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# “What Happened to Me Can Happen to Anybody”—Women Exonerees Speak Out

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# “WHAT HAPPENED TO ME CAN HAPPEN TO ANYBODY”—WOMEN EXONEREEES SPEAK OUT

By: Zieva Dauber Konvisser\*

## ABSTRACT

*Only a few studies have investigated the psychological consequences of wrongful conviction; several others have examined the psychological consequences of incarceration and its impact on reentry and reintegration, primarily for men. For women who have been wrongfully convicted and subsequently released from prison into the free world, there are further indignities and unique issues: having to deal with the deep personal loss of murdered loved ones along with criminal charges; the absence of DNA evidence, making convictions harder to fight; stigmatization by prosecutors and the media; and unique emotional and medical needs.*

*This Article presents findings from in-depth interviews with twenty-one exonerated women and describes the unique qualities and needs faced by wrongfully convicted women during their arrest, trial, conviction, imprisonment, release, and post-release, and the creative and resourceful strategies that have helped them cope with an untenable reality.*

*By giving voice to their lived experiences, this Article seeks to personalize and contextualize the events surrounding the cases, to humanize the people whose lives have been destroyed, and to establish identities amidst an overwhelming sea of facts and statistics. In addition, this Article provides valuable insights and information for clinicians, counselors, families, friends, employers, and communities working to help wrongfully convicted women, and for lawyers, policy-makers, and advocates working to promote social justice and criminal justice reform.*

## TABLE OF CONTENTS

I. INTRODUCTION.....	304
II. IMPLICATIONS AND HUMAN IMPACT OF WRONGFUL CONVICTION .....	306
III. WOMEN AND WRONGFUL CONVICTION .....	310
IV. RESEARCH STUDY .....	314
A. <i>Participants</i> .....	314
B. <i>Data Collection</i> .....	315
V. HOW DO THESE WOMEN DESCRIBE THEIR EARLY LIVES AND THEIR EXPERIENCES OF WRONGFUL ARREST, PROSECUTION, CONVICTION, AND INCARCERATION? .....	317

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VI.	HOW DO THEY DESCRIBE AND WORK THROUGH THE PSYCHOLOGICAL CONSEQUENCES OF THEIR WRONGFUL CONVICTION? .....	324
	A. <i>Thoughts of Suicide, Posttraumatic Stress Disorder (PTSD), Nightmares, Depression, and Anxiety</i> .....	324
	B. <i>Grief and Loss of Relationships</i> .....	328
	C. <i>Working Through the Psychological Consequences</i> ..	332
VII.	HOW DO THEY COPE WITH THEIR SITUATIONS? .....	335
	A. <i>Core Beliefs and Values: Faith, Family, and Friends</i> .....	336
	B. <i>Self-care: Basic Necessities, Working, and Trying to Relax</i> .....	340
	C. <i>Discovering Reasons and Purpose: Keeping Busy with Their Cases and Helping Others</i> .....	342
	D. <i>Overcoming Earlier Negative Experiences: Reflecting, Transforming, and Growing</i> .....	344
	E. <i>Hope</i> .....	346
VIII.	HOW DO THEY COPE AFTER THEIR RELEASE? .....	348
	A. <i>Coming Home and Re-establishing a Sense of Independence</i> .....	348
	B. <i>Moving Forward, Surviving, and Rebuilding</i> .....	357
IX.	WHAT IMPORTANT MESSAGES WOULD THEY LIKE OTHER WRONGFULLY CONVICTED INDIVIDUALS, THEIR ADVOCATES, AND SOCIETY TO UNDERSTAND? .....	361

## I. INTRODUCTION

Historically, most wrongful conviction studies have focused on miscarriages of justice that expose systemic flaws in the criminal justice system.<sup>1</sup> Those that do address psychological issues have focused on the psychology behind these causes.<sup>2</sup> But what about the human impact—the effect on wrongfully convicted persons’ lives and the lives of their loved ones? While we are hearing more anecdotally about

1. *The Causes of Wrongful Conviction*, INNOCENCE PROJECT, <http://www.innocenceproject.org/causes-wrongful-conviction> [<http://perma.cc/XC92-PSVY>] (identifying the most common causes of wrongful convictions: eyewitness misidentification; unvalidated or improper forensic science; false confessions or admissions; government misconduct; informants or snitches; and bad lawyering); Mitch Ruesink & Marvin D. Free, Jr., *Wrongful Convictions Among Women: An Exploratory Study of a Neglected Topic*, 16 *WOMEN & CRIM. JUST.* 1, 8 (2005) (classifying the reasons for wrongful conviction into ten categories, based on variables suggested by other research and informed by their wrongful conviction in women data: false eyewitness testimony; prosecutorial misconduct; police misconduct; false confession; jailhouse snitches; forensic errors; coerced confession; perjury by criminal justice officials; insufficient evidence to support a conviction; and improperly suggestive interviewing techniques of children); see also *SURVIVING JUSTICE: AMERICA’S WRONGFULLY CONVICTED AND EXONERATED* 401–18 (Lola Vollen & Dave Eggers eds., 2005).

2. See Leslie Scott, “*It Never, Ever Ends*”: *The Psychological Impact of Wrongful Conviction*, 5 *CRIM. L. BRIEF* 10 (2009).

wrongful conviction cases in the media through the voices of journalists and the wrongfully convicted themselves, among others,<sup>3</sup> there still are only a limited number of published research studies addressing the lifelong implications, psychological impact, and consequences of wrongful conviction on the innocent individuals themselves.<sup>4</sup>

As a trauma researcher, the Author has taken on the important task of gathering what is known about this topic in general and specifically about two topics which previously have received little attention—the psychological consequences of wrongful conviction in the understudied population of *women exonerees* and the *possibility of positive change* concurrent with the lasting effects of their traumatization. As an oral historian, the Author is passionate about listening to the voices of the wrongfully convicted, in particular innocent women, and to learn from them about their experiences, their unique qualities and needs, and the strategies that have helped them cope with their situations. This Article will focus on what the Author has learned from interviews with twenty-one remarkable innocent women, each one of whom demonstrates that she has the power to make meaningful decisions and to choose how she will live her life no matter the situation.

A comprehensive review of the literature discussing the implications and impact of wrongful conviction on the innocent individuals themselves—men and women—can be found in the Author's earlier Article.<sup>5</sup> The key points are summarized in the next Part to help inform the interview data, followed by a brief discussion of women and wrongful conviction. The remainder of the Article will present the findings—with vivid examples in their own voices—from in-depth interviews with these twenty-one wrongfully convicted women. They describe and try to understand what has happened to them during their arrest, trial, conviction, imprisonment, release, and post-release, including any unique qualities and needs they may face as women. They explore the psychological consequences of their wrongful conviction, its aftermath, and the creative and resourceful strategies that have helped them cope with an untenable reality during their incarceration and after their release. And they share the messages that they would like other wrongfully convicted women, their advocates, and society to hear and understand.

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3. See Zieva Dauber Konvisser, *Psychological Consequences of Wrongful Conviction in Women and the Possibility of Positive Change*, 5 DEPAUL J. SOC. JUST. 221, 224–25 (2012).

4. See, e.g., Kimberly A. Clow et al., *Life After Wrongful Conviction*, in CONVICTION OF THE INNOCENT: LESSONS FROM PSYCHOLOGY RESEARCH 327, 331–38 (Brian Cutler ed., 2012).

5. Konvisser, *Psychological Consequences*, *supra* note 3.

## II. IMPLICATIONS AND HUMAN IMPACT OF WRONGFUL CONVICTION

Any traumatic event—big or small—may “overwhelm the ordinary systems of care that give people a sense of control, connection, and meaning” and may “overwhelm the ordinary human adaptations to life.”<sup>6</sup> Thus, trauma can result in feelings of intense “fear, helplessness, loss of control, and threat of annihilation”<sup>7</sup> and can “inspire helplessness and terror.”<sup>8</sup> Trauma also produces profound and lasting changes in our ability to feel, think, and do.<sup>9</sup>

We also know that “traumatic life events can shatter our fundamental assumptions about ourselves and our world.”<sup>10</sup> In the aftermath of these extreme experiences, coping involves the arduous task of reconstructing our world to incorporate the traumatic experience. However, the frightening and confusing aftermath of trauma may also be fertile ground for unexpected outcomes.<sup>11</sup> Although trauma survivors often learn from their experiences “that the world is evil and meaningless, that life is terminal and that people are unworthy, they have also experienced that there may be hope even in the worst of conditions.”<sup>12</sup>

The trauma of wrongful conviction has been compared to the trauma suffered by veterans of war, torture survivors,<sup>13</sup> concentration

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6. JUDITH LEWIS HERMAN, *TRAUMA AND RECOVERY: THE AFTERMATH OF VIOLENCE FROM DOMESTIC ABUSE TO POLITICAL TERROR* 33 (1997).

7. *Id.* (citing N.C. Andreasen, *Posttraumatic Stress Disorder*, in *COMPREHENSIVE TEXTBOOK OF PSYCHIATRY* 918 (H.I. Kaplan & B.J. Sadock eds., 4th ed. 1985)).

8. *Id.* at 34.

9. *Id.* at 35.

10. RONNIE JANOFF-BULMAN, *SHATTERED ASSUMPTIONS: TOWARDS A NEW PSYCHOLOGY OF TRAUMA* 169 (1992).

11. *See id.*

12. NATAN P. F. KELLERMANN, *HOLOCAUST TRAUMA: PSYCHOLOGICAL EFFECTS AND TREATMENT* 9 (2009) (citing JANOFF-BULMAN, *supra* note 10); *see also* Zieva Dauber Konvisser, *Themes of Resilience and Growth in Survivors of Politically Motivated Violence*, 19 *TRAUMATOLOGY* 292 (2013) (describing twelve themes of resilience and growth that emerged from the narratives of survivors of politically motivated violence in Israel during the Second Intifada: “[s]truggling, confronting, and ultimately integrating painful thoughts and emotions; [a]djusting future expectations to fit the new reality and focusing on the important things in life; [c]alling on inner strength, core beliefs, and values; [s]taying in control and not falling apart; [m]oving forward with strength gained from past experiences and prior adversity; [g]rappling with fundamental existential questions through religion and spirituality; [s]taying healthy and focusing on body image; [f]inding the silver lining and creatively giving back—moving forward with action; [s]taying connected and seeking outside resources to help survive rough times; [t]elling their stories and making sense of their lives; [b]eing hopeful, optimistic, and celebrating life; and [d]iscovering who they are”).

13. *See* G.A. Res. 39/46, annex, *Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* (Dec. 10, 1984), [http://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/RES/39/46](http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/39/46) [<http://perma.cc/2VT8-BY7Y>].

camp survivors, refugees, and asylees<sup>14</sup> who similarly have been arrested, wrongfully incarcerated, and released back into society. They are all survivors of “sustained catastrophes” that extend over long periods<sup>15</sup> and that can change their lives—and the lives of their loved ones—forever. The effects of such extreme, abrupt discontinuity in a person’s life experience following false arrest and imprisonment are “‘normal’ reactions to a set of pathological conditions that can become problematic when they are taken to extreme lengths, or can become chronic and deeply internalized,”<sup>16</sup> creating permanent scars “deep inside the psyche.”<sup>17</sup>

While all prisoners—the rightfully and wrongfully convicted—suffer from the *pains of imprisonment* and its negative psychological consequences, “the wrongfully convicted have a more difficult time making sense of their experience” and the unjust nature of their incarceration.<sup>18</sup> They have no opportunity “to try to put that experience in some coherent framework” and struggle to find any redemptive value in their experience.<sup>19</sup> Additional psychological stressors include the memories of the actual circumstances of the arrest, the trauma to family members who cannot comprehend what has happened, personal embarrassment and humiliation, adverse publicity, and the incarceration experience itself.<sup>20</sup>

In many regards, wrongful conviction has claimed the best years of exonerees’ lives, denying them the freedom to do the things that most citizens take for granted because the system failed them. In addition to their own lives, families and communities have been denied fathers, husbands, and sons; mothers, wives, and daughters. During their periods of wrongful incarceration, exonerees may have missed important life cycle events—births, marriages, or deaths of loved ones—and may

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14. Jeffrey Chinn & Ashley Ratliff, “*I Was Put Out the Door with Nothing*”—*Addressing the Needs of the Exonerated Under a Refugee Model*, 45 CAL. W. L. REV. 405, 421 (2009).

15. Sandra D. Westervelt & Kimberly J. Cook, *Coping with Innocence After Death Row*, 7 CONTEXTS 32, 34 (2008); see also Sandra D. Westervelt & Kimberly J. Cook, *Feminist Research Methods in Theory and Action: Learning from Death Row Exonerees*, in CRIMINAL JUSTICE RESEARCH AND PRACTICE: DIVERSE VOICES FROM THE FIELD 21, 32 (Susan L. Miller ed., 2007).

16. CRAIG HANEY, THE PSYCHOLOGICAL IMPACT OF INCARCERATION: IMPLICATIONS FOR POST-PRISON ADJUSTMENT 77, 80 (2002), <http://www.urban.org/sites/default/files/alfresco/publication-pdfs/410624-The-Psychological-Impact-of-Incarceration.pdf> [<http://perma.cc/LR36-TMX7>].

17. *Interview: John Wilson*, PBS FRONTLINE (May 1, 2003), <http://www.pbs.org/wgbh/pages/frontline/shows/burden/interviews/wilson.html>.

18. *Interview: Craig Haney*, PBS FRONTLINE (May 1, 2003), <http://www.pbs.org/wgbh/pages/frontline/shows/burden/interviews/haney.html>.

19. *Id.*

20. Robert I. Simon, *The Psychological and Legal Aftermath of False Arrest and Imprisonment*, 21 BULL. AM. ACAD. PSYCHIATRY & L. 523, 523 (1993).

bear the “loss of time, loss of feelings of security . . . and loss of self.”<sup>21</sup> As a result, “grievous losses and feelings of ‘what might have been’ follow the exonerees throughout their entire lives.”<sup>22</sup> And, in many cases, “while an innocent [person] was incarcerated, the real rapist, child molester, or killer was free to roam the streets and commit other acts of violence.”<sup>23</sup>

Many may suffer from disabling symptoms and psychological problems, including the ongoing symptoms of posttraumatic stress disorder (“PTSD”). These can include: reliving or re-experiencing the event through bad memories, nightmares, or flashbacks; avoiding situations or people that remind them of the event; negative changes in beliefs and feelings; and feeling keyed up (hyperarousal, as in having a hard time sleeping or concentrating and always alert and on the look-out for danger).<sup>24</sup> They also may experience mood and anxiety disorders and major problems of psychological and social adjustment. “Almost all prisoners have witnessed violent acts or been victimized themselves,” and remembering that can be re-traumatizing.<sup>25</sup> In addition to these psychological obstacles, “medical care provided to prisoners is notoriously poor, exacerbating existing conditions and leaving others untreated.”<sup>26</sup> Once released or exonerated, exonerees often struggle with dating and sexual relations and may face difficulties maintaining marriages and reuniting with children, who also suffered through the imprisonment.<sup>27</sup> And, on return to society, they must cope with the fact that many people still believe they are guilty despite what the exonerees themselves say or what the evidence demonstrates. Adjusting to life outside of prison is made even more difficult when they are stigmatized and ostracized by their communities, and they may feel exposed or visible because of the publicity surrounding their cases.<sup>28</sup>

Even after they are free, some former prisoners say they maintain the habits they became accustomed to while incarcerated<sup>29</sup> and strug-

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21. Sandra D. Westervelt & Kimberly J. Cook, *Framing Innocents: The Wrongly Convicted as Victims of State Harm*, 53 CRIME L. & SOC. CHANGE 259, 268–70 (2010).

22. MAKING UP FOR LOST TIME: WHAT THE WRONGFULLY CONVICTED ENDURE AND HOW TO PROVIDE FAIR COMPENSATION, INNOCENCE PROJECT 8 (2009), [http://www.innocenceproject.org/files/imported/innocence\\_project\\_compensation\\_report-6.pdf](http://www.innocenceproject.org/files/imported/innocence_project_compensation_report-6.pdf) [<http://perma.cc/VXL6-3UW2>].

23. ANGELA HATTERY & EARL SMITH, PRISONER REENTRY AND SOCIAL CAPITAL: THE LONG ROAD TO REINTEGRATION 105–06 (2010).

24. AM. PSYCHIATRIC ASS’N, DIAGNOSTIC AND STATISTICAL MANUAL OF MENTAL DISORDERS (5th rev. ed. 2013); *Symptoms of PTSD*, U.S. DEP’T OF VETERANS AFFAIRS, [http://www.ptsd.va.gov/public/PTSD-overview/basics/symptoms\\_of\\_ptsd.asp](http://www.ptsd.va.gov/public/PTSD-overview/basics/symptoms_of_ptsd.asp) [<http://perma.cc/RNU4-68XG>].

25. MAKING UP FOR LOST TIME, *supra* note 22, at 7.

26. *Id.* at 8.

