, for example, while affiliations with traditional liberal denominations have declined. The post-9/11 war on terror has justified many restrictions on civil liberties and the

rights of those accused of crimes, and the federal government has sought the death penalty in several high-profile cases including that of Al-Qaeda sympathizer Zacharias Massaoui (unsuccessfully) and Washington-area sniper John Muhammad (successfully). Finally, for much of this period, the President has been a former Governor of Texas who during his time as Governor commuted only one death sentence while presiding over the nation's most active death chamber.

In fact, despite the various reasons why this may be a surprise, the death penalty debate has been completely transformed over the past ten years. The new argument diverts attention away from theoretical issues of morality to focus simply on the possibility of errors in the criminal justice system. No matter what one thinks about the death penalty in the abstract, this new argument goes, evidence suggests that hundreds of errors have occurred in spite of safeguards designed to guarantee that no innocent people are executed. As attention has shifted from the long-dominant morality argument to the innocence argument, other concerns have risen as well: Is the death penalty effective; is it worth its high financial cost; is life-without-parole a more appropriate sentence; could we design a set of judicial procedures that would guarantee no errors?

We have two goals: First, to understand why the new innocence argument has been so effective and to demonstrate that effectiveness in changing US public opinion and public policy; and second, to tether our discussion of this important issue to a theoretical understanding of issue-definition more broadly. The death penalty, like abortion, is a moral issue on which most Americans' views are solidly fixed. Further, a consistent majority of Americans are in favor of the death penalty. But the death penalty, like any other issue of public policy, is multifaceted. It includes questions of morality, efficacy, constitutionality, fairness and equity of its use, etc. We

trace media coverage of the issue back to 1960 and show dramatic changes over time in which of these arguments have been most common during different periods. We document the unprecedented rise in attention to the "innocence frame" beginning in the mid-1990s and show, statistically, how this shift in the nature of public discourse has driven changes in public opinion and in policy outcomes. By understanding how the death penalty has been reframed, we illustrate the importance of framing and attention-shifting in American politics more generally and show how these factors affect not only public opinion, but the direction of public policy as well. American constitutional law concerning the death penalty is being transformed by a shift in attention. Public opinion is shifting because of the rise of a new frame.

We demonstrate how the structure of political conflict surrounding the death penalty has been transformed by a self-reinforcing process that is likely to continue in the future. A "tipping-point" has been reached where changes in public understanding have begun to induce further changes in policy which in turn reinforce those same changes in public understanding. Studies of tipping points and social cascades are fundamental to many areas of social science ranging from models of residential segregation to cultural fads to momentum associated with candidates for office during a political campaign. The death penalty illustrates these ideas well. A self-reinforcing process generated greater and greater acceptability of the death penalty for almost 30 years beginning in the mid-1970s as Americans became more and more accustomed to capital punishment. Then a new cascade began in the 1990s, following a similar process but with opposite results: The new focus on innocence has generated public doubt, official caution, powerful individual stories of exoneration, and fewer death sentences, in a self-perpetuating cycle. Tipping-points and social cascades are by their nature unpredictable, but the continued operation of a system of self-reinforcement allows us to conclude with some predictions about

future developments. Increased attention to "innocence" may well be questioned by some, but it will continue to dominate the discussion, with the effect of lowering, for the foreseeable future, the number of death sentences we can expect to see, nationwide. Powerful forces of momentum ensure that the current decline in death sentences will continue.

Our focus on the history and future of the death penalty debate ensures that our book will be broadly of interest to all those concerned with the future of the death penalty in America. Our focus on the larger theoretical questions of agenda-setting and issue-definition, along with models of opinion on this issue and related public policy, ensures the attention of social scientists. We center our theoretical discussion on a number of themes. First, ours is the first book-length treatment of the dynamics of attention-shifting, following on the work of Bryan Jones and Frank Baumgartner in *The Politics of Attention* (2005). They argued that when dealing with multidimensional and highly complex issues of public policy, political institutions will be affected by over-attention to the status-quo definitions of the issue, which inevitably will be incomplete rather than comprehensive. When problems associated with unmonitored dimensions of the issue accumulate, they are likely to be ignored. As they are ignored they often continue to grow. Eventually, the pressure may build up enough to overcome the friction associated with this process. When this occurs, attention can suddenly shift to a new dimension of evaluation, justifying a dramatically different policy output. Policies shift not smoothly in response to changing social inputs, but in a disjointed manner associated with threshold effects, information cascades, and friction. Jones and Baumgartner laid out these ideas theoretically, illustrated them with a number of short case studies, and tested them more systematically with a large-scale statistical analysis relating to entire populations of public policy outputs across the