27. SURVIVING JUSTICE, *supra* note 1, at 42, 368, 370, 410.

28. Clow et al., *supra* note 4, at 327.

29. Adrian T. Grounds, *Understanding the Effects of Wrongful Imprisonment*, in 32 CRIME AND JUSTICE: A REVIEW OF RESEARCH 1, 30 (Michael Tonry ed., 2005); *see*

gle to shake those adaptations that made it possible to survive in a hostile environment. For example, they may exhibit continued dependence on the constraints of institutional structure; interpersonal distrust and suspicion of threat or personal risk; and psychological distancing, social withdrawal, and isolation.<sup>30</sup> In addition, “the regimented daily routine of prison life” can make them “unaccustomed to making [their] own decisions.”<sup>31</sup> As a result, re-establishing the sense of independence and control that were taken away from them while imprisoned is very important. Their immediate physical needs involve finding housing, medical attention, employment and training, and emergency financial support. Their legal needs continue long after the protracted court battles to gain their freedom. At the same time, their emotional and psychological needs demand attention.

Unfortunately, very little statutory support is available for exonerees’ physical, emotional, and legal needs. Most compassionate support and assistance comes from family, friends, local advocates, and their attorneys, as well as from local community groups, employers, and service agencies. These may be supplemented by the resources of larger support organizations like the Innocence Project, the Life After Exoneration Program, the Darryl Hunt Project for Freedom and Justice, and Life After Innocence. Most importantly, the exonerated want their standing as innocent people to be recognized and the trauma of their conviction acknowledged.<sup>32</sup> What they need is for someone to simply say they are sorry.

How well or how poorly exonerees respond to their traumas is determined by a complex interplay between psychological, behavioral, social, ecological, and biological factors, as well as by the internal and external resources they possess before, during, and after the trauma.<sup>33</sup> For most survivors of traumatic events, the struggle with the aftermath of trauma produces a mixture of negative and positive experiences—and continuing personal distress and growth often coexist.<sup>34</sup>

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also Adrian Grounds, *Psychological Consequences of Wrongful Conviction and Imprisonment*, 46 CANADIAN J. CRIMINOLOGY & CRIM. JUST. 165, 171 (2004).

30. HANEY, *Psychological Impact*, *supra* note 16, at 77–84; Craig Haney, *The Consequences of Prison Life: Notes on the New Psychology of Prison Effects*, in PSYCHOLOGY AND LAW: BRIDGING THE GAP 143, 155 (David Canter & Rita Zukauskienė eds., 2008) (quoting JUDITH LEWIS HERMAN, *TRAUMA AND RECOVERY: THE AFTERMATH OF VIOLENCE FROM DOMESTIC ABUSE TO POLITICAL TERROR* 119 (1992)) (citing Judith Lewis Herman, *Complex PTSD: A Syndrome in Survivors of Prolonged and Repeated Trauma*, 5 J. TRAUMATIC STRESS 377, 382 (1992)).

31. MAKING UP FOR LOST TIME, *supra* note 22, at 7.

32. See Westervelt & Cook, *Coping with Innocence*, *supra* note 15, at 35; SURVIVING JUSTICE, *supra* note 1, at 44.

33. See Zieva L. D. Konvisser, *Finding Meaning and Growth in the Aftermath of Suffering: Israeli Civilian Survivors of Suicide Bombings and Other Attacks* 13–76 (2006) (Ph.D. dissertation, Fielding Graduate University, 2006), *microformed on UMI No. 3234197* (Univ. Microforms Int’l).

34. Richard G. Tedeschi & Lawrence G. Calhoun, *Posttraumatic Growth: Conceptual Foundations and Empirical Evidence*, 15 PSYCH. INQUIRY 1, 2 (2004).

As noted earlier, the Author's interest and research perspective centers on the possibility of positive change concurrent with the lasting effects of the traumatization. Not to belittle in any way the life-altering and lifelong negative psychological impact of wrongful conviction—"the permanent damage to the soul of the person, to their sense of self, to their sense of dignity"<sup>35</sup>—there is strong evidence that it is possible for some exonerees, like other trauma survivors, to concurrently bounce back or move forward alongside the profound and disturbing pain and learn to live beyond the trauma.<sup>36</sup> They have been able to cope with their grief, gain a better level of understanding of their difficulties, and rebuild the almost unrecognizable pieces of their shattered lives.<sup>37</sup>

### III. WOMEN AND WRONGFUL CONVICTION

Over 7%, and rising, of all prisoners in the United States who are under the jurisdiction of state and federal correctional authorities are females.<sup>38</sup> Women face special problems in the criminal courts, in prisons, and post-release, including female-specific personal hygiene and medical needs, sexual vulnerability and victimization, and the especially painful feelings of loss from being separated from husbands or children. Yet "they are receiving treatment in a system run by men and designed for men."<sup>39</sup>

The National Registry of Exonerations, a joint project of the University of Michigan Law School and the Center on Wrongful Conviction at Northwestern University School of Law, maintains a database of all known exonerations in the United States since 1989. It currently includes 1,705 exonerations that resulted from reconsidering evidence of innocence that was not presented at trial;<sup>40</sup> 157 cases (9.2%) involved women<sup>41</sup>—including 44 exonerations in the years 2013–2015.<sup>42</sup>

35. *Interview: John Wilson, supra* note 17.

36. *See* Konvisser, *Themes of Resilience, supra* note 12, at 296–97.

37. Konvisser, *Psychological Consequences, supra* note 3, at 275.

38. E. ANN CARSON, U.S. DEP'T OF JUSTICE, BUREAU OF JUSTICE STATISTICS, PRISONERS IN 2013 2 tbl.1 (2014), <http://www.bjs.gov/content/pub/pdf/p13.pdf> [<http://perma.cc/5692-NBWE>] (citing 2013 statistics).

39. KATHERINE VAN WORMER, WORKING WITH FEMALE OFFENDERS: A GENDER-SENSITIVE APPROACH 3 (2010).

40. *About the Registry*, THE NAT'L REGISTRY OF EXONERATIONS, <http://www.law.umich.edu/special/exoneration/Pages/about.aspx> [<http://perma.cc/Q3QY-QET7>].

41. THE NAT'L REGISTRY OF EXONERATIONS, <http://www.law.umich.edu/special/exoneration/Pages/detaillist.aspx?View={FAF6EDDB-5A68-4F8F-8A52-2C61F5BF9EA7}&FilterField1=Group&FilterValue1=F> [<http://perma.cc/3WU5-PPG9>] (showing database filtered for female exonerees). Fifteen additional women were part of group exonerations that are not included in the database. *See* SAMUEL R. GROSS & MICHAEL SHAFFER, THE NAT'L REGISTRY OF EXONERATIONS, EXONERATIONS IN THE UNITED STATES, 1989–2012, at 80–90 (2012), [http://www.law.umich.edu/special/exoneration/Documents/exonerations\\_us\\_1989\\_2012\\_full\\_report.pdf](http://www.law.umich.edu/special/exoneration/Documents/exonerations_us_1989_2012_full_report.pdf) [<http://perma.cc/VH6W-LWBG>].

42. THE NAT'L REGISTRY OF EXONERATIONS, *supra* note 41.

Forejustice.org also maintains a comprehensive, and more inclusive, Worldwide Innocents Database. In the United States since 1989, it currently lists 2,670 individuals who were judicially exonerated or pardoned on the basis of innocence; 306 (11.5%) involved women, including 81 exonerations in the years 2013–2015.<sup>43</sup>

Most of the recent increase can be attributed to the increase in the proportion of non-violent crime exonerations,<sup>44</sup> as well as to an increasing awareness of the danger of convicting innocent defendants by everyone involved in the criminal justice system—police, prosecutors, defense attorneys, judges, as well as the public at large.<sup>45</sup> However, we know that many more innocent men and women<sup>46</sup> have never been identified and may still be fighting to prove their innocence while in prison or after having been released to the free world with their innocence unacknowledged.

For the wrongfully convicted in the United States since 1989, murder charges are the number one most common sentences for both men and women.<sup>47</sup> However, while DNA-related charges of rape, attempted rape, and sexual assault are the second most prevalent sentences for men, “over 50% of female exonerees were convicted of physically harming or killing a family member, loved ones, or a child in their care.”<sup>48</sup> But 37% of these women were exonerated after dem-

43. Hans Sherrer, *Innocents Database*, FOREJUSTICE (Oct. 15, 2015), [http://forejustice.org/search\\_idb.htm](http://forejustice.org/search_idb.htm) [<http://perma.cc/3B8Q-HSDH>]; Spreadsheet of Women’s Exonerations (Oct. 18, 2015) (on file with author).

44. *3 Years Old—1600 and Counting*, THE NAT’L REGISTRY OF EXONERATIONS NEWSLETTER (Nat’l Registry of Exonerations, Ann Arbor, Mich.), June 2015, <http://us10.campaign-archive1.com/?u=86fc3b614e73affdc18bf5a93&id=7fa5bb37bf&e=560d65d6db> [<http://perma.cc/VW8D-KZQM>].

45. See, e.g., *Exonerations in 2013*, THE NAT’L REGISTRY OF EXONERATIONS (Feb. 4, 2014), [https://www.law.umich.edu/special/exoneration/Documents/Exonerations\\_in\\_2013\\_Report.pdf](https://www.law.umich.edu/special/exoneration/Documents/Exonerations_in_2013_Report.pdf) [<http://perma.cc/4JAB-XGY3>].

46. The Author has compiled a “watch list” from various sources that currently lists 123 cases of women in prison or released and claiming wrongful conviction. Zieva Konvisser, *Biographical Details of US Women in Prison or Released Claiming Wrongful Conviction* (Aug. 11, 2015) (unpublished spreadsheet) (on file with Author) (including names gleaned from *Watch List*, BLUHM LEGAL CLINIC, CENTER ON WRONGFUL CONVICTIONS, <http://www.law.northwestern.edu/legalclinic/wrongfulconvictions/womensproject/watchlist/> [<http://perma.cc/HXS7-3PWH>]; *International Data Base of Wrongfully Convicted Women Around the World*, WORLDWIDE WOMENS CRIMINAL JUSTICE NETWORK, [http://www.wcjin.org/Data\\_Base.html](http://www.wcjin.org/Data_Base.html) [<http://perma.cc/PPP4-MAVR>]; *The Innocent Imprisoned*, TRUTH IN JUSTICE, <http://truthinjustice.org/imprisoned.htm> [<http://perma.cc/Q2DT-56AQ>]; WOMEN WRONGFULLY CONVICTED, <http://home.earthlink.net/~wronglyconvicted/index.html> [<http://perma.cc/8EU4-YS3W>]; WRONGFULLY CONVICTED GROUP WEBSITE, <https://wronglyconvictedgroup.wordpress.com> [<http://perma.cc/R9R4-K3DV>]). While six women recently came off the list due to exonerations, twenty-eight more have been added since January 2013.

47. GROSS & SHAFFER, *supra* note 41, at 3–4, 20.

48. See *Why Women’s Cases Are Different*, BLUHM LEGAL CLINIC, CENTER ON WRONGFUL CONVICTIONS, <http://www.law.northwestern.edu/legalclinic/wrongfulconvictions/womensproject/> [<http://perma.cc/JZ8L-SY8S>].

onstrating that false or misleading forensic evidence led to their original conviction.<sup>49</sup>

In 64% of female exoneree cases, no crime had occurred at all—cases often involving faulty forensic science or false child sex abuse accusations—which is over two-and-a-half times the rate for men.<sup>50</sup> For instance, a natural or accidental death might be mistaken for shaken baby or arson—and these wrongly accused women have to deal with the deep personal loss following the tragic deaths of loved ones along with criminal charges. At one time Shaken Baby Syndrome (“SBS,” now called “Abusive Head Trauma”) was a medical diagnosis of murder based solely on the presence of a diagnostic triad: retinal bleeding, bleeding in the protective layer of the brain, and brain swelling.<sup>51</sup> The last person with the child was assumed to have caused the infant’s death by shaking and was found guilty.<sup>52</sup> But recently, “new scientific research has cast doubt on the forensic significance of this triad, thereby undermining the foundations of thousands of SBS convictions.”<sup>53</sup> Courts have similarly misclassified the cause of many fires as arson, based on scientific evidence that was later disproved<sup>54</sup> or have relied on “phenomena [that] are regularly over-emphasized or misinterpreted to reach conclusions that are scientifically wrong.”<sup>55</sup> Furthermore, many women and men were caught up in mass convictions and prosecutions, more commonly characterized as a “‘witch hunt,’ . . . ‘moral panic,’ or mass hysteria.”<sup>56</sup> These are the chief causes of miscarriages of justice in child sexual abuse cases.<sup>57</sup>

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49. Molly Redden, *The Innocence Gap*, MOTHER JONES, July/Aug. 2015, at 30, 32, <http://www.motherjones.com/politics/2015/05/wrongfully-convicted-women-exonerations-innocence-project> [<http://perma.cc/Y6LQ-R69L>].

50. See THE FIRST 1,600 EXONERATIONS, THE NAT’L REGISTRY OF EXONERATIONS 10 (2015), [http://www.law.umich.edu/special/exoneration/Documents/1600\\_Exonerations.pdf](http://www.law.umich.edu/special/exoneration/Documents/1600_Exonerations.pdf) [<http://perma.cc/PW96-U6HK>].

51. See Deborah Tuerkheimer, *The Next Innocence Project: Shaken Baby Syndrome and the Criminal Courts*, 87 WASH. U. L. REV. 1, 32 (2009).

52. *Id.*

53. See generally *id.*

54. Tim Zeak, *Myths and Other Falsehoods Are Often Presented as Scientific Evidence: Many Rulings of Arson Are Not Arson at All*, TRUTH IN JUSTICE, <http://truthinjustice.org/arson-myths.htm> [<http://perma.cc/JJH2-UJQN>].

55. See *id.*

56. Simon A. Cole, *Cultural Consequences of Miscarriages of Justice*, 27 BEHAV. SCI. & L. 431, 436–37 (2009).

57. See, e.g., Mike Barber, *Suit Against Wenatchee in Sex Cases Reinstated: Judge’s Shock Ruling Says Key Files Were Withheld*, SEATTLE POST-INTELLIGENCER (Oct. 31, 2002, 9:00 PM), <http://www.seattlepi.com/news/article/Suit-against-Wenatchee-in-sex-cases-reinstated-1099894.php> [<http://perma.cc/UH2L-98LR>] (detailing the 1995 prosecutions of eighteen individuals in Wenatchee, Washington, each of whom were later freed by higher courts); *Kern Case that Brought 1,000 Year Sentences Thrown Out*, ASSOCIATED PRESS, Aug. 13, 1996, <http://www.apnewsarchive.com/1996/Kern-Case-That-Brought-1-000-Year-Sentences-Thrown-Out/id-9866f3298970d1c9c5ff4234fd810695> [<http://perma.cc/63EH-S4X8>] (describing the McCuan-Kniffen case, involving four wrongfully-accused people, including two women); “*We Know the Real Truth*,” THE BAKERSFIELD CALIFORNIAN (June 18, 2010, 4:42 PM), <http://www.bakersfield.com/>

While wrongfully convicted men and women share similar experiences, as discussed in Part II, wrongfully convicted women face further indignities. The absence of DNA evidence in women's cases makes convictions harder to fight.<sup>58</sup> Meanwhile, they are often also “coping with deep personal losses, rendering them especially vulnerable to high-pressure interrogation tactics”—which rely on character assassination, rather than evidence or facts—that may elicit false confessions or statements that could appear inculpatory.<sup>59</sup>

In addition, there are differences in how men and women process their experiences. Women need to build relationships in which they can speak out and be heard by other women who have been there and understand and can validate their feelings.<sup>60</sup> Interestingly, this same nurturing quality causes people in the justice system—police, prosecutors, judges, jurors, and witnesses—to join society and the media in reviling and stigmatizing women who are accused of murdering or sexually abusing children.<sup>61</sup>

At a national conference on wrongful convictions in Atlanta in April 2010, “five wrongfully convicted women found themselves in a sea of male exonerees. As the women discussed their experiences, they were struck both by the common elements of their cases and by the stark differences between their wrongful convictions and those of their male counterparts. Out of those discussions came a vision for a Women and Innocence Conference,” which was held in November

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news/opinion/2010/06/18/we-know-the-real-truth.html [http://perma.cc/U9CK-MWJV] (reflecting on at least twenty-four wrongful convictions arising in Kern County, California between 1982 and 1985); *Summary: The Little Rascals Day Care Case*, PBS FRONTLINE (May 1997), <http://www.pbs.org/wgbh/pages/frontline/shows/innocence/etc/sum.html> (recounting a case in which several people, including two women, were convicted, some of whom, including one of the women, were later exonerated). Other mass exonerations resulted from (1) alleged murder conspiracies, as in the 1978 Ford Heights Four case in Chicago and 1990 Beatrice Six case in Nebraska, see Julie M. Krupa, *Innocent Until Proven Guilty: The Representation of Wrongfully Convicted Women*, 5 MCNAIR SCHOLARS RES. J. 93, 108–15, <http://commons.emich.edu/cgi/viewcontent.cgi?article=1059&context=mcnair> [http://perma.cc/K2RQ-2VL2]; (2) drug offenses, such as in the Tulia, Texas in 2000, GROSS & SHAFFER, *supra* note 41, at 80; and (3) sedition in the 1918 Montana Seditious cases, which involved three women, see THE MONT. SEDITION PROJECT, <http://www.seditionproject.net/> [http://perma.cc/7FXH-PX3H]. See also GROSS & SHAFFER, *supra* note 41, at 80–90 (discussing twelve “group exonerations” of at least 1,100 convicted defendants who had been cleared since 1995, “mostly for drug and gun crimes,” that do not appear on the National Registry of Exonerations).