entire federal government. These ideas are similar to but expand on existing literatures dealing with social cascades and tipping points.

We use Jones and Baumgartner's work as a theoretical framework to explore the dynamics of issue-definition. Our broad interest is in developing a more detailed understanding of the mechanics of framing—how and when frames gain traction in the political landscape. Here, we offer a theoretical litmus test by which to assess whether a given frame has the potential to wield significant influence on public opinion and public policy. Specifically, we identify three key criteria—salience, resonance, and persistence—that allow a new frame to gain enough attention to reach a tipping point, changing the way the entire issue is understood and thereby affecting public opinion and public policy. Thus, we explain how issues are reframed in much grater detail than in earlier work, and we develop a methodological approach to measuring issue-definition that can be used in other cases.

We apply our theories and our methods to a single issue of great importance, tracing the capital punishment debate in America for over 45 years of its history. In doing so, we offer the first issue-level demonstration of Jones and Baumgartner's theories—a play-by-play look at how even in this "hardest case" of an issue so entrenched in history and public opinion, information cascades can produce a dramatic redefinition of the issue. We show the death penalty's complexity and how public discussion of it tends to be simplified, focusing during some periods on one aspect of the issue and during others on a different aspect. We show powerful shifts in public policy outcomes as US policy toward the death penalty has changed many times since 1960, when we begin our study. Most importantly, we show that the new innocence frame is: 1) unprecedented in its strength compared to previous understandings of the issue; 2) powerful in its effects on public opinion as well as on policy outputs; and 3) *more* powerful in these effects even

than underlying social trends, such as the murder rate or other reasonable rival explanations. Our substantive point is to understand the death penalty and our theoretical point is to understand the nature of policy change. Policy change stems from attention-shifting. The practical consequences of this for those interested in the death penalty debate are fundamental: As long as attention continues to focus on issues of innocence, trends will continue toward less and less public support and official sanction of the practice.

Second, our analysis is highly statistical even if we present our results in the simplest possible language, make ample use of easy-to-understand graphs and charts, and illustrate our discussion with examples of individual cases of exoneration and innocence. We develop new methods for the study of issue-definition and framing and believe that these techniques can be used widely across fields in political science. We go into considerable detail on how to use media coverage to trace attention to the various component arguments associated with a given debate, and we develop new techniques to determine which arguments "resonate" or gain greater attention than others. We show the similarity of media coverage across more than a dozen different media outlets, and we link our data on media coverage and framing to statistics on the severity of the underlying problems, public opinion, and policy response using multivariate time-series analysis. Thus, we expect our primary audience for the book to be those with interests in the substance of the case of the death penalty itself. However, there will be substantial readership with more general interests in the processes of public policy, political change, agenda-setting, issue-definition, and framing, including both theoretical arguments about how these processes occur as well as in the methodologies that can be used to study them systematically over time.

Chapter 1: Introduction/Theory

The first chapter lays out the central question that motivates this book: Has the death penalty debate in America been transformed, and if so how did this happen? What will be the impacts of the transformation? The chapter presents the theory of attention-shifting as it relates to the death penalty, and describes in general terms the various arguments or dimensions associated with the death penalty over time, from morality to constitutionality to innocence. Most of the material to be discussed here is outlined above. The chapter makes significant use of case material and illustrations drawn from examples of the most newsworthy events associated with the debate over the period from 1960 to present, with special emphasis on the period of the 1970s, when the moratorium was imposed, and the 1990s, when the innocence argument gained traction.