58. *Why Women's Cases Are Different*, *supra* note 48.

59. *Id.*; *Deaths Blamed On Parents: A Global Problem*, JUSTICE FOR EJ, <http://www.justiceforej.com/> [http://perma.cc/N657-5QWK].

60. Bryn A. Herrschaft et al., *Gender Differences in the Transformation Narrative: Implications for Revised Reentry Strategies for Female Offenders*, 48 J. OFFENDER REHABILITATION 463, 477–78 (2009).

61. *Why Women's Cases Are Different*, *supra* note 48.

2010 in Troy, Michigan.<sup>62</sup> It is particularly important to note that this conference marked the first time that women exonerees met together to recognize and explore these differences.

On November 29, 2012, the Northwestern University School of Law Center on Wrongful Convictions re-launched the now-called Women's Project.<sup>63</sup> The project focuses on litigation aimed at exonerating women in prison for crimes they did not commit, on public education aimed at raising awareness of the factors that lead to their convictions, and on supporting women exonerees on their return to the free world.

#### IV. RESEARCH STUDY<sup>64</sup>

##### A. *Participants*

The aim of this study was to give voice to women who were wrongfully convicted and exonerated by eliciting the narratives of their lived experiences using unstructured, open-ended interview questions and thematic narrative analysis. The literature on the implications and human impact of wrongful conviction, as well as the literature on post-traumatic growth and resilience, provide the theoretical lens through which to examine the data.

Participants were recruited initially from the women exonerees whom the Author previously met at various innocence-related conferences or by word of mouth. Additional participants were solicited through either the Innocence Projects or the attorneys who had represented them.

Between March 18, 2012, and July 23, 2014, twenty-one wrongfully convicted and exonerated women from eleven states were interviewed for this study. Of these twenty-one women, fourteen (67%) identified as White, six (28%) as African-American, and one (5%) as Hispanic. They have been charged with and convicted of crimes across the spectrum, primarily murder—often when no crime was actually committed. Two women were subjected to mass convictions and exonerations, and eight others had co-defendants.

While 19% of women's cases listed in the National Registry of Exonerations<sup>65</sup> and 18% of those listed in the Forejustice.org database<sup>66</sup> are for drug-related charges, the women interviewed in this study (see

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62. See *About the Project*, BLUHM LEGAL CLINIC, CTR. ON WRONGFUL CONVICTIONS, <http://www.law.northwestern.edu/legalclinic/wrongfulconvictions/womensproject/about/> [http://perma.cc/TYW8-LN8Y].

63. *Id.*

64. The research study proposal was reviewed and approved by the Institutional Review Board of Fielding Graduate University, as well as by the Innocence Network Research Proposal Committee, to ensure that participants' rights were adequately protected and that the research would be conducted in a manner adhering to established ethical principles.

65. See THE NAT'L REGISTRY OF EXONERATIONS, *supra* note 41.

66. See Sherrer, *supra* note 43.

Table 1. Research Study Participants) were charged with other types of crimes, including eight sentences (38%) for child abuse, neglect, or murder—often involving loved ones:

- Twelve (57%) for murder, four of which involved children (most often cases involving false accusations or faulty forensic science, like SBS and arson)
- Four (19%) for child abuse and failure to pay child support
- Two (9%) for theft
- And one each for fraud, burglary, and bank robbery (5% each)

Multiple contributing factors were reported for each case, including false or misleading forensic evidence, inadequate legal defense, mistaken witness identification, perjury or false accusation, official misconduct, and false confession. For these alleged crimes, they received sentences ranging from probation to life imprisonment (with one woman sentenced to death) and they served between zero and twenty years in prison—a total of 156 years or an average of 7.5 years (Table 1), plus jail time while awaiting trial. Further, the time between their wrongful convictions and when they were cleared or exonerated ranged between one and twenty-four years and totaled 198 years, or an average of 9.4 years (Table 1).

### B. Data Collection

A *Preinterview Questionnaire* was administered to obtain key information about the participants and their wrongful conviction experiences and to gain a preliminary understanding of their personal, criminal justice, arrest, trial and conviction, incarceration, exoneration, and post-exoneration histories. In addition, publicly available documents were collected and reviewed before each interview to provide further background and to become intimately familiar with the details of each case. These included the descriptions of the cases on The National Registry of Exonerations database<sup>67</sup> and on the comprehensive, and more inclusive, Worldwide Innocents Database;<sup>68</sup> newspaper and magazine articles available online; and books written by or about the women.

Qualitative data in the form of narratives or stories were collected using unstructured, open-ended interview questions to obtain “the rich descriptive detail and deep understanding of the experiences of individuals who have faced major life crises.”<sup>69</sup> An *Interview Protocol* (see Table 2. Key Narrative Questions) was developed to gather infor-

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67. See *About the Registry*, *supra* note 40.

68. See Sherrer, *supra* note 43.

69. Lawrence G. Calhoun & Richard G. Tedeschi, *The Foundations of Posttraumatic Growth: An Expanded Framework*, in HANDBOOK OF POSTTRAUMATIC GROWTH: RESEARCH AND PRACTICE 3, 16 (Lawrence G. Calhoun & Richard G. Tedeschi eds., 2006).

mation about how the women exonerees understand what has happened to them and the meanings they take away from their experiences. It further served to elicit the unique qualities, issues, and needs faced by women while arrested, tried, wrongly convicted, imprisoned, and post-release as well as to collect the creative and resourceful strategies that have helped these women cope.

Interviews were conducted in person, by phone, or via Skype, digitally recorded, and transcribed by a confidential professional transcriptionist. In some cases, further communications allowed the Author to clarify interview responses, to gather additional or updated information, and to remain engaged in ongoing and widening conversations. The twenty-one interviews totaled 723 single-spaced pages of testimony (32,471 lines, 492,151 words). Five of the women participated in a roundtable discussion that the Author facilitated at the 2015 Innocence Network Conference entitled “Women Exonerees Speak Out—Hear Our Voices”; this Article includes their comments and statuses as of May 1, 2015.

Using a narrative analysis approach,<sup>70</sup> the content and structure of the narratives were analyzed to identify common themes and to try to understand how participants make sense of their lives and move forward. Rigor was achieved in the analysis of the narratives by following socially constructed criteria for qualitative and narrative research.<sup>71</sup> Specifically, this involved consistently applying the research design and transparently explicating the researcher’s own biases, preconceptions, and lenses. The process also entailed reviewing the transcripts with the participants to ensure accuracy; using a second reader to open up multiple perspectives and to question and validate interpretations; and crafting and presenting the material in a clear, logical, and compelling manner.

Although we cannot draw definitive conclusions from this relatively small sample, the analysis of the narratives of this diverse group of women exonerees provides a composite and vivid portrait of what it is like to live with and beyond wrongful conviction and to move alongside the horror and terror, from some of the darkest experiences possible into a path of life that many would consider extraordinary. How

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70. See Ruthellen Josselson in collaboration with Amia Lieblich & Dan P. McAdams, *Introduction* to UP CLOSE AND PERSONAL: THE TEACHING AND LEARNING OF NARRATIVE RESEARCH 1, 1–11 (Ruthellen Josselson et al. eds., 2003); AMIA LIEBLICH ET AL., NARRATIVE RESEARCH: READING, ANALYSIS, AND INTERPRETATION (Applied Soc. Research Methods Ser. Vol. 47, 1998); CATHERINE KOHLER RIESSMAN, NARRATIVE ANALYSIS (Qualitative Research Methods Ser. No. 30, 1993).

71. See VIVIEN BURR, AN INTRODUCTION TO SOCIAL CONSTRUCTIONISM (1995); Victoria Chen & W. Barnett Pearce, *Even If a Thing of Beauty, Can a Case Study Be a Joy Forever? A Social Constructionist Approach to Theory and Research*, in SOCIAL APPROACHES TO COMMUNICATION 135 (Wendy Leeds-Hurwitz ed., 1995); see also UP CLOSE AND PERSONAL: THE TEACHING AND LEARNING OF NARRATIVE RESEARCH (Ruthellen Josselson et al. eds., 2003).

these women describe their experiences, how they coped with an untenable reality, and several important messages they wish to share are summarized in the next five Parts. Included are supporting quotes in the women's voices describing both their struggles and achievements, as well as their inspiring strengths and wisdom—both individual and collective.<sup>72</sup>

V. HOW DO THESE WOMEN DESCRIBE THEIR EARLY LIVES AND THEIR EXPERIENCES OF WRONGFUL ARREST, PROSECUTION, CONVICTION, AND INCARCERATION?

Nearly half of the women led “normal lives” before their arrest, prosecution, and conviction and “could have been your family member, friend, or neighbor.” Some—influenced by the times or by lifestyle and financial changes brought on by divorce, death, and remarriage—turned to substance abuse, sexual promiscuity, and early motherhood. Two of those women had spent some time in jail or prison and three others reported histories of prostitution, shoplifting, DWI, and neglect.

Nevertheless, their experiences with the criminal justice system made them realize that they had been “pretty naïve about how the world worked.” What they thought they knew derived from television shows, movies, and novels, so nothing that was happening in reality made any sense to them. With no idea of what happened or what to expect and with nothing to hide, the women were more than willing to cooperate to get things cleared up, still trusting the system to do the right thing by them. They certainly did not expect to be found guilty, nor did they have time to get their affairs in order before going to prison. Some were forced to take a plea to save themselves; others refused. They described their feelings as devastation, shock, horror, and terror as they were vilified and harassed by the police, the prosecution, the courts, and sometimes their own defense attorneys.

- Wendy “was one of these naïve people that [wasn't] aware that wrongful convictions or false accusations could happen.” She was “shocked and very afraid” when the police came to her door to question her and ripped her daughter out of her arms. “It was just a horrifying experience. Sometimes I still feel the terror today.”
- Grace will never forget what the police did to her. “They took me back to the scene of the crime and told me if I wouldn't go they would shoot me. They put a gun to my head. That's why I don't like guns or police.”
- Bunny describes her interrogation: “You go into it with the mindset of you are helping and whatever they need, whatever they

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72. Pseudonyms are used throughout for confidentiality. The following statements are important because of the exonerees' personal experiences and do not necessarily represent correct statements on the law.

have to talk to you about, you're going to do . . . . You believe that they are doing the right thing. You don't realize they are trying to take everything you say and use it against you and put it in their own story. . . . And so it messes with your mind. And it just tears you down even more."

- Edie "was devastated. . . . You just have this dark cloud over you, thinking what in the world is happening? What am I going to do? Nothing made sense to me. . . . It is a whole different world. You have no idea what goes on in the legal system."
- Brenda went down to the police station "to straighten it out," and then went to court "with confidence. I thought that racism had gone away. I thought I had a jury of my peers and they were going to look at the facts." She couldn't believe it when they found her guilty. "It blew me away."
- Lisa was in disbelief when the plain-clothes police showed up at her door. "I thought it was a joke; they didn't give me a chance to bring myself in. . . . At the trial, I couldn't mention anything about my inability to pay because I was classified as disabled. . . . I knew all along that I was innocent, but I couldn't make the court hear that, even through my attorney."
- Bethany had two state-appointed attorneys—"one was drunk and the other one was a good attorney but he didn't want to do the needed fieldwork." She said the District Attorney ("DA") would not let her take the stand and portrayed her as "the worst monster on the planet. . . . The jury already knew what they were going to do. I didn't have a chance." Before her second trial, she said, "I learned about the laws and woke myself up to not being illiterate; because at the first trial I didn't have a clue as to what they were doing and the language that they were talking."
- Gena's arrest was "confusing . . . and at the same time I learned more in two weeks about the law than I ever thought I would or care to other than watching TV. It was scary. . . . It is amazing that I didn't just die because of stupidity. I was an idiot about the realities of the law and they took advantage of that." They threatened her with the death penalty or life in prison without parole if she didn't sign a plea agreement. "I didn't want to spend the rest of my life in prison, so I pled no contest. It got me out of prison sooner," but she learned later that she could not appeal.
- Holly believed her public defender and agreed to a diversion plea deal. Her attorney did not tell her when she took the plea that she could not teach children any more. She lost her career, her livelihood, her house, her vehicle, and—as a felon—her right to vote. "I was very naïve and trusting what they were telling me."
- For Barb initially, "Nothing made any sense to me. I couldn't let myself feel too much because then that would have made it too real." She did not prepare for a guilty verdict. "And when that

guilty verdict came in, I gave my father my purse, my car keys, and my house keys, and told him to sell everything in the apartment if it didn't have any sentimental value and to pay off the attorney with the proceeds."

- When two detectives came to question her, Samantha told them everything and even joked with them. She told them, "I had no attorney because I didn't know I was being questioned as the suspect; I had no clue. Not that I was naïve, but because I was innocent. Why would they ever suspect that I had done anything since I hadn't done anything? When they told me that I was being arrested for killing my husband, I didn't know how they thought I did it. I had to learn from the newspapers and the media and through outside people what happened." When she was extradited, "they escorted me with handcuffs through the airport to the airplane, which was humiliating." And when she was in jail, she said, "I had no idea when or if I was leaving. And every day you just see your life sailing away. Everything that you had is just slowly drifting further and further."
- Everybody who knew Connie told her, "You wouldn't kill anybody. You don't have a violent bone in your body." But the police did not believe her. They intimidated and harassed her, even though she willingly cooperated because "I have nothing to hide."
- Throughout her arrest, jail, and trial, Belinda did not understand the "whole process and I had no idea what was happening. It really never sunk in that I was in a lot of trouble and eventually I wasn't getting out." The DA offered her a plea deal, but "I wasn't going to lie just so I could go home. In my mind I just know that I am going to go home because this is wrong. . . . When they found me guilty, my soul just dropped. I finally realized I am going to prison. I'm losing my family. I'm losing my life. I'm losing everything I have. And I'm going to prison. I didn't know about anything legal. So I just did my time."
- Ursula and Sharon were co-workers and co-defendants. They both felt like the police officers, the prosecutor, the jury, and the judge all "were against us from the start, almost as if we didn't have a chance." Ursula said that when the police questioned her, "I was getting worked up because I'm a victim of robbery and she's asking me questions with such attitude that really didn't make sense. We started off as victims and ended up suspects. . . . It just felt like a movie because I couldn't believe I was going to turn myself in and for what?" Sharon also "didn't get a comfortable vibe from the police. I understand you are used to dealing with criminals, but we are victims." She did a video arraignment, "and the judge never really even looked up to even look at my face. To him I'm just another number."

- Even though June had been in and out of prison for drugs and shoplifting, “when I was going to trial, I knew in my heart I was going home because I didn’t do it.” She passed a polygraph test. “If I would have failed it, they would have used it against me in court. But because I passed it they wouldn’t let it be admissible; they didn’t let the jury hear that part.”
- When Polly’s boyfriend confessed to murdering her young daughter, she could not believe that “they decided to arrest me as well.” Polly said she was convicted of first-degree murder “because ‘I should have known’ [my boyfriend posed a danger to my daughter’s life]” even though “I didn’t suspect that my daughter was being abused.”
- When Maggie and her husband were accused of fraud and she was served the warrant, “it almost felt like rape, like somebody had totally violated everything private, everything personal; it was pretty traumatic. . . . I had never had a traffic ticket. I had never stepped foot in a courtroom. I had absolutely no idea the process and law, and so I didn’t have any control. I was at everybody’s mercy; I had no power. . . . I thought that the justice system was fair and I trusted my lawyer was going to show sometime soon that we were innocent and things would go back to normal.” Instead, they were “tortured” and forced to plead guilty “because the District Attorney told my lawyer to tell me that if I didn’t plead guilty he was going to put my husband in prison. And he told my husband that if he didn’t plead guilty, he was going to put me in prison. I felt like they kidnapped my husband and I had to plead guilty and pay the ransom with my freedom or they would do something bad to him.”

Four of the women in this study described their experiences as “surreal,” although others alluded to these same feelings as well.

- Kelly’s arrest for murder was “surrealistic. It was like living in a slightly altered reality. Your hearing is affected. Your vision is affected. Time freezes. My brain literally wasn’t functioning. I was terrified. It was far more frightening because it didn’t make any sense to me. It was clearly the weirdest thing that had ever happened to me. I was stunned. It was like being hit in the head with a two-by-four.”
- Monica describes her trial and the investigator’s false claim as “mental torture—kind of like being hit by a train that you didn’t see coming, you didn’t hear, and you couldn’t have imagined happening. Actually a meteorite is probably more like it. There is a numbness; it is so surreal that it’s almost like you don’t really believe it happened, but you are fighting it. At first, it is shocking and you are so determined to run that gauntlet because you think you will get on the other side, that we’ll straighten it out. And you

still have that very naïve trust and assumption that somehow it will be understood and the facts will matter. And that's partly my own lack of experience—it was unthinkable for me to even have a parking ticket.” And worst of all, “Nobody seemed to care that none of it made any sense.” There seemed to be a “conditioning process—that once the finger is pointed at somebody and they have already started down that path, they have to make it work somehow. . . . So we were totally unprepared for how this could happen to us, before, during, and after.”

Not only did they destroy Monica's life, they tried to destroy other people's lives. When the police investigator tried to force her to take an Alford plea, he threatened to drag her family through the mud. “I thought, ‘I'll be able to explain that this is just wrong.’ Again naïve, dumb, but you've never been in a situation like that before with someone who has got that power over you. . . . again it was a surreal experience. You couldn't possibly imagine how it happened or why. . . . All the people on the jury were local. All the people knew the prosecutor. It's a very small rural place. But we were the strangers. They made me out to be a rich suburbanite or society person. . . . They're not like us. It's an ‘us’ against ‘them’ thing. So everybody is working against you.”

- Lynn knew that she did not do anything wrong. She did the “responsible thing” and cooperated with the police. She “didn't really understand where the cops were coming from. And I don't know what made the prosecution's expert toxicologist invent all of this.” The media called her “the black widow” and the trial for her was “unreal” and “in a lot of ways kind of surreal. I felt offended and shocked when I was found guilty.” Twenty years later, after proving that the toxicologist was a fraud, the prosecutor still tried to get her to take a plea deal on some charge, “but I wouldn't blink, wouldn't budge. . . . It was a crime I didn't commit.”
- For Bunny, “Walking out still feels surreal; being here now still feels surreal.”

For these women, prison was a culture shock—a strange new world with its own rules and language. The process seemed designed to destroy their self-esteem and sense of who they were, subjecting them to being strip searched, locked in, locked down, and segregated, having their eyeglasses and contact lenses taken away, having to sign up for showers and phone calls, and being forced to use the toilet in the open with no privacy. The process left them feeling humiliated, powerless, helpless, and alone—starting on day one. They described their jail and prison experiences as degrading, demeaning, and traumatic, and compared their experiences to being tortured, buried alive, kept as a prisoner of war, or enduring hell.

- Kelly captures the essence of prison. “Prison is an entirely different world, but it is a world. And it has a structure just like the outside world. It has basically everything you can find out here; you just have to work at it a little harder. . . . There is such despair because there is a powerlessness and a helplessness that is unlike anything I have ever experienced before. And I was not used to being in a position where I couldn’t help myself and where everyone just clearly despises you. . . . And sometimes I wonder why the humiliation got to me so much more than some of the other things.”
- Ursula imagined that county jail was “like the stereotypes of what happens in movies”—and it was. She describes “that belittling, degrading moment of ‘Take your clothes off, then bend over and cough three times, move your tongue around, run your fingers through your hair.’ The jail was the most dirty and disgusting place. Personal hygiene? We had the one jail green outfit for a whole week. There was a little blanket; the sheet was one ply and the cover was two ply. It was roach and rat infested and there were slugs in the shower stalls. It was so gross and nasty. That’s when I realized how you take for granted the things that you have.” Then when she went to prison, she prayed “God watch over me and protect me as I enter the gates of hell. Again, in my mind, I thought of all the TV images and horror stories for what population<sup>73</sup> is.”
- Grace understood. “I stayed in the hole<sup>74</sup> more than I stayed in the population because I couldn’t deal with them telling me what to do or when to eat. They tried to break me but I let them know you can’t break me. I’m in here for something that I didn’t do.”
- And for Bethany, prison was “torture. To be put in a cell, six-by-nine, one hour yard call; you’re in a cage like a monkey.”

A few of the women were treated as suicide risks, even though they were not suicidal—just innocent—adding to the confusion.

- Kelly was initially taken to a psychiatric cell—“an iron tomb. I can’t imagine anybody who had psychiatric issues coming out of there alive.” They refused to let her have her property so she could remove her hard contact lenses. “So I am locked in this thing and I can’t really see very well and it’s just unbelievable. It’s like being buried alive. . . . like being a prisoner of war, except

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73. Prison slang for “General Population” (also “GP” or “Gen Pop”), i.e., the majority of the prison inmates except those in “Seg” (*see infra* note 74), in the hospital/healthcare, or on a work farm. *E-G*, PRISON SLANG, <http://prison-slang.com/e-g/> [<http://perma.cc/MR2L-XKPW>].

74. Prison slang for “Solitary” or “Segregation,” i.e., cell house designated for the housing of offenders serving disciplinary terms for infractions of the prison rules. *Q-S*, PRISON SLANG, <http://prison-slang.com/q-s/> [<http://perma.cc/NQ9B-XUV5>].

they are not allowed to physically torture you; although it happens on occasion.”

- On intake, the doctor asked Edie, “‘Are you feeling suicidal?’ I’m like ‘Hello! Jump out of an airplane without a parachute and see how you feel.’ You just feel helpless.” To make the experience even worse, “I can’t wear my contact lenses so I can’t see and I can’t process all of this.”
- When Barb was booked into the county jail, they put her in the “‘bam-bam room’—a padded cell. They took my glasses from me because they thought I was going to kill myself with my glasses. So it’s like I can’t see. I am humiliated because I’m naked with a paper gown.” Later, she described prison conditions as “horrifying . . . demeaning . . . and terrible.”
- Sharon also had her glasses taken from her “because they didn’t want me to cut myself. I’m in a holding cell and people are coming down this hall towards me but I can’t see them. And that was scary to me because if anything would have happened, I can’t identify them.”

Several described their feelings of isolation and profound loneliness.

- June was sent to federal prison in another state, leaving her family, her children, and her support network behind. “When the other mothers would have their kids and play in the recreation area, I would cry because I wanted to see my kids so bad. Especially when I was dealing with being in there for something I didn’t do.” To make matters worse, the true perpetrator of the crime “was in prison with me.”
- Immediately after her sentencing for her baby’s murder, Bunny “got 15 minutes to say goodbye to [her] family through the glass” and she was transported to the state prison. “Even though I was surrounded by people and had a roommate, I was still all by myself because everybody knew who I was and they had seen me on the news and had read about my case. Nobody talked to me. I could walk into a room and hear people whisper. It was a very hard time; very lonely; and there was definitely no way to share that hole that I had inside of me for my son.”
- Holly also “had the worst tag; I had the child abuse tag. And those girls didn’t like you in there. . . . Plus I’m different; I was a poor little rich girl.”

And several others tried to describe the weird and dehumanizing treatment they experienced.

- Monica explains the sudden and meaningless changes in rules: “No one is allowed to bring a bible in; you couldn’t receive any mail that had more than the cost of a U.S. stamp; you couldn’t have any newspaper clippings; you couldn’t have red caps one

time, or black caps the next; the uniforms had to change all the time. . . . So much of it was nonsense and it made no sense. But it created discontent and dehumanization and more expense for prisoners and their families, as well as the taxpayers.”

- Connie “had OCD real bad and hated the shakedowns. I knew they weren’t going to find anything; it was just the fact that they were going to tear all of my stuff up. And I don’t like for anything to be out of place.”
- Holly describes the senseless harassment and maltreatment—“the tipping over of tents looking for non-existing contraband; being thrown into freezing cold showers in the middle of winter ‘just to make it miserable’; and being confined in the restraint chair for eight hours. How do you ever forget about this?”
- And Gena concludes: “Prison is really hard to explain. It’s one of those situations that you can try and describe it, but unless you have actually been there, you are not going to get the gist of it. . . . This is a weird place to live.”

#### VI. HOW DO THEY DESCRIBE AND WORK THROUGH THE PSYCHOLOGICAL CONSEQUENCES OF THEIR WRONGFUL CONVICTION?

##### A. *Thoughts of Suicide, Posttraumatic Stress Disorder (PTSD), Nightmares, Depression, and Anxiety*

While thoughts of suicide were entertained, the will to live, prove their innocence, and return to their families prevailed.

- If it was not for her faith, Edie “would be in an insane asylum or I probably would have killed myself. And I hate to say that because I don’t like suicide and I don’t want to believe in it. By the grace of God it did not happen. And there’s a good reason. You have got a great purpose in life.”
- Like most lifers, at five years, Kelly “really hit the wall; you lose it. You know you can’t do this. It really sinks in you are going to be here for thirty or fifty years. . . . After I lost in the district court, I hit a wall again. But I realized that if I committed suicide everybody would be really pissed. I mean they spent all of this time and money on my case.” She realized that she had “situational depression which can be easily remedied. Just let me out and I will be fine.”
- The first year Gena was there “went so fast; second year took a decade. I found myself in the shower taking apart a disposable razor because I just could not see myself going through that kind of year ever again. . . . I hate March because you spend the whole winter locked up in a building with the same people and you go stir crazy. . . . And there is nothing worse in a women’s penitentiary than the holidays when you’ve got little kids wanting to

know why you can't just promise to behave and come home for Christmas."

- When she was out on bond before her trial, Bunny "got to drink and just forget; make it numb, make it go away. I don't think that I really wanted to live at that time. I just felt like I had nothing. I just wanted to be drunk and feel like there was a way to escape it all. There were some times I just wanted to go out to the cemetery and just lay there and soak into the earth with my baby. . . . When I found out that I was pregnant again, on the one hand, it was like God said that he didn't take my baby as punishment because I worried about that; on the other hand, it was scary because I had nothing and I was facing charges. I worried about what choices I was going to make for my baby."
- Connie had attempted suicide three times in her life "And that was all over men. I promised God I'm not going to do that anymore no matter what happens. . . . And I thought if I commit suicide they are going to think I did it. . . . Also I know that would hurt my family to have to live with that; I couldn't do that to them."
- Likewise, although sometimes Polly did have suicidal thoughts, "I decided against that because what was I going to do, kill myself, and set a real good example for my boys?"
- Grace "got raped in the county. I got raped in the penitentiary. . . I never thought I was ever going to come home. I thought I was going to die up in there. Many times I wanted to take my life up in there. But who spoke to me was Jesus. He said don't take your life; you're going home."

Many described suffering from the *pains of imprisonment* and from symptoms of PTSD, as well as experiencing depression, anxiety disorders, panic attacks, and bouts of paranoia—both during their imprisonment and after their release—leaving permanent scars deep inside their psyches.

- Bunny had "really bad nightmares. I would scream in the night. . . . And there were a few times that I freaked out in the showers because they filled up with steam and I just opened up my eyes and thought I was back in the smoke and I couldn't breathe. It was traumatic." She continues to suffer from paranoia. "You are constantly looking over your shoulder wondering what's coming at you. And for a while, every time I saw a cop car, I thought they're coming back to get me."
- At times, June, "felt that I was drowning in prison and people were looking at me and never threw a life jacket to save me. . . . I would get depressed. I would cry out for my children." And now, like Bunny, "when I would see a police officer I would get scared even though I wasn't doing anything wrong. Something would

rise up inside of me because of everything that has happened to me in the past.”

- Ever since Grace was arrested and interrogated, she has felt like her “whole life shattered. . . . The police just really messed my mind up and it will never be the same. . . . To get tormented; to get thrown in prison and think you will never see your family again, your loved ones, it really bothers me a lot. . . . Some days I get so shaky I stay in my room. Some days I forget where I’m at. Some days I don’t know if I am going or coming. Sometimes I dream about the stuff and I wake up hollering. . . . And every time I see a police car I freeze up. I’m thinking that they are coming for me.”
- When Samantha first went to jail, she “cried for two weeks straight. It was unbelievable, I just couldn’t grasp it. I couldn’t understand. And I could have never prepared myself for what I had to eventually go through. . . . I learned in that first month of being in jail that you don’t show emotion, you don’t talk to people, you just have to change who you are. And that was like the hardest thing to do because I used to wear my emotions on my sleeve a lot. I stopped crying. I just sucked it up. That changed me and who I am from then on. I don’t show that part of me and I am really guarded in that way.” Later, she was diagnosed with PTSD “because of all the stuff that happened. There is so much in my head and there is so much stuff that I still deal with every day that outward appearance may look as though I’m doing okay, but that’s not always true.” She is easily triggered. “It’s in the back of my head that if I get pulled over for speeding or there’s a cop down the street, ‘Am I being watched? Am I being followed?’” She still does not sleep at night and says that when she sees her husband “sleeping so quietly and soundly, I put my hand on him to make sure he [is] still breathing.”
- Likewise, Bethany suffers from depression and still is haunted by the death of her baby son. “When I first got out and started having my [other] children, I would never sleep soundly. I would get up every night and check on all my children and my husband and make sure everybody was breathing because I didn’t want anything to happen on my watch.” She is panicked by the thought of visiting a nephew in jail. “I just cannot go visit. I would not step foot, I haven’t got the nerve up.” Going to court also makes her panic. “After they found out I got my money from the state, the county wanted to pick on me and found an old case on me. When I got up before that judge, my heart started beating so fast; I thought I was going to have a heart attack. I just freaked out and paid it.”
- Wendy also suffers from PTSD. “I would go in closets and cry for hours. I was an emotional wreck. . . . Sometimes I still feel the

terror today. I have fears today and sometimes I still have nightmares after all these years.”

- After Ursula got out, “I did experience a deep depression. I always was able to take care of myself and never wanted to be a woman on welfare or asking for assistance. And to be 29 and solely dependent on somebody, I couldn’t even grasp that. I didn’t know how to accept that, in a blink of an eye, your whole world is turned upside down, especially not because of your actions but because of somebody else’s.”
- Maggie also “experienced the worst depression ever and the highest highs.” She no longer wants “the emotional stress of friends. I am afraid of getting hurt by people and it’s exhausting to have friends and hard to find people who are real. I get anxious, stressed just thinking about having to go out and talk about everyday stuff. It doesn’t really interest me anymore. There are bigger things out there in life.” She even considered divorce. “I had a couple of nervous breakdowns and ended up in the hospital because I thought I was dying and panic attacks. I was just at the end of my rope. I just wanted to be by myself. I didn’t want any other emotional stuff going on.”
- Holly has “never fully recovered. What they did to me over a three year period was traumatizing. It affected me in so many different ways—paranoia, trust, and post-traumatic stress disorder.”

And, after their release, several women immediately moved into action with purpose, working at a frenetic pace and seeking a balance between not feeling and feeling too much.

- Kelly describes this phenomenon. “When I got out, I was trying to do as much as I could, because I figured I would have a limited window of opportunity. But emotionally I was a mess. I didn’t have anybody out here that knew what I had been through. I didn’t have anybody who understood what was happening to me and I didn’t understand at all what was happening to me. I thought you get out and everything is just fine. And so I was busy all the time. Of course I wasn’t sleeping. And what I tried to do is immediately resume a normal life. Well I haven’t had a normal life since that time. I wouldn’t know a normal life if I fell on one. But I tried. But what I didn’t do was process it. I didn’t grieve. I didn’t deal with all the humiliation and all of the embarrassment. I didn’t deal with anything. I just tried to move forward. Six months later, I really started drinking a lot. And at first I couldn’t feel anything. I mean I felt nothing at all. And then I got so I couldn’t stop feeling so I drank to stop feeling. . . . I didn’t realize I had PICS, post-incarceration syndrome, which is the same as

posttraumatic stress disorder. I didn't know how you coped with this stuff."

### B. *Grief and Loss of Relationships*

Eight of the women were sentenced for cases in which children were harmed or murdered. In some of the cases, the women had to deal with deep personal loss following the tragic losses of loved ones, along with criminal charges.

- For Barb, accused of SBS, "It seemed like one huge big nightmare beginning to unravel." She could not understand how the State could adopt out the child she was caring for before she was even convicted. "That was a pretty major blow. It just kept getting harder and harder and more surreal. . . . The biggest scar on me was that the adoptive parents refused to believe in my innocence and therefore I have no access to him. He lives in the same town that I do, and it's painful that people believe that I'm a monster."
- When Bunny's young son died in a fire that swept through their home, "the only thing that really registered was he was the only thing I had to live for and he was gone. And pretty much my whole life had been geared around being a mom and making things better for him. It's real hard to get to where you just accept that in a moment everything can be wiped out. Once you experience that, then you just kind of carry that knowledge always. It makes you more appreciative of everything because you know how quickly it can be gone."

After her release, her second son, who was born while she was in prison, decided to stay with his grandmother who had raised him. "He feels like he is pulled in the middle between my mom and me. I struggle to maintain a relationship with him and connect after all this lost time. I was blessed that I got to see him in there, but that doesn't make up for the things he and my mom got to do. . . . I still feel like a twenty-something kid and it's hard reconnecting to the world. . . . And now I am trying to have a baby all on my own and make sure that I don't let them take anything else away from me."

Others were convicted of murdering their husbands or partners, and even though they were innocent, they either felt guilty or felt a sense of blame for not being there.

- Monica's companion's suicide brought back all of the memories and emotions surrounding her father's recent suicide. "And the common denominator there was I should have done something. I should have been able to keep this from happening somehow. I should have been the one to know. . . . You blame yourself for not doing something, for not being there to intervene. . . . So you end

up suffering not just from the loss and the shock but a sense of blame for not being there.”