Chapter 2: The Death Penalty Debate in America

This chapter traces the evolution of capital punishment since 1945, with special focus on the periods surrounding the 1972–1976 moratorium and the post-1994 innocence frame. We chronicle the shifting political landscape of the death penalty debate, marking landmark events and Supreme Court decisions. We give descriptive statistics on the annual numbers of capital convictions, death row inmates, executions, and exonerations over time, mostly in charts and figures. We assess the geographical and racial distributions of these numbers as well as the ratio of federal to state cases. We also give a brief description of how public opinion has shifted over time. The chapter makes heavy use of the large literature on the history of the death penalty, referring the reader to these studies rather than repeating the themes found in other books and articles. The chapter focuses on issues chronologically and is designed to provide the basic background information associated with the issue so that the reader understands, up front, the history of the issue and in particular how trends in the number of death sentences, the size of

death row, the number of executions, and the level of public support have varied over time. Later chapters will systematically analyze each of these trends.

Chapter 3: A Chronology of Innocence

This chapter gives detailed treatment to the rise of attention to the innocence frame. We track national trends while paying special attention to events in Illinois, where the Governor commuted the sentences of all inmates on that state's death row after years of study and after concluding that the system itself was prone to error. Events in Illinois had tremendous resonance nationally and helped create the national surge of attention that we document to issues of innocence. We bring together into a single chronological narrative the following: high-profile sentencing verdicts, executions, and exonerations; landmark Supreme Court rulings; public events relevant to death penalty debate; and the growth of various advocacy groups and legal projects associated with the "innocence movement." We show that one type of organization in particular—the "hands-on" legal and journalistic groups centered in a few law and journalism schools—played a pivotal role in generating public interest in the questions of innocence. Academics and specialists had been documenting these issues for decades, but were never successful in generating the degree of public concern with the issue as happened during the 1990s. We show a steady growth, but no spikes, in exonerations over time. We document a dramatic rise in mobilization around the issue during the 1990s even though there were cases of exoneration in earlier decades. The "innocence movement" is unusual in that it cannot be called a broad social movement, but has its roots among lawyers, professionals, and academics.

Chapter 4: The Rise of the Innocence Frame

This chapter focuses on the content of media coverage of the death penalty debate. It begins with a comprehensive review of the content of the over 3,600 articles on capital punishment

appearing in the *New York Times* since 1960. Ours is the first systematic study of issue-definition to apply such a detailed coding system to such a large dataset. Using a comprehensive list of 67 potential arguments that can be made about the death penalty, we trace the shifting foci of attention over time across seven main dimensions of debate: efficacy, morality, constitutionality, fairness, cost, the mode of execution, and international concerns. The data we collect show clear shifts in the definition of capital punishment over this time period, from the moral and constitutional frames of the 1960s and 70s to the innocence frame of the last decade and others in between. Of all the frames, the innocence frame is the single most powerful in terms of amount of attention; thus, we expect it to have the greatest impact on the political system. Across the entire data set, we find that the dimension a given news story employs consistently predicts that story's tone (pro-death penalty, anti-death penalty or neutral). Stories focusing on moral arguments, for example, are usually pro-death penalty, whereas almost all stories on the fairness dimension have an anti-death penalty tone. Similarly, stories mentioning the victim of a capital crime are predominantly pro-death penalty, while stories about the defendant are generally anti-death penalty. The frame determines the tone of the debate and, as we will demonstrate in Chapters 6 and 7 respectively, the tone of the debate has significant influence on public opinion and public policy.

In addition to our review of 45 years of coverage in the *New York Times*, we corroborate our findings with computer-based searches of ten major newspapers from 1980 to present. This analysis demonstrates that: 1) the *Times* is broadly consistent with amount of coverage in a range of papers (papers include the *Washington Post, Miami Herald, Houston Chronicle, Pittsburgh Post-Gazette, Seattle Times, Boston Globe, Chicago Sun-Times, Denver Post*, and *San Francisco Chronicle*); 2) that all these papers show a surge in attention to the innocence frame just as we

documented with the *Times*; and 3) many of the more locally focused papers exhibit spikes and declines in coverage associated with local cases, with the *Times* and the Washington *Post* better reflecting national trends.

Chapter 5: Innocence, Resonance, and Old Arguments Made New Again

In this chapter we offer theoretical discussion of the mechanisms of issue-definition and a new methodology to match. We argue that *saliency* (how often a given set of arguments is used) is only one of three key components of the issue-definition process. Also important are *resonance* (how many individual arguments move in tandem over time) and *persistence* (how long the frame lasts). We develop a new statistical approach, evolutionary factor analysis (EFA), in order to take these components into account. The method involves factor analyzing our set of 67 basic arguments within moving time windows to isolate those arguments in each window that dominate that historical period. When there are no patterns of arguments used in conjunction with other arguments, the debate is diffuse, cacophonous. When, on the other hand, use of one argument tends systematically to be accompanied by use of specific other arguments, then we can identify statistical patterns of resonant themes in the debate.

Indeed, the data show consistent patterns associated with the dominant foci of attention throughout the historical period of study, including periods when morality and constitutionality were the dominant questions. Further, our method gives us an indication of the power of an argument since we can measure its resonance, salience, and persistence. Through this method, we see that the innocence frame is not only the most salient of all the frames in the modern history of the death-penalty debate; it is also the most resonant and the most persistent. We also demonstrate that although this frame is driven by a few core arguments regarding wrongful conviction, calls for a moratorium, and the availability of DNA evidence, several other

arguments that have been raised—unsuccessfully—at other points in time are now finding traction in the death penalty debate by "piggy-backing" on the innocence frame.

Thus, our technique allows us to see the re-emergence of perennial debates such as the argument that the system has a significant racial bias, or that the system harbors tremendous geographical arbitrariness and perverts the equal protection of the laws by making criminals in some jurisdictions liable to a death sentence while those guilty of the same crimes in other areas of the country are not. Our analysis of resonance allows us to show that these arguments, made unsuccessfully in isolation, grew to constitute a more coherent cluster with the rise of the innocence frame. The resulting cluster of arguments is more convincing because of its resonance than any of the individual arguments would be taken alone. These methods allow a recreation of the substance of the debate and help to explain why the new innocence frame is so powerful. It is powerful, in part, because it is not entirely new. Rather, it gives a new frame, or a coherent overall structure, to a number of arguments that have, in fact, been around for decades.

Chapter 6: Framing and Public Opinion

This chapter builds a model of public opinion, showing how aggregate levels of public support for the death penalty have changed over time since 1960 and how these changes relate to argumentation, framing, and the discovery of innocence. The innocence argument is unlike other arguments in the history of public debate on the death penalty since it does not demand that supporters of capital punishment admit that their previous attitudes are based on a faulty moral view. Rather, it asks a far easier question: Regardless of your views on capital punishment in theory, is it possible that serious practical problems are associated with the actual functioning of the justice system, resulting in occasional errors? This chapter develops a time-series statistical model to show the impact of framing on public opinion.

Our model is based on a comprehensive review of over 250 national surveys, the most complete compilation of such surveys so far assembled. We use a sophisticated mathematical algorithm (explained in the appendix) to incorporate as many survey questions as possible into our series, even those using slightly different question wordings, creating a more complete and robust time series for public opinion. (As long as each single question wording was itself asked multiple times over the series, the algorithm allows us to combine these into a single trend over time.) Controlling for relevant political background variables as well as for the number of homicides, the analysis shows clearly the impact of the tone of media coverage. This framing effect is over and above the actual number of exonerations, the number of homicides, and other control variables. We use media coverage as an indicator of the nature of public discussion, so it makes sense that as people discuss the issue in different ways, focusing on one dimension of the debate or another, public opinion would shift in response. The increase in public support for the death penalty during the 1970s, 1980s, and the early-1990s was clearly associated with increased pro-death penalty news coverage, and the shift in this coverage since the mid-1990s, a result of the rise of the innocence frame, is clearly and powerfully linked with declining public support.