- Even though Lynn was in the midst of a messy divorce from her husband, who actually died from a self-inflicted drug overdose, “everybody thought I was the wicked witch of the west because I was so unconcerned. . . . Then, of course, his druggie buddies blamed me.”

A few of the women described the feeling of raising their children “through Plexiglas,” their guilt for having abandoned them, or the pain of watching them try to make sense of what was happening.

- Brenda explains that raising her daughter “through Plexiglas wasn’t easy; but I had to smile to keep from crying.”
- Monica has a hard time talking about her family’s visits when she was first in prison. “I was truly in a Plexiglas cage; I felt like a monkey. They put chains on you. I will never ever forget, and they won’t either, my daughter first putting her hands up on that . . . because they couldn’t reach me and we couldn’t touch. That somebody could do this to you and your family is just unthinkable.”
- Bunny sat in County Jail for three months after she was arrested “with nobody in the cell with me. That was the hardest time because you’re just isolated, feeling alone. All the visits were through glass so we really didn’t get to have any kind of soothing contact.”
- Polly says that when she was sentenced in the death of her daughter, “I asked my mother to please keep my three sons together, but my parents got rid of my youngest son and sent him to a foster family. After a year, they adopted him.”
- Although Samantha’s mother supported her when she was in jail, she says: “My kids were with my brother and he didn’t really give them any communication with me at all. . . . It took \$40,000 and a year and a half to get custody of them [after being released].”
- Holly’s young daughter “did not have a normal life. Every time I turned around they were trying to get me in jail. My poor little girl, she had to hear me fighting on the phone. She had to watch me crying all the time.”
- And Belinda suffered the pain of her young daughter not knowing her. After she got out, Belinda went to pick her up from school. “She comes out and she said ‘Are you my mom?’ And I was like ‘Baby I’m your mom. I’m back and I am never leaving you again ever, ever, ever.’ Can you imagine? My own daughter doesn’t even know who I am.”

All of the women had to deal with the lifelong impact on their family members, as well as changes in their relationships with husbands

and surviving children, who also suffered through the imprisonment, and trying to maintain those bonds.

- Monica explains that “It doesn’t just affect you; it affects your family even more. It was horrendous for my mother; she had just gotten over the horrible nightmare of my father’s suicide.” Her children’s lives also were so disrupted. “It was like being out in the middle of the Pacific with an inner tube—for me and for them. We had to paddle constantly. We had to do everything that we could to try to get this thing to a point where we had a chance. . . . Everybody was in prison at the same time. Nobody could get a job or have a committed relationship. . . . There’s no way to overcome the loss of time with family and all of their losses that were incurred because of that.”
- Edie was sentenced to prison for eighteen years when her daughters were ages five, three, and one. “What do you tell kids? How do these little minds process this kind of stuff?” On top of that, her husband “came down one day and said ‘I can’t do this anymore. I’m done. I filed for divorce.’ . . . The kids were so upset. They always knew what was going on, not all the fine details, but they knew that mommy was working to get out and that she would come home and live with them and do all of these things.” When the divorce was final, Edie was court ordered to have visits and phone calls “but it was done. It was over. I just had to move on. I knew I couldn’t let it destroy us.”
- Ursula did a little less than three months, leaving her newborn son in his father’s care. “I don’t care how much time, when you are falsely convicted of something, it’s a lifetime. Nothing can give me that time back. Babies grow and change so fast; he’s done so much that I had missed.”
- June describes her many losses: “I think the pain will always be there. I lost my marriage; my husband ended up leaving me. Losing my child [who was killed two years after she got out] and all the years that I could have been with my child. I lost all those years—memories, graduation, birthdays, holidays.”
- And Gena “would rather have spent those years hanging out with my family and not losing friends.”
- Holly witnessed how “not only your life can be ruined in a matter of minutes, but also it hurt a lot of people. It trickled down to affecting my father’s health and affecting my sister’s schedule. And they took away all those years with my daughter. That’s child abuse what they did to my kid.”
- Wendy was wrongly accused of child sex abuse, but “the only children abused in this situation were my own by the system. They still have a messed up life; they’re mistrusting of people because of what happened to their mom. So a wrongful conviction doesn’t just hurt the person wrongfully convicted, it also hurts the fami-

lies and the people that love them, and most importantly, their children.”

- Belinda “doesn’t know what my purpose is anymore because I have damaged my kids with who I am. I damaged myself. I’ve damaged my partner. I damaged a lot. . . . I know it has everything to do with my guilt; my guilt for leaving them; my guilt for them being abused; my guilt for all that. I’m always trying to make up for it still, but how do you change something that you have felt for eighteen or twenty years? I can’t change it; I don’t know how.”
- Of her three grown children, Lynn has been reconciled with only her youngest son, who was only four years old when she was arrested and does not remember living with her. “They grew up in foster care and were kind of indoctrinated in the idea that I had actually committed this crime. There was certainly plenty of local press coverage and stuff swirling around.” She has accepted that she can’t change their way of thinking about her as the bad guy. “I can just make myself miserable or I can go on living because they are going to do what they are going to do and I can’t fix it.”
- Maggie describes the many other losses that she and her husband experienced after their conviction for fraud and the loss of their business. “We lost everything, including our lives as it was. I liked being a stay at home mom, going to school, taking care of the kids. We had nice things. We had a nice house. We had a boat. We went to the river. We had a place out on the river. We worked hard. We just lived life.”

She tried to protect her family, keeping things secret. “I didn’t tell my mom for probably nine years because it was humiliating, the thought that somebody would even think that we committed a crime was horrible.” Her children were ages eleven and thirteen when Maggie and her husband were sentenced. “I didn’t want them to know that anything was wrong so I just did what I had to do. We lost ten years of our lives with our kids. That’s a long time. And you can’t get it back. It’s done. It’s gone. My children can’t go back to that age. I can’t go back to unsleeping all that time that they needed me to do something or I can’t go back and go on vacation with my kids like normal people do.”
- Lisa also was able to keep quiet about what was happening. “Pretty much nobody knows but my closest friend and my family. Although if you Google my name, it’s all over the place. My children know I went to jail, but I never talked to them about it. And I don’t get a chance to talk about it that often with my family because it’s a sore subject. We just want to heal and keep going.”

Once released or exonerated, some of the women struggled with dating and sexual relations; others were fortunate to meet understanding and supportive partners.

- After she was released, Barb explains that “It’s not easy for me to establish new relationships because if I went out with a guy, what would I say? Where have I been? That would scare anybody, I think. Who would want to be involved with that?”
- Likewise, Bunny explains that “I have all this baggage now and that affects everything else—your relationships, dating—that’s a joke—because as soon as we go out, I’m going to wonder, ‘Did you Google me?’”
- Belinda “tried to be in a relationship but I couldn’t. I felt really good about being so independent. Coming from what I did when I had nothing; from going to prison to getting out and making it! And I didn’t have a man in my life. I was doing it by myself. I was raising my kids. They were and still are my life.” However, she does have a boyfriend—“the only relationship that I’ve had. . . . Why he wants to be with me for the rest of his life, I don’t understand.”
- Brenda just doesn’t have the time. “Everybody says I am married to my organization [that she founded]. . . . And even when I was dating, you have problems because men want to say ‘I’m not first in your life. The organization is first in your life.’”
- When Monica started dating her now-husband, she told him about her wrongful conviction “like I tell everybody else, right straight out, just because it is a need to know thing. He understood completely. But it took him a while to understand how easily it happens and to how many people.”
- When Sharon and her husband first started dating, she told him what had happened. “And he was like, ‘Okay, it is what it is. God was moving.’ But he asked me ‘Mentally, are you okay? Have you forgotten stuff? Have you forgiven people? Have you let stuff go?’ And I said ‘I think I have for the most part.’”
- Polly told her story to her current husband on their first lunch date. “It was just a thing. There was nothing huge, nothing major in my opinion, but I think it kind of set him back a little, like ‘Whoa, wait a minute here.’”
- When Samantha first moved back home, “I had a boyfriend and he was really, really good for me at the time. We talked about my case and he really tried to help me, for me to do things that would make me feel better about myself, like finish school. We broke up and then I met and married my husband and he has been awesome, amazing.”

### C. *Working Through the Psychological Consequences*

Telling and sharing their stories can help individuals work through their issues, gain perspective on their life, and redefine their identity. While they do not forget their traumatic experiences nor minimize their suffering, telling their stories helps them integrate and own the

painful emotions of their situation, rebuild coherence, make them part of their stories, and live with them in a productive way. Recovery is supported by disclosing their personal narratives to interested and supportive listeners—including family, friends, other people who have undergone similar traumas, professionals, general audiences—and most importantly, to people who understand. Although speaking about their experiences can be healing, it may also trigger PTSD symptoms.<sup>75</sup>

- Gena turned down joining therapy groups in prison, not wanting to hear everyone else's stories. "If I have a bad time I will talk to my case worker or therapist; but otherwise I got myself into this and I need to get myself out."
- Bunny struggled through groups and worked with prison psychologists "to talk and share what was going on and how I felt and whether or not I was okay. . . . Everybody talked about things that I didn't realize I was going to have to deal with. Like missing my son's first birthday or someone in your family dying and you are not able to be there; just life moving forward while you are stuck in transition."

The psychologist allayed her fears that there was not "some kind of monster living inside of me that I didn't know and I didn't recognize . . . that I didn't do something and not realize it." He encouraged her to start trying to work through grief and different things that she wasn't dealing with. Instead, "I gave up the groups and worked two jobs and went to school. It just seemed like it was easier to stuff everything down instead of dealing with it." Eventually the stress caught up with her and came out physically. She went back to her sessions with the psychologists, but "I don't feel like it ever gets easier. I don't feel there is ever a day that is not hard to say my baby died and I went to prison for it. And the pain doesn't go anywhere."

- Despite working through her issues with a wonderful therapist and gaining an understanding of trauma and recovery and its meaning in her life, for Kelly, talking about her case intensely will trigger nightmares about being imprisoned. "I read somewhere that it takes the same amount of time to heal as the trauma lasted. Twenty-two years is a long time—but I have got ten in."
- Likewise, after Monica told her story, "the flashbacks did bring back the feelings of loss and sadness." Nevertheless, she understands that "telling her story can be very, very healing. At the same time, it's like you're sick and you've got to throw it up. You've got to get it out of there and then you feel better until the next time when you get sick."

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75. Heather Weigand, *Rebuilding a Life: The Wrongfully Convicted and Exonerated*, 18 B.U. PUB. INT. L.J. 427, 433–34 (2009).

- And Wendy concludes that “You can’t ever get your life totally back. You can be strong. You can rebuild your life. You can work hard. But there are certain triggers that bring an emotional response that will never forget this experience.”
- When June was in prison, “I used to go to mental health at times and talk to people there and I would go through counseling sessions. It would help me, but I felt like I wasn’t getting anywhere because I would lose one appeal and nothing was working for me. And I was getting very defeated. But now it does help because I am in a healing process.”
- Maggie went to a therapist for a few months. “Then, I kind of learned how to figure out and deal with things on my own.” But she also understands the need to speak to people who understand. “I can explain my story to my lawyers. I can show them the paperwork, but they still don’t get it. They don’t get the person behind there. They don’t connect with the emotional part of it.”
- Belinda went to a life coach and tried therapy, “but it never goes anywhere. They can’t understand. They don’t understand. It’s not worth talking about, if you don’t understand. I don’t connect with them. And if I don’t connect, I just don’t have the desire. . . . Talking makes me feel worse because then I have to realize what I’m still doing and I just don’t know what to do about it. Or I can go day to day and pretend like it’s not happening. Just do my routine.”

A few understood the healing power of laughter and humor, and many told stories of their prison experiences that were funny in hindsight.

- Kelly “always had a sense of humor. And with something like this if you don’t laugh about it you have to kill yourself. It is the only other choice you get.”
- Gena has “got to find the humor in things, otherwise you sit around and you get depressed. And that can get boring after a while. So it’s basically better to laugh than cry, and you have to look at the funny parts.”

As we will read next, and later in Part VIII, despite the difficulty of talking about their cases, many of the women have chosen to speak out—to build public awareness and to find meaning and purpose in their lives from their experiences of wrongful conviction.

- Bunny anguishes over interviews and her “choices about whether or not to share my story. I think those were the hardest moments because you want so much to say, ‘Oh yeah, I’m innocent,’ but you are so afraid that they are not going to see it. . . . You do them and you don’t realize the toll it is going to take on you. For me that was all I had left of my baby and I didn’t want to share my pain, my loss. I just wanted to hold onto it. So I would do the

interviews and struggle through them and afterwards I would just crumble, cry for hours. . . . And so you go on this whole roller coaster of what if I did the right thing and what if I didn't and it is hard because you never know. You just kind of walk the tightrope and hope you don't fall off. . . . In the end, I always sit and weigh, not on how I feel, but whether or not it will bring about change for somebody else. Then it doesn't matter how I feel. It gives it more meaning, more purpose."

- Monica reflects that it is easier to "talk about the facts than the feelings. I would love to lecture about it if it hadn't happened to me and I had learned about it [from others]. But having it define your life and be what you have to do in order to try and get to understand it is different."
- Bethany wrote a book and speaks about her experiences. "I just wrote it to try to heal my past and what happened to me, and heal myself. I struggled with writing the book, but I feel a lot better because I got it out there." She also speaks about "how it was for me. My objective now is to try and reach the younger generation because I was young when it happened to me. I just have to tell my story in the hopes of reaching people and changing some lives."
- The only time Gena will "talk about it now is when it has to do with something legal and it's for a good cause. Otherwise, my family is tired of hearing about it. I'm tired of hearing about it. You live with something for long enough, you just don't consciously think about it. It just is. It happened and I moved on. . . . I buried my father and all of my grandparents; that hurt worse than this. The issues I had with my mother were worse than this. . . . Sort of like when I had an emergency appendectomy. I have the scar but I never look at it. You know it's just there. I don't feel the pain of it anymore."

Like Gena, the only time some talk about it is when it has to do with something legal. But for many, like Monica, when they do share their stories publicly to educate and build awareness, they find that people "just don't know how to talk about it. They don't know what to say." So she keeps working on it—"one person at a time."

## VII. HOW DO THEY COPE WITH THEIR SITUATIONS?

Alongside all of these negative consequences, these remarkably resilient and strong women do find ways to live with and next to their overwhelming feelings of grief, pain, and helplessness—and even transform and grow. Like other survivors of life-threatening trauma, the wrongfully convicted rely on multiple coping strategies that shift over time and place, using a variety of techniques to make sense of what happened to them.

- Barb heeded her father's wisdom that "you are going to take this one day at a time and you are going to get through. . . . And so you just continue daily, just keep moving forward, that's all you can do."
- Similarly, Edie was advised by another inmate to "don't let your time do you. Just make the best of every day."
- Brenda followed the mantra: "Do, listen, assist, and help."
- Kelly "got through it day by day . . . putting one foot in front of the other."
- Wendy had the same philosophy. "Even when you feel like you can't do it, put one foot in front of the other and go on with your life and you can survive."

A. *Core Beliefs and Values: Faith, Family, and Friends*

When asked to describe their personal strengths—what was the main thing that got them through their ordeal and helped them cope—many returned to how they were raised and to their core beliefs and values, especially their deep faith in and gratitude towards God and their enduring love for their children, other family members, and friends.

- Ursula's "parents instilled values, morals, and having self-respect . . . and that God knows all, sees all, and is all." Her co-defendant Sharon was raised by a single mother, who "tried to expose us to everything." Sharon and Ursula shared a deep and unwavering belief in God—"that God never leaves his children." As a result, they each were kept strong throughout this whole process "by God's favor, my family, my faith in God, and my church family."
- Barb sought answers through religion and faith, having grown up in a "very strong and supportive family" and being "raised with good Catholic values and morals." She discovered, "My spiritual life is pretty strong now. . . . I cope with everything, just knowing that everything that I have been through and everything I have lost can't be compared to the pain that Jesus experienced. I just pick up my cross and I carry mine with Jesus. I keep going every day knowing that God is with me and I didn't suffer as he suffered."
- June says she also "just really put my faith in God. And it seems like when I really surrendered and I started crying out to God to help me through these times, through this pain, and to give me strength to overcome all that I am going through, everything started really changing for me. I started winning stuff. I won a new trial and we ended up finding out about the real perpetrator."
- Lisa was helped by religion and by her mother. "I read my Bible most of the time I was in my cell. . . . And my mother helped me,

paying my bills, just talking to me, and being there; she has been my rock through all of this.”

- Polly was kept going by God, “because He knew I didn’t belong there. I knew I didn’t belong there.”
- Connie was helped by her faith in God that she learned from her grandma’s example. “She prayed every day, night and day, and her faith kept me going.” Connie too prayed for “the patience to get me through the ordeal and the strength to keep me going every day.”
- Wendy says, “I believed in God and mostly I learned to believe in myself. I learned to fight for myself because I knew if I was ever going to see the light of day that I had to keep fighting to prove my innocence and never give up. It gave me an inner strength that I realize now was always there.” She also discovered that “God put caring people in our paths to lighten our load and gives us opportunities to grow through rough times if we allow ourselves to.”
- Grace also “thanks God that He put decent people that helped me on my case when I was locked up—my lawyers and Jesus always is number one.”
- Gena was born and raised in the Lutheran Church and explains, “If you go to prison religion always plays a role. First year you are there you find God. On Monday nights, everybody goes to Bible study; it’s somebody to talk to other than an inmate. . . . I believe there is a God. I believe He is on my side. I believe that if I did not believe that I would be dead. I would have killed myself in my second year. That’s how I survived. . . . Now I pray every day. There’s always something to talk to God about.”
- Bunny met a priest in prison who “supported me through the fight. He was the one person I could go to and be weak; he understood. He got it. He became more than my priest, he was my friend. He was the first person that truly embodied what I thought God was really like and really was supposed to be. So I struggled to be like him, be more positive, help people, and more.”
- When Bethany was waiting for her second trial, she explains, “That’s when I started just getting closer to God. And I just thought then I am not going to worry about this. I know I didn’t commit this crime.” Besides her attorneys and God, “my mama helped me a lot, keeping my case in the public eye and building awareness.” And a Christian couple was her “biggest supporters and brought me closer to God. [They] taught me to ‘just pray about it and hold your head up.’”
- Lynn “always had somebody who believed in me besides myself—attorneys mostly, my friend, but family, no.”

- Edie was able to keep close connections “with people on the outside”—family and friends. She cherished and was sustained by their phone calls, letters, and visits, especially planning with her three daughters for when she would come home. “All these little things that are just so cool for them.”
- Likewise, Monica “had a life before this happened; I had a structure; I had some accomplishments of sort, nothing great, but I also had a family and friends; I had a sense of dignity and confidence. And you need a reserve of good memories and good thoughts and good things in your mind and in your heart and in your sense of future that can restore you.”
- What made Brenda “the person I am today is my 89-year-old mother” and her large, close blended family—eighteen children—who learned at an early age how to fend for each other, how to survive, and how to take care of everybody else. As the oldest girl, she continued “to be that second mother from the prison cell. I had to smile and be strong for my sisters and brothers when they were coming to see me. I guided them so they wouldn’t go out and do something stupid and end up where I was.”
- Samantha agrees. “In the end, family is all you have no matter what you do or what happens.”

In addition to being sustained by family and friends, many of the women found new supporters both on the inside and outside.

- Bethany had one close friend in prison that helped her and explained what to expect. Otherwise, “the hardest thing was that nobody told me anything; I just had to walk that path myself,” knowing that she did not commit a crime.
- When Bunny was switched to a long-term dorm for women, she was surprised to be greeted by a young girl who, instead of beating her up for her crime, befriended her. The girl told Bunny, “I have got a long sentence and I don’t think I will ever get out in time to be pregnant. I am going to be friends with you, so I can see what it is going to be like to be pregnant through you.” Despite all of the women being there for murder, “they helped more than I could have ever imagined. They encouraged me to sign up for classes; to go to work; to keep pushing forward.”
- For friends, Lynn “usually found the smartest person in the work room and I got my bud; somebody who wanted to talk about something besides prison.”
- Polly’s parents got custody of her three sons and moved to another state and her sister and brothers visited occasionally. So her only friends were “other inmates.”
- Monica’s daughter kept a growing list of the real people—“the people who picked up the phone or came and said, ‘What can I

do?’ or ‘I have a plan and I don’t believe this nonsense for a minute’ or ‘I’m on your side’—different people and different times that kept my kids going. There was a sense of connection with the outer world of support that is a powerful force of keeping you determined. And it permeated everything: the guards at the prison; the way my family conducted themselves; and the way that I was too.”

Not everyone was as open, and some chose not to share their experiences with other inmates, prison staff, or even with friends and family. Nevertheless, many exuded innocence, and all of their releases were celebrated by the other women and the prison staff.

- Barb kept to herself. “If people said something to me I was cordial; I was too scared not to respond . . . but I wouldn’t initiate any contact.”
- Samantha did not work on her case “and hardly ever had any paperwork. I was really afraid of them getting into the hands of a jailhouse snitch. I was really cautious of letting anybody know me, but everybody really knew about my case from the media.” Although she did tell them she was innocent, “It wasn’t so much as me having to say I was innocent, but because of the type of person that I was, they could see it and feel that. . . . The day I was released, I had three units clapping and banging on their doors because I was going home. And people were crying.”
- Kelly was very supportive of the other women, helping them with their cases and telling their stories, but she also rarely spoke about her case “because of the dangers associated with snitches . . . and because I didn’t want to make any of the women feel bad. . . . When she was released after sixteen years, with “everybody just jumping up and down and cheering,” she took one little box with her. “I gave it all away to everybody because a lot of women have nothing. I even gave away my television set. I didn’t need it. They did.”
- Likewise, when the word got around that Lynn was being released, “there were probably 400 women outside all along the sidewalk and on the porches. It was like walking a gauntlet. As I left for the last time I gave everything that I had away—things that were precious in prison and that in the real world, nobody, including me, wanted.”
- Monica found in the other women in prison an “amazing unity of spirit and involvement and love” in the effort to free her—“to do something that made sense and everybody wanted to be a part of that feeling of support.” For the most part they knew her story and that she was innocent. When the word came about her release, “it was bedlam. Every person felt a sense of permanent

encouragement and hope. It wasn't just about us—it was about overcoming something that was so wrong.”

- Sharon told people she was innocent. “And they believed me because I got ‘You don’t belong here.’ Since they said I didn’t belong here, I felt I have protection there.”
- Like her friend Sharon, Ursula clearly “did not belong here.” Everybody looking at her “just couldn’t believe that I had done anything. I wore innocence.” Even after her release, “Only my closest friends know the story. I haven’t met a lot of new people that entered my life thereafter because of trust issues, not knowing what somebody wants from you.”
- Maggie also “does not want friends. I like justice, but I am afraid of getting hurt by people. I just stay at home most of the time, work at home. I choose to be a hermit. Unless I am working on cases, and then I’m out talking to people.”
- Holly’s dad and sister were miles away and very ill at the time, so “I didn’t really want to get them involved. I wanted as little people to know about this as possible; it’s embarrassing; it’s child abuse.” Nevertheless, she acknowledges though that what keeps her going “are good people out there that try to help.”

#### B. *Self-care: Basic Necessities, Working, and Trying to Relax*

To meet their basic needs, the women were forced into creative solutions to survive.

- Sharon and Ursula describe some of “the crazy stuff” that they could not get used to:
  - “No doors on the stalls in the bathroom—no more privacy.”
  - “No doors or curtains on the shower. . . . So they get a garbage bag and little pencils like from putt-putt golfing and they take the pencils and put the bag in between the bricks to make a shower curtain and have some privacy.”
  - “Taking a maxi-pad, folding it in half or cutting it and rolling it up to make a tampon.”
  - “Drying out and rolling up greens and a banana peel and that’s their weed or their smoking.”
  - “Taking all the water out of the toilet and communicating to different people upstairs.”
  - Making lipstick with the colored shells from M&M’s. Sharon “asked one of the ladies why she was doing this since ‘you’re not going anywhere?’ She said ‘I am in this condition and I have to look pretty so I can feel pretty.’”
- Kelly adds, “You would always have to go on these seek and destroy missions to get the dumbest things—tampons, sometimes toilet paper, soap. There was never a sufficient amount. It was always rationed. It was bizarre.”

To keep themselves from going crazy or from getting into trouble, most of the women kept busy working—even if it was cleaning toilets and scrubbing showers. They tried to relax by exercising, reading and writing, doing crafts, watching television, and listening to music.

- Edie “needed to work. I need to do something. I need to keep busy. I can’t sit in a room like this; that was driving me stir crazy because all I am thinking about is what I should be doing at home.”
- Bunny also “continued to work two and three jobs because I just wanted to stay busy. If I wasn’t, I would just sit in my room and think and that wasn’t a good plan for me.”
- Instead of being angry, Samantha decided that “I can’t let it get to me. I’ve got to do what I can to live and get through this. I became the house mom of our unit where I cleaned toilets and scrubbed showers and made sure everybody had toilet paper. And the new people who came in at nighttime got their bedding, got their bed; got in their room. I was the liaison between the deputies and the inmates and had to walk a fine line. And I would always help anybody out and try to be there for them even if it was to listen.”
- Lynn got through the days mostly by setting little short term goals for herself. In addition to reading all the Harry Potter books, she estimates reading 5,000 others. She also became a fervent power walker to relieve stress; immersed herself in crafts, knitting mittens for charities and making Christmas stockings; played Jeopardy almost nightly; watched daily a half hour each of local and world news; and avidly followed football.
- Gena’s theory was “I just needed to keep busy, keep my head down, and stay out of trouble and get the hell out of there—crocheting, embroidery, just pretty much whatever you could do, other than your job. The first two years I was a teacher’s aide in the morning and a cook in the afternoon—two jobs that had direct effect on everybody’s morale. So then I went on maintenance and that was a lot better for me because I got to work on my own. Otherwise, I stayed in my room with my TV and radio.”
- Belinda “just started walking every time they let me outside; and thinking about what happened.” She got a job working and making minimum wage. “I paid 20% of my money to room and board; 20% to my victim for restitution; 20% to my bank account; 20% to my family; and 20% to a savings account for when I get released. . . . I just worked and focused on going home.”
- Barb got through by working in the maintenance department, writing to law schools and law firms about her case, and writing a novel. She discovered that writing was therapeutic and that creating the characters “really did help me cope with my incarceration.”

- Bethany began journaling “about how I felt and how I couldn’t wish that on anybody. And that kind of kept me going. . . . My writing and my handwriting changed over the years. I grew up in prison.”
- Polly wrote beautiful and expressive poetry.
- And Monica “had music in my mind and I had poetry and literature to free my mind and to separate myself and to transcend a lot of the pain and dread and anguish.”

C. *Discovering Reasons and Purpose: Keeping Busy with Their Cases and Helping Others*

Some coped by discovering reasons and purpose for their situations, like digging deeply into their cases, and sometimes finding the missing piece to solve them.

- Bunny “got a job in the law library and started looking into arson cases” and corresponding with a crime book author who “got it. She saw and she believed in me. And for me that was incredible. That was a huge turning point that somebody else on the outside looked and saw that I didn’t do it. I really think she was a catalyst to kind of move me forward.” Bunny also worked closely with her lawyer and then with a legal clinic, “thinking you are never going to be able to prove it or you will never be able to fix it. But I wasn’t just doing it for me; I had to keep pushing and prove something so I could get out to my son.”
- Monica put her education and work experience as an analyst, an information person, and a researcher to good use. She worked on her case with her team of attorneys, especially her lawyer daughter, who “had enough knowledge, love, dedication, determination, a sense of right, and a really strong sense of organization and writing.” Monica had always been stubborn and determined. In addition, “being innocent gives you an ability to fight and the impetus to try to figure out what happened. It also was just so frustrating because I couldn’t understand and I don’t like things I don’t understand and I can’t just let them go.” So she expected to “straighten it out, and get myself clear” and between “frustration and lack of knowing” was able to put the pieces together to figure out how the police and prosecutor colluded with a false witness to testify against her.

The other part for Monica was “seeing so many women who were sick, mentally disturbed, sad, depressed, uneducated, just gets to you. And seeing a system that doesn’t work makes you want to do something.” She learned that “you have to keep believing you can win and to question every single thing.”

- Lynn worked on her case. “I read and critiqued witness statements, as well as all of the toxicology reports and autopsy reports. I knew that none of what the toxicologist was saying was based

on any kind of science. I had no idea that he was blatantly lying.” Thinking outside the box, she found “a seldom used statute [section 313.19 of the Ohio Revised Code]<sup>76</sup> that any interested party can at any time bring a civil suit against a coroner to challenge a coroner’s cause of death.” Through a former inmate, she contacted the alumni office at the university the toxicologist allegedly attended and uncovered that he “had never even graduated from college,” proving that he was unqualified and incorrect about the toxicology reports.

- What was important to Brenda “was helping my lawyer who had made a promise that he wasn’t going to rest until I was free. I wrote to everybody to come see about me.” When a new investigator entered the picture, “I knew that I was going home. I just didn’t know when. God had created that opportunity for me. And so He was working through people here on earth to free me.”

While incarcerated, some became “jailhouse lawyers,” providing legal services to other prisoners; some became teachers, sharing their education and skills so that others could learn and grow; and some did good deeds to help the other women.

- As a former law student, Kelly was assigned to the prison law library, where she provided legal assistance to other inmates. She worked extensively with battered women, as well as others, and developed specialized legal services for many different areas of the prison. She has “come to believe that it was my mission in life to go there.”
- Brenda’s mom always taught her that “When your back is up against a wall, you make the best of a bad situation. She wanted me to go down there and be the lady that she had taught me [to be] and to make the best of this. And that’s what I did. I was everybody else’s mother, old lady; I was granny; I was Aunt Brenda; I was Miss Brenda; everybody’s shoulder to lean on. My mother also taught me to give respect and demand it—to do, listen, assist, and help. And so I won the respect of officers and inmates as well.” When she noticed that some of the women could not read or write, she pulled together some of the other inmates to help her teach them. Then she began to intervene for inmates whose convictions appeared wrongful and coached them in how to present themselves and in what to say when they had the opportunity to go before the court. “There was a reason I had

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76. OHIO REV. CODE ANN. § 313.19 (West 2011) (“The cause of death and the manner and mode in which the death occurred, as delivered by the coroner and incorporated in the coroner’s verdict and in the death certificate filed with the division of vital statistics, shall be the legally accepted manner and mode in which such death occurred . . .”).

been thrust into that position, and to know that you helped anybody is a joy.”

- Samantha “didn’t preach the Bible; I tried to live it. I learned so much about being a Christian from that. . . . I’d make sure that people who didn’t have money and were indigent had shampoo, bags of ramen noodles, candy bars and chocolate. I really felt like that was part of why I was there—to try to make some sort of a difference in some way. I felt like if I could do something that changes the life of one person, then that was enough.”
- Lynn took classes toward a one year business certificate and was certified as a Laubach Literacy tutor, enabling her to help, “without exaggeration, 500 women to get their GED.”
- Monica worked as a teacher’s aide in a business class, teaching English, spelling, and math. Most importantly, she taught the women to “overcome the lack of will, lack of determination, and lack of confidence” and to build the skills they would need to be successful after their release.

D. *Overcoming Earlier Negative Experiences: Reflecting, Transforming, and Growing*

Some used their wrongful convictions as an opportunity to reflect, transform, and grow in spite of earlier negative life experiences.

- When Gena went through those gates, she thought, “I just wanted to get through it. As far as my priorities were concerned there was God and there was my parole date. I got through prison because it was something I had to do; it was what I was taught to do. You make a mess; you clean it up by yourself.” Although the situation ran counter to justice, Gena told herself that “I may not have committed this crime but this was going to pay for the other crimes that I didn’t get caught at,” like shoplifting, DWI, and hitchhiking.
- Connie thinks she changed for the better. “I’m not going back to doing drugs or drinking anymore. I have a more positive attitude in life. I don’t want to take anything for granted anymore. I didn’t used to be so nice; I didn’t care if I hurt your feelings. Now I’m not like that. I care actually.”
- Belinda’s “mentality was everything happens for a reason. Maybe if this didn’t happen, maybe if I didn’t get stopped, I would kill myself or kill my children. Something bad would have happened. So that was how I got by; I just told myself it’s karma. I had to be here and I need to get my life in order.”
- For Bethany, “even though this was a harsh test, God sent me through this because He knew that I was hard headed and He knew this was the only way He could get me to see what He wanted me to see.” When they overturned her sentence, she realized that “God is listening to me. He knows what’s going on. He

wanted me to change and I started laying down everything that I was doing that wasn't right. I started realizing that my life did mean something and that I could change it."

- Grace "changed a great deal and had to learn to deal with stuff, no matter how a person may have treated you down the line; you got to learn in order to forgive. But you don't have to forget if a person treats you wrong. So now I do whatever I can to help somebody out. I think I am a better person than I was before I went in there."
- June says that God captured her attention, teaching her to see the consequences of her choices and to be responsible for her decisions. "I was tired and trying to turn my life around. I really wanted to change. I can't take back the past. I know the type of people that I hung around with in my past never brought me anything good; negativity brings negativity. . . . What matters is where I am today." Now June inspires others to take responsibility for their lives. She tells them that "I am a living testimony for what God has done in my life and the mother that I am to my children today. This is the hand that was dealt to you. But, you have a choice right now to turn away from it—to do what's right and to stop living the same repeated cycle in your life."

Others also discovered that struggling with their unexpected wrongful conviction experiences had changed them on many different levels.