Chapter 7: Framing and Policy Change

Not only does issue-definition affect public opinion, but it drives policy as well. In parallel to Chapter 6, this chapter develops a model of policy change. We use the annual number of death sentences as the best single indicator of the state of public policy in this area. This number has ranged widely across the period from 1960 to present, generally declining from 1960 to 1972, fluctuating tremendously during the period surrounding the reinstatement of capital punishment in 1976, growing inexorably during the late-1970s through the mid-1990s, and declining precipitously since then. It is the single best indicator of the state of capital punishment in

America, reflecting the actions of juries as well as the strategic decisions of prosecutors as they elect to bring capital charges partly with respect to their likelihood of winning the case. As in the previous chapter we develop a statistical model to predict death sentences, including appropriate controls such as for the number of homicides, the number of states imposing the death penalty, and the number of death sentences in the previous year. Our question is whether framing effects remain apparent even after controlling for these other factors, and our results show very strong effects. The results demonstrate that framing effects are significantly greater than other important factors, including the number of homicides. The substantive effect of shifts in framing indicate that media effects alone account for a decline of over 100 death sentences per year in recent years; the number attributable to declining homicide rates is about one-quarter as much.

Chapter 8: Conclusion

The death penalty debate has been transformed over the past ten years by a rediscovery of some old arguments. As public attention has focused on the question of "innocence," aided by increased public understanding of problems in police crime labs, DNA testing, and significant publicity associated with cases where inmates have been exonerated often after having served more than a decade on death row, public opinion and public policy have both shifted. The death penalty is in decline. All this comes at a time of a War on Terror, during the Presidency of George W. Bush, and with many national leaders expressing strong support for the morality of the punishment. Morality is no longer the main focus of discussion, however; errors and imperfections in the system have replaced morality and constitutionality as the central points of attention.

We conclude the book with a discussion of the future of the death penalty and with reflections on the causes of policy change more generally. Like any issue, the death penalty elicits concerns on many dimensions; in this case about morality, constitutional procedure, race, class, fairness, and other issues. The theoretical perspective we have used in this book reflects a bounded-rationality view on the policy process emphasizing the expectation that, at any given time, political leaders and members of the public will focus their attention on a small subset of the complex and disparate set of questions associated with any policy. In the case of the death penalty, the most remarkable element here is that morality has been displaced as the foremost question of concern. Most Americans have a moral opinion about the death penalty. Some support it because their moral and religious views suggest that justice demands that no one be allowed to "get away with murder." Others oppose it on moral grounds, preferring punishment by jail time and not wanting to condone "state murder." It is very difficult to debate issues such as this one which are so firmly based in people's moral views of right and wrong. For many Americans, these are core tenants of their religious beliefs, and they are not up for negotiation. Further, making our case even more surprising, a firm majority of Americans have religious or moral views supporting, rather than opposing, the death penalty. Attendance and membership in fundamentalist churches has increased dramatically over the past thirty years; affiliations with liberal congregations have declined. The trends toward increased support for the death penalty through the 1970s and 1980s seem unsurprising, given all this; the surprise is in the rise of the innocence frame in the past ten years.

The death penalty has been put into decline in spite of these moral questions. Advocates for change have successfully steered debate away from these issues to a new set of issues that avoid the moral debate altogether. As more and more Americans have become familiar with

concerns about innocence and flaws in the administration of justice, they have been asked a difficult question: Can we be certain that the system can process thousands of cases each year and never make a single mistake? Focusing attention on the possibility of errors rather than on questions of morality does not challenge the moral views of those who support capital punishment. Rather, it shifts the debate from a theoretical one to a practical one. No matter what your views in theory, the new argument goes, can we be sure that a human-designed institution, run by the government, can work with no flaws whatsoever? The strength in this argument is partly in what it does *not* ask of those who support capital punishment: Specifically, it does not ask them to come to any conclusion about their moral or religious views on the matter. It simply changes the subject.