- Monica's life has changed "because I understand more now. Before, it just never occurred to me that something could happen that I wouldn't have any control over. I felt secure and I could see the future. And then I didn't worry about all of these other things because I didn't know, so it was easier." Her worldview also has changed. "I was insulated because of the way I grew up. A lot of the faith that I put into this country was around not just police but government in general and it just changed tremendously. You lose all of your trust if you cannot rely on that integral part of safety and security and honesty in the system that you rely on to protect you." She is also not convinced that people become stronger as a result. "I really didn't need to be stronger. . . . But it changes you. You can't ever go back to the carefree days."
- Maggie keeps telling herself "there is a reason why this hasn't happened yet the way I want it to happen. There is going to be something that comes of all the suffering. It's going to help someone else. I'm going to learn something that I wouldn't have learned before. So I try to make it positive when I possibly can, because I think I would die if I didn't." She definitely changed in many unexpected ways as a result of facing challenges that required her to figure out how to fix or get out of them. "I refuse to roll over and die; before I probably would have just given

up. . . . I don't judge people anymore; before I would be more likely to be one of those jurors who walk in and say 'you've got to be guilty'. . . . And I found my drug, my passion. I went from normal pre-med to crazy law student."

- Sharon has "tried to close that chapter of my life. But I know that it was part of making me the woman that I am today, being able to handle different circumstances and different situations—what life throws at you—like going to jail for something I didn't do and getting convicted. I'm at a better level, a different level." She is happily married and a mother—two things she never expected. And she is "excited about God. He protected me. He showed me favor all throughout this process."
- Brenda acknowledges she has changed. "Before this happened, I wasn't concerned about anything but my family. Now it seems like the weight of the world is on my shoulders—looking out and fighting for those that are less fortunate. . . . But the best thing is that I can take that anger and channel it into my organization, into assisting and helping others. It makes me fight harder for somebody who has been abused or misused in this system."
- June observes that, "when you go through something like this, you have a lot of stuff built up inside of you; a lot of anger; a lot of rejection; a lot of mixed emotions; trust issues. I think all this has made me a better person. It's made me a better mother to my children. Not to take things for granted, especially freedom."
- Samantha does not think she "would go back and change anything because I wouldn't be the person I am today. I wouldn't be here. I am happy where I have ended up." Living in an environment with people that have committed crimes taught her "to not be judgmental of anyone and to just look at the person for the person and not for the things that they have done or been through. In that way I probably gained more compassion and empathy for people. I also learned that God only gives us what we can handle, and what I can handle is totally different from what the other person next to me can handle."
- Bethany says she has "come to a place in my life where I have a better relationship with my parents. I have learned to let go. And now I've got a wonderful family. I'm happier now than I've ever been in my life." She thinks that her strength came from God, believing that "if it wasn't for Him, I wouldn't be where I am. If He could bring me back from the brink of death, He can do anything. So that's my strength. That's why I do what I do. Not for me, for Him."

#### E. *Hope*

Above all, what kept these women going were hope and the defiant power of the human spirit to make healthy choices and embrace life.

- Bunny describes “the teeter-totter of being hopeful to being hopeless. You have your own ups and downs just being in a prison, just being shut away and separated from your family and stigmatized like you are less than because you’ve got a badge on—that you have been branded. Even now today I still walk into places and will reach up to see if my badge is there because I still feel I am marked in a way. . . . Going through the paper filing process, the acceptance or the rejection, most often it is your emotions that are rejected. You get good news and get so happy. But as it stretches on and the days turn into weeks and months and then years, you wonder if anybody is ever going to realize that you didn’t do it and you shouldn’t be there. And it is hard because you feel like every time you take a small step towards victory, they drag you back two or three. So it is like you never get ahead and you stay stuck.”
- In the face of unrelenting odds, Edie was kept going by “hope. You can never give up. I just always hoped and had trust and faith that in due time something good would turn out from all of this. I could never succumb. I persevered. I was pigheaded and just kept moving forward. I just had to. I knew that they were wrong. . . . Being in an environment that is so not normal for your lifestyle, it was just very, very challenging trying to keep your mind on the other side of the fence”—on her kids, her friends, her family, and on shopping. “Just keeping those hopes and dreams alive. That really, really helped then. And it does now too.”
- Lynn “always knew from the very beginning that I would win. I just knew it. I knew it in the marrow of my bones. And I knew they were wrong. And eventually the guys in the white hats win. You just have to last that long.” She believes that “human beings can live without almost anything except hope. Because without hope, our spirit, the spark that makes us human, soon withers and dies.”
- Monica tells others who are trying to prove their innocence, “you don’t give up because that’s your only way of survival. And you have to see some hope there.” She shares an essay on “The Politics of Hope” written by Vaclav Havel while he was in prison. The essay describes that hope  
is an orientation of the spirit, an orientation of the heart; it transcends the world that is immediately experienced. . . . It is not the conviction that something will turn out well, but the certainty that something makes sense, regardless of how it turns out. . . . It is also this hope, above all, which gives us the strength to live and

continually to try new things, even in conditions that seem as hopeless as ours do, here and now.<sup>77</sup>

These women discovered, as did Viktor Frankl, the noted neurologist, psychiatrist, and Holocaust survivor, that “*even when we are confronted with a hopeless situation and facing a fate that cannot be changed . . . we are challenged to change ourselves.*”<sup>78</sup> And they have discovered that healing doesn’t mean the damage never existed; it means the damage no longer controls their lives.

### VIII. HOW DO THEY COPE AFTER THEIR RELEASE?

#### A. *Coming Home and Re-establishing a Sense of Independence*

After their release, re-establishing a sense of independence and control over their lives was very important because these were taken away from them while imprisoned. However, support was not always forthcoming. And “coming home” was often disappointing. The length of time since their release; the ongoing availability of housing, medical attention, and employment; and support for their financial, legal, emotional, and psychological needs all influence how they report that they are coping and all of which may change over time.

- Bunny’s lengthy, but important, reflections on her recent “coming home” experience are representative of most exoneree’s experiences: “They don’t give you a handbook on how to live life again when you walk out. They don’t tell you that you just lost seventeen years of time and you don’t recognize your family unless you have seen them all that time. That you are not going to be able to just walk back into their lives and live again because it is gone. You can’t ever get it back. And that hole sits there between you and everybody else. They don’t tell you that people are going to talk about you and whisper and still say ‘Oh yeah she’s out on a technicality.’ They don’t tell you that you are not going to know how to pick up a phone and call somebody or most things are computer operated now. They don’t tell you that now that you have lost all this time you are going to have a hard time finding a job. You need to start worrying about retirement and all these things are going to affect you years from now. They don’t tell you how important insurance is or you are going to need it because your body could start breaking down especially all the years of wear and tear on it, the stress, the build ups, the let downs. It all takes a toll. You just sit there and try to take back

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77. VÁCLAV HAVEL, *DISTURBING THE PEACE: A CONVERSATION WITH KAREL HVÍZDALA* 181–82 (Paul Wilson trans., 1990) (1986); see also *Disturbing the Peace*, VÁCLAV HAVEL LIBRARY FOUNDATION, <http://www.vhlf.org/havel-quotes/disturbing-the-peace/> [http://perma.cc/WP3U-LZ35].

78. VIKTOR E. FRANKL, *MAN’S SEARCH FOR MEANING* 112 (Ilse Lasch trans., Beacon Press 2006) (1946).

one little thing at a time so you can say you are living. I worry that I am still really not. There are days when I get out and think this is so good and I am making progress and then that next day I go out and I do something and I come back and I am just overwhelmed by it all and I just sit down and cry. And the horrible part is I won and there are times that I feel so ungrateful because I want to say send me back. I know what to expect there. It was easy for me. . . . However, I am appreciative of the second chance that I got. I don't ever want to feel like a failure. And after being in prison for so long, I don't want to be termed weak. I've been less than for so many years and I don't want to keep being that."

- Barb recalls that she "wasn't prepared to leave prison any more than I was prepared to go in. I was released with nothing. I didn't know how to shop anymore. Everything has just changed because of the collapse of the economy."
- Belinda describes "getting out. It's so weird how institutionalized you can get and how that becomes normal. I knew how to function in prison. I knew the rules. I knew what to expect every day; it was the same thing every day; same times; same routine; same regimen. It was life planned for you. So when I got out I was scared. I was terrified to walk down the street. And to go into a store to buy something that you just take for granted. . . . I stayed in a hotel for a couple of days to try to get my bearings and try to understand how I was going to function before I just barged into my family. . . . I would just do things to try and make myself feel normal."

She was fortunate to get a job two weeks after she got out "because I learned that in prison. The only real transition I did was to get that job. And that made me feel normal. It gave me a reason to keep pushing forward with being real, like being a real person and not a convicted felon. Not someone that just got out of prison. . . . So I don't need compensation but I don't understand why the state didn't even offer to help me or my kids. Why they didn't do anything. They made a mistake! They know they made a mistake!"

- Lynn feels like she has "been on the run ever since being released. I don't have a home. I don't know where I belong, because I don't really belong anywhere. I am still fighting for money. I was fortunate to come out with a few dollars from before my incarceration so I wasn't flat broke. But if you leave literally with the clothes on your back, it goes pretty fast. . . . I applied for over 500 jobs as a nurse and I got none of them. My record is sealed and that's not the problem. The problem is that I still cannot undo the fact that I have a twenty-five year employment gap. I look really great on paper, but then people say go get

six months, a year, two years current experience and come back and see us.”

- Bethany also “still can’t get a job in that state. I refuse to leave because my son is buried there. I feel also that I’m not running from something because I didn’t do anything wrong.”
- Monica reminds us that “if you can survive the experience itself, you can survive the aftermath. . . . Going through the experience may make you stronger and make you learn a lot, but it doesn’t necessarily translate into a job or it doesn’t allow you to continue your career. Nobody wanted to hire me at the age of sixty-five. I’m making now about a third of what I made twenty years ago.” As an innocent person, she never received “one red cent. So you don’t feel like you have the extra funds to go to the dentist or doctor. You lose your insurance. If you don’t have some resources or a job or a way to manage you can’t really cover the basics.”
- Connie is suing in federal court “for emotional distress, harassment, embarrassment, punitive damages, comprehensive damages, attorney fees . . . and anything else the state wants to award me.” Meanwhile, she is living on her disability money “and had to get a part time job cleaning offices to make ends meet.”
- Regarding compensation, Holly’s “time is up. I can’t sue.” Regarding expungement of her record, “the minute I finished probation, everything was off my record supposedly. But they lied. It looked like I was a reformed child abuser. If a potential employer did a background check on my fingerprint or looked up my case number on the Internet, they would find it. . . . So the Federal government had to pay for me. I never went back to work. I’ve been on assistance; I’ve been on SSI. I’ve been on Medicaid and Medicare because they messed me up so much. You don’t come out of there normal. I’ve been in and out of treatment. With all of my daughter’s injuries or doctor appointments, what they’ve paid me over ten years has added up to way over a million dollars.”
- Polly is still seeking compensation through the courts. “What I’m trying to get is nowhere near what I deserve after all they’ve taken from me. I should be getting millions. With the state the country is in nowadays, it’s hard to say if I will get anything.” Nor did she get any services. So far, she has been denied a Certificate of Innocence and is still being asked to prove her innocence.
- Barb’s case is not lawsuit material, “although it should be because of everything that I lost and can’t get back. I don’t unfortunately have a case for compensation because the two doctors that testified against me the first time also testified against me the second time and refused to change their testimony . . . for their own reputation.”

- Samantha describes the losses that she and others experienced. “My credit was terrible. I lost everything that I had. And that’s probably been one of the hardest things because it’s like your whole identity has been lost and then you have to start over. It’s hard and it’s sad.” She has not received any compensation from the state, “because I didn’t go to state prison and I was in a county jail and I was never sentenced.”
- When Brenda came home, “the compensation bill wasn’t even in effect. People kept saying, ‘Get a pardon.’ I kept saying, ‘A pardon from what? I didn’t do anything.’ So I don’t want a pardon, I want to get it expunged. It took them four years to expunge my record. When the compensation bill finally came out they made the bill retroactive just far enough back not to affect me. They aren’t paying my child either. They took her life when they locked me up. The money that I would get would be for my child because they just raped us both.”
- Edie still has not received state compensation. “But it’s not about the money. They took away our pension. They took away our house value. They took away our jobs. They took away our seniority in our jobs; all that people acquire in those years that you are away and you could be working, there has to be something better than nothing. I have paid thousands and thousands of dollars for dental work, for misdiagnosed female problems. And had I not been there I wouldn’t have had these expenses. . . . Although my record was cleared, if you dig far enough, you find it and there are many job applications that do say ‘Have you ever been convicted of a felony?’ . . . We do nothing wrong one time and we get chastised for the rest of our life and that’s not right.”
- Lisa was on probation for almost four years when she was exonerated and her record was expunged. “It means a lot to me to have my freedom and not having the stress of being in the system. . . . But I still owe the money and I don’t know how I am going to pay it.”
- Grace received money when she was pardoned and later won a civil lawsuit. Nevertheless, she just wants the simple things in life . . . “to learn how to drive, get my GED, and then try to have a little business going.”
- Although the whole span took ten years from the day of the robbery to the final payment, winning her civil suit and monetary award made a difference for Sharon. “It just solidifies that, when I speak, people really believe me.”
- Winning a federal civil rights lawsuit made June feel good, “but I think they should have taken his badge away because what the FBI agent did to me I didn’t want him to do to anybody else.”

- Maggie is waiting for the civil lawsuit and waiting to have her life back. “I just want to live today. I want to be able to pay my bills. I want to be able to enjoy my time with my husband. But nobody will help. That’s the bottom line now for us. . . . Sometimes I try to look at it like, well, what doesn’t kill you makes you stronger. But you can only hit your head against that brick wall so many times before you just get so exhausted that you can’t take any-more. It’s a constant fight. I can’t get back and grow and rebuild because I’m stuck.”

Often, receiving compensation requires being *technically exonerated*—that is, a conviction either has been judicially overturned or a person is being pardoned on the basis of innocence. But many exonerees’ cases remain open-ended, leaving a cloud of *guilty* over them.

- Kelly was neither exonerated nor pardoned. “My conviction was overturned, which puts me back to square one. I do not have a specific finding of actual innocence by a judge. And most of us who do not have DNA will never get that because you are still dealing with a crowd of clunks who are still saying, ‘Well, they must have done something.’”
- Lynn also was not exonerated because “I was never convicted. I wasn’t declared not guilty; I am un-guilty. I wish he would retry me because then I could be exonerated. I am in a really weird like no man’s land. . . . It’s like it never happened.”
- Because Samantha’s case was dismissed without prejudice, “They can arrest me anytime. They come up with the charge, they can just come get me and recharge me.”
- Bunny’s charges were also dismissed without prejudice “and left it wide open so they could try and come back later and do a whole new indictment and retry me all over again.”
- Edie’s charge was dropped, but she “does not think that she was technically exonerated and is waiting for the state to get a law passed to help us.”
- After Maggie was found factually innocent, her records were sealed for three years and then destroyed. “I’ve got my innocence, but it means really nothing when you look at it. It is a penal code freedom. Well maybe it gives me a little bit more power now showing that I was factually innocent, but still I can’t really get anywhere with it.”

In today’s world, a world that is so connected to the Internet and social media, it is difficult for wrongfully convicted and exonerated individuals to maintain their self-identities and to avoid being known only as exonerees or as “the one who” society thinks committed a crime. As a result, many exonerees continue to feel stigmatized and humiliated. Yet they do not allow themselves to be defined by what happened to them.

- Gena vividly recalls that “I was coming out of the grocery store and a woman spit on me. Until you have actually been spit on, that is a sensation that you don’t really want to go through. You don’t get past that feeling. . . . Also I live in a small town and went to prison and everybody in town knows it. When I was looking for another job, I would get interviews where people really didn’t want to hire me, but they wanted to know the basic details of what was going on as far as the trial and what was going on with our end.” Other than her family and a few close friends, “the rest of the friends just sort of stepped back and thought, like everybody else, I got arrested so therefore I must be guilty. . . . It had been so many years that I had just learned to live with it, but with the exoneration, it was suddenly in the headlines again and I lost my job because, again, ‘if she got arrested, she had to be a part of it.’”
- The hardest challenge for Bethany “was to fit back into the same community that I was thrust out of when I was accused of being a child killer. My neighborhood didn’t want their kids to be around me. I would go to stores or church and people would say ‘That’s the girl that killed her baby.’ I couldn’t find a job even though I was found not guilty. Proving my self-worth was the hardest thing. ‘Hey, I am somebody, I didn’t commit a crime. Why should I have to prove it to you?’”
- Holly discovered that “friends can turn on you and always throw it back in your face that you were a child abuser. You always have the stigma of jail, of a criminal. I try to keep that downplayed. But it is on my business card and it is all over my web site. It’s an open book and I do blog a lot. And I have YouTube videos out. So I sort of asked for it.”
- Ursula describes the humiliation and shameful feeling. “To be wrongfully convicted and accused of something you knew nothing about is the worst feeling in life. That is your character. That is a humiliating feeling to have to write on an application that I had been arrested and convicted. . . . And then my name is already unusual. You Google me and that’s the first thing you pull up. So there was nothing for me to hide. There was nothing for me to be ashamed of because I didn’t do it, but it was still a shameful feeling. I felt they marred my name and for what?”
- While waiting for her name to be cleared, Sharon became a nanny through her church connections “because I was afraid to work for anybody else, especially dealing with money. I was in a fear bubble because I didn’t want that stigma over me. If a penny came up missing, ‘You did it, because you stole.’”
- Samantha’s case “is so different because there was so much media attention around my case. . . . So if someone says they recognize me from somewhere, it is something like shame, like I am

ashamed of it, like embarrassed or like it's just something that I want to hide. I don't want to talk about it. I don't want to tell people about it. I try to get past it and not relive it. . . . I don't feel like defending myself even though it is not necessarily defending myself or like explaining my side. So I always feel like are they judging me. I don't have a lot of friends because of that." Although she did not poison her late husband, "Every time I cook or something, does somebody think I have poisoned them? I feel it's a slap in the face."