Changing the subject is a fundamental strategy of political debate. Jones and Baumgartner have developed an entire theory of policy change in America relating to how attention shifts, inevitably, from topic to topic across a wide range of policy issues. Because we are never able to address all elements of a complex debate, they write, our attention is necessarily focused only on a small part of the available information at any given time. The death penalty debate illustrates this model of attention-shifting perfectly. While it is not clear that any of those promoting the new innocence frame could ever have controlled or predicted its development, there is no surprise whatsoever that, once the new frame became so dominant, public opinion and public policy would respond. That is how American democracy works. In fits and starts, we move from one direction in public policy, justified by a given set of understandings of the underlying problem, to another. The model of attention-shifting that we have followed here, with its emphasis on the impact of framing on the subsequent policy response, is central to how

policies are made and revised in all areas of American government. For the death penalty, the discovery of innocence may well be the beginning of the end.

Appendix: Data Sources and Methodology

We describe the data collection and coding procedures we employed to analyze all *New York Times* stories on capital punishment from 1960 through 2005. Similarly, we explain each of our data sources in detail here, as well as our methodological techniques: Lexis-Nexis searches of ten leading newspapers; our factor-analysis techniques; our public opinion data; all other data series (homicides, death sentences, death row, executions, exonerations, number of states employing the death penalty, etc.), and technical questions not appropriate for coverage within the text.

Comparable Books

There is no book that covers the same material as we cover here. Here we mention some books addressing similar issues. We list separately those books relating to the death penalty itself and those with a more general theoretical view on policy change.

<u>Books in criminal justice / death penalty</u>

Banner, Stuart. 2002. *The Death Penalty: An American History*. Cambridge: Harvard University Press.

Bedau, Hugo, and Paul Cassell, eds. 2004. *Debating the Death Penalty*. New York: Oxford University Press.

Bedau, Hugo Adam, ed. 1997. *The Death Penalty in America: Current Controversies*. New York: Oxford University Press.

Forst, Brian. 2004. *Errors of Justice*. New York: Cambridge University Press. (A general study of errors in the justice system, not limited to capital punishment.)

Radelet, Michael L., Hugo Adam Bedau, and Constance E. Putnam. 1992. *In Spite of Innocence*. Boston: Northeastern University Press.

Sarat, Austin. 2001. *When the State Kills*. Princeton: Princeton University Press.

Zimring, Franklin E. 2003. *The Contradictions of American Capital Punishment*. New York: Oxford University Press.

Books in political science on policy change and framing:

Baumgartner, Frank R., and Bryan D. Jones. 1993. *Agendas and Instability in American Politics*. Chicago: University of Chicago Press.

Carmines, Edward, and James A. Stimson. 1989. *Issue Evolution: Race and the Transformation of American Politics.* Princeton: Princeton University Press.

Jones, Bryan D., and Frank R. Baumgartner. 2005. *The Politics of Attention: How Government Prioritizes Problems*. Chicago: University of Chicago Press.

Audience / Market

There is a substantial audience among those interested in the death penalty debate. They will appreciate parts of our book including those demonstrating the power of the innocence argument and its effect on public policy. They will not like the fact that we are not lawyers and we do not focus on constitutional issues. We feel that those issues are well treated already in the literature (above) and our focus is elsewhere. Further, our analysis is more statistical than is common in this market. (However, we have emphasized graphs and figures over heavy statistics and we believe the book is quite readable.) Books above published by Cambridge, Princeton, and Oxford show that university press outlets have significant experience in this area.

There may be some room for general interest readership because of the topic and the large number of people interested in the question. Within law schools, journalism schools,

schools of public policy, and at the undergraduate level, we expect the audience to be significant. Mass communications scholars will also find it of interest and relevant to their courses. Sociologists will be interested both in the criminal justice aspects of the book as well as in the social movement elements of how the "innocence movement" gained momentum. Within political science the book will be accessible to upper-level undergraduates and graduate students; we would expect significant potential in a number of courses on American politics: public policy, agenda-setting, public opinion, and media and politics. Schools of journalism, public policy, and law as well as departments of sociology and criminal justice are also significant additional markets.