- Monica says of her life before incarceration that "my own view was defined by the things that I had done or could do; the things that I enjoyed; the things that I participated in and helped; just normal ordinary things. Suddenly your life went from being good citizen, model citizen, an ordinary citizen to being labeled as convicted murderer with your picture in the paper on the front page. You are out there on the Internet. That's defining your life. And you don't feel like a pariah but you are treated like one. So then you have to explain your life in terms of that. Nothing else that you ever did makes any difference to anybody."
- For the most part, nobody in her community knows who Lynn is. "I tell people when I think it is time to tell them. But it's not who I am; it's what has happened to me. And I don't want people's opinions to be colored by that. I just don't want it to be the first thing that they know." She is more cautious at work. "I worry that if there were to be a theft there that I would be the one thought to do that because 'She's been in prison.'"
- Wendy does not know "what totally happened to target me." But once targeted, she believes people thought, "'Oh, she was targeted, so she must be guilty.'"
- For Grace, "it's never erased from my mind what they did to me no matter how much money they have given me. . . . I have always had a clean record. I have never been in any type of trouble. Now I just don't like to be around a whole lot of crowds because first thing if something happened, 'Oh, she did that.'"
- Maggie "used to think that people would just go 'Oh God, I can't believe this happened.' But they don't. They don't understand what really goes on if they never experience it. . . . If you read the comments under the articles in the paper about me, people say things like 'Well, there must have been a reason' or 'Yeah, well why does she get innocence, she still committed the crime I'm sure.'" She understands this response because she "probably would have been one of those jurors that walked in the courtroom and thought 'Oh well, they must be guilty. You don't put somebody on trial unless they are guilty.' But not anymore; I would be one of those jurors that go back during deliberation 'But what about this?' And go through the whole thing."

Most importantly, the exonerated want their standing as innocent people acknowledged by prosecutors, investigators, or victims. Unfortunately, only a few ever receive an apology or closure.

- When a judge formally declared that Belinda was not guilty, “There was no ‘I am sorry for what you went through,’ no compassion or feeling or anything beyond just ‘You are not guilty.’ So as great as it was to hear that, it didn’t make up for everything that happened. It was just words because I knew I was not guilty.”
- Brenda never received an apology from the district attorney, “but I would never have accepted it because he didn’t mean it. It wouldn’t have been genuine. He would have just been doing it for the cameras.”
- Kelly also never received an apology. “Remember that I am a liar; I am a killer. They just can’t prove it, that’s all.”
- Although the detectives said they made a mistake earlier, misidentifying Connie’s fingerprints, they “never looked at me; never said they were sorry for what they did to me or anything. How do you think that made me feel?”
- Monica neither received nor expected an apology from anybody. “An apology would not have made a difference. Acceptance of the facts and the truth that would have been much better than any apology. An apology doesn’t really mean anything. But any acknowledgement that it was wrong and that it was not just would have helped.”
- Wendy did receive an apology. After her conviction was overturned when it was discovered that the kids were forced to testify against her, “The mother of three of the boys asked me to forgive her. And she and the boys went on television with me too.”
- When Ursula finally took the stand at her civil trial and released all that she had to say after six years, the head juror affirmed her innocence, telling her, “Your case was won early on . . . go on and raise your son.”

Yet, remarkably, very few expressed feelings of hatred or revenge or questioned why it happened to them, accepting that it happened and moving on with their lives.

- Monica says she does not think “why me? I know exactly why it happened to me; it was circumstance. And it was my background and my naiveté and my trust. I was the easiest target. And I also had the misfortune of someone coming in who was extremely manipulative through experience.”
- Edie also does not think about why it happened to her. “There’s a purpose and a plan and in my faith it’s greater than that and I can’t even question it. . . . You can’t beat yourself up trying to find a reason. It’s just life. Some things happen to people; some

things don't. Life is not a score card to me; otherwise you are always vengeful and bitter and it doesn't help. You lose focus. . . . Good things come out of the bad if you don't let it destroy you; if you don't just sit in a cocoon forever and if you don't hold vengeance."

- Samantha thinks that "if I could go through what I went through, there is nothing that we can't get past, nothing that is bad enough to not be able to deal with. I realized that in a second it can all be taken away. And no matter what your situation is, I always look on the better side of everything. If you dwell on the bad, it kind of breeds bad in you."
- Lynn offers that "People are generally surprised that I am not angry and bitter. It just seems like such a waste of time and energy."
- It took a lot for June not to be bitter and very hateful inside. "It was a process that I even had to forgive my son for leaving me and for not even listening to me when I tried to tell him to stay out of the streets. I had to forgive the man that shot him. Because it wasn't going to do me any good; it was just going to take me back to that person that I was when I went to prison. And I wasn't going to let that happen."
- Although Ursula initially "had so much animosity and hatred" for the third person involved in their case, "It took a long time for me to ask for forgiveness and take that animosity out of my heart for her."
- For the most part, Sharon has "forgiven people and let stuff go" but she believes that God has exacted vengeance: "As far as the judicial system, everybody who has had a negative say about our case, something has happened to them or somebody in their family."
- Maggie laments that the prosecutor in her case "just gets to walk around and live life. I have destroyed it to an extent. I have taken away a lot from him. And revenge is quite sweet in a way. But things really just don't change."
- While Grace hates what the state has done to her, she appreciates the irony that "the state's attorney that did this to me is really tripped out because now they live right across the street from me."
- Brenda has been out since 1989 but does not see herself as "one of those people that say 'Oh, I forgive everybody involved; it was a mistake.' It was not! It was malicious prosecution. And because of that malicious prosecution, I'm still having a hard time today." She lives across the street from a funeral home and when her prosecutor died, she went to his wake. "When I walked in, everything came to a standstill. It was so peaceful and quiet you wouldn't believe it. And so I went over and I signed his book and

then I went over and looked at him and I asked God to bless his soul wherever it might be, because I'm not sure. And then I walked out."

### B. *Moving Forward, Surviving, and Rebuilding*

These women see themselves as survivors, not as victims, and they discover ways to move forward and sometimes even thrive, finding meaning and purpose, and rebuilding their shattered lives. They are determined to regain their self-respect and self-worth that were stripped away from them throughout their wrongful conviction—and to do everything in their power not to let *them* win.

- Grace is "a fighter. You are looking at a survivor that has been in prison for all those many years and comes out and still has her mind. God made a way for me and I'm just making the best of it each and every day."
- Monica's companion's death "was not a murder, it was a suicide. There was no victim; if there was a victim, 'I' was the victim."
- Barb does not want to present herself "like a victim. I can't afford to have a little pity party. I could be angry and depressed, but I can't just live that way. I can't look at the time that I have done and say that it was done for nothing. I have to use that to strengthen me so that I can help those who are still in there."
- Bunny recognizes that "I am stronger than I ever thought I would be. I am always going to find a way to survive and make it. I have a lot to give. I can make changes for somebody else the same way changes were made for me. . . . Hopefully, one of these days, I will learn that it is okay to be weak and to be broken and still be worthy."

She decided to move away from her hometown because "I need to be someplace where I feel like everyone isn't looking at me and judging me and knows who I am. I want to get to know me a little bit more and get used to being on my own and following my own schedule and seeing what life has in store. I still have a lot of trouble making choices because you had very little choice in there."

- Edie understands that "you don't drive a car down a road looking in your rearview mirror all the time and that is how you have got to live life. That's why I have to keep looking forward; otherwise I would be a wreck. . . . The biggest thing now is being restored with my children and trying to get re-established."
- After her exoneration and expungement, Ursula "was slowly but surely rebuilding my life and confidence. At the end of my story, all I want to do is persevere. I didn't let the situation take me down, but I still find it hard to let new people into my personal space." She now enjoys being a stay at home mom with her son and daughter and "fulfilling my purpose in life, steering them in

the right direction, teaching them to always do right no matter what the situation is, and encouraging them to be confident and love who they are.”

- Following her release, Lynn felt “unsettled. I don’t know what’s next. I don’t know where I belong. I don’t seem to belong anywhere. I am drifting. A quarter of a century got stolen. I don’t know how you fix that. . . . I need to just treasure whatever time I have. And probably if I don’t take care of me nobody is going to. So I need to balance everything, eating, working, playing and not to take anything too seriously or take anything for granted and not to miss any opportunities.” She decided to go back to being a nurse, saying “they took it away from me”; she plans to enroll in a graduate nursing program because “if I don’t do this now, then they will have won!”
- Although Wendy suffers from PTSD and says certain triggers still “will put me in a panic mode, I’ve learned to live with it and cope with it. I won’t let this cripple my life or make me a negative person because then they will win!”
- Belinda “will always be screwed up from that experience. I have gone to the extreme from what I was. I made a pact with myself that I am alive only to support my children. That’s still my purpose to this day.”
- June feels fulfilled, being able to take care of her seventy-eight-year-old father, who has dementia, and “helping my son that is getting out of prison because I don’t want him to go back.”

After their release, many of the women exonerees find ways to channel their energies, working to correct the injustices that they themselves and others have suffered. They continue to work on their restitution; help other prisoners they left behind or who have been released (both the rightfully and the wrongfully convicted); and support those currently going through the wrongful conviction process.

- Monica found that “being able to be a part of the process of reform helps tremendously.” She believes that change requires education, exposure, and a sense of urgency. She uses her analytical training and background in “analyzing all the things that come through; going over everything; going to hearings when we can and when we think it advisable . . . raising awareness . . . and turning it into something constructive.”
- When she was released, Kelly established an organization that focuses on the women she left behind, as well as on the wrongfully convicted, and advocates for the humane and compassionate treatment of all incarcerated women everywhere. She reaches out to women in prison, as well as to lawyers who want to be prosecutors: “It’s not that I have an objection to prosecutors; I just object to crooked prosecutors.”

- Brenda “made a promise to my God that I would spend the rest of my life fighting for those less fortunate so long as I have breath in my body. I realized that when people were released from prison, there were no programs out there for them to help them get back on their feet; 90% of the programs you take in prison, you can’t even use them when you come out. And nobody accepted that you were on your own.” And so, she founded a non-profit organization that assists formerly incarcerated people, those who have felonies on their record, and people who are on probation, to find jobs, housing, whatever their needs are so they can become and remain productive citizens in society.
- Maggie investigated her case and started defending herself, researching and writing several writs that helped to get her declared as factually innocent and continues to work on her husband’s case. She discovered her mission to undo both her own case, as well as those of all the others that the DA had victimized. Using what she learned by writing her own case, “I am helping a lot of other former defendants building their cases and writing their writs.”
- Bunny knows that “there are more people out there that are locked up just like I was . . . and I want to pull for them.”
- Similarly, Edie does a lot of networking and “helping others who are or who have gone through what I went through.”

Many participate in activism and education to build awareness. They respond to people and programs that help them regain their sense of self-worth as human beings and create meaning in their lives. Publicly speaking about their cases helps them normalize the trauma and builds confidence through acknowledgment and affirmation.

- Barb is “grateful for opportunities where I can try to educate people to what’s going on with wrongful convictions and SBS now that there’s more evidence that it’s junk science.”
- Holly became an activist with a cause, speaking publically, writing a book, and filming a documentary to bring awareness about the sheriff and the inhumane conditions where she was jailed.
- Connie expressed a willingness to go on a talk show “and tell my story and if my case could help one person get out that is innocent, at least I would feel like my eight years was for something. I would feel like I was giving something back to somebody else that is going through what I went through.”
- Brenda “came home and went on every talk show imaginable. Not for fame or fortune, but to get on the TV and get into three million households to put the light on innocent people in prison and to make it easier for them to prove their innocence from the inside and come home and be with their families and live out

their years as a human being and not inside like you are inhuman.”

- Samantha would like to be “a voice for innocent people in the media. I could be the girl next door, your little sister. I don’t have that look of someone who committed a crime. I have a good personality. I am articulate. I present myself well. I want to use my voice so that they don’t think that all exonerated people didn’t do that crime, but they probably did three more.” She also would like to help women in the system. “Women don’t get basic necessities. . . . And when you go to a women’s prison, there are no children. They lose their children and the system doesn’t do anything to help maintain that relationship. . . . And once you get out, there are no programs, there is no education, and there is nothing set up for these women to get back on their feet; it just starts that cycle all over again.”

But most of all these women value relationships—especially with other women who have been through similar difficulties. They seek out other women exonerees at conferences and events, “finding comfort in community with those who understand their plight.”<sup>79</sup> To witness the palpable change in physical and emotional demeanor of a new exoneree who has just spent some time with another exoneree—at an Innocence Network Conference, for example—is an indescribable and wondrous experience.

- Holly is “lucky to be alive to tell, not the story, but the real history in America today.”
- Like many other exonerees, Bethany attends the Innocence Network conferences as a “sacred mission. When they ask me to come, I don’t hesitate. If I can help somebody else in the same situation, I’ll do everything I can. I want to get my story out because when all this happened to me, nobody would hear my side. . . . It’s a weight lifted off my shoulders to be able to talk to a person who has actually been where I have been. I felt like the judgment is not there. Just to be able to explain your story, especially me, when it is my child involved.” She appreciates the opportunity to meet other women: “Just because we have different cases, we still are women and have the same feelings.”
- Maggie was excited to connect to and learn from other women exonerees “who have jumped that hurdle” because “men look at things logically; this will solve the problem and go on; whereas women a little bit are much more connected with the pain.”
- Edie’s “heart cries for anybody who is wrongfully incarcerated. I just like someone to genuinely listen because nobody can make up for that time and they can’t say I totally understand.”

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79. Westervelt & Cook, *Coping with Innocence*, *supra* note 15, at 36.

- Lynn observes: “I probably do feel safest and like I belong the most among my new family.”
- Bunny adds that “Every time I’m with these ladies I’m always hopeful and I see more strength coming out of it. It’s nice to be around people that you don’t have to explain where you’ve been or what you have been through. They get it. They understand if you need to cry, if you need to laugh. These people are my family. They’re the only people who get me, the only people who understand, and they’re the only people I can go to.”
- And Ursula says of her co-defendant Sharon that she is “so glad that Sharon was with me because she truly understands. When you are at a loss for words to describe something, you know that you can look at somebody else and she knows exactly what I am saying or feeling.”

IX. WHAT IMPORTANT MESSAGES WOULD THEY LIKE OTHER  
WRONGFULLY CONVICTED INDIVIDUALS, THEIR  
ADVOCATES, AND SOCIETY TO UNDERSTAND?

By giving names and faces to the numbers and allowing the women exonerees’ stories to be told, we help to personalize and contextualize the events surrounding the cases, humanize the people whose lives have been destroyed, and establish identities amidst an overwhelming sea of facts and statistics. In addition to helping the innocent individuals themselves to build their self-identity and self-image, telling their stories and giving voice to their lived experiences builds public awareness. Moreover, it provides empirical evidence and valuable insights for clinicians, counselors, families, friends, employers, and communities working to help other wrongfully convicted individuals; and for lawyers, policy-makers, and advocates working to promote social justice and criminal justice reform.

The following are a few of the valuable messages that these women share in order to advocate for and affect policy and legislation changes that might correct or prevent such miscarriages of justice. These exonerees are committed to helping other women and men, still fighting to prove their innocence, by identifying the resources and interventions that could not only mitigate the negative effects of such horrific traumatic events, but also help foster more positive, long-term adaptations for them and many others. They hope that readers will listen to their voices; hear their issues, needs, and wants; and, following Monica’s example, commit to “turning this awareness into something constructive.”

- Sharon tells us, “We’ve got to do better. There are way too many people being exonerated, which means there are way too many people being convicted and going away for something they didn’t do.” She reminds police officers that “not everybody has the swag

of an innocent man or innocent woman” and asks them to “do their due diligence . . . exhaust all avenues.”

- Bethany agrees that the system is broken and suggests that reform “starts with the training of the police officers, who go into cases with prejudice from the door.” She also suggests employing “court watchers—people that can go into these courts while these trials are going on and hold these district attorneys and judges accountable. . . . And I just really wish they wouldn’t have a death penalty because I don’t think we as people have the right to say who lives and who dies. I think that’s God’s job.”
- From her experience being falsely identified from a photo lineup, June maintains that “witness identification needs to be changed.”
- When her conviction was vacated, the presiding judge called Monica’s case “a monument to prosecutorial indiscretion and mishandling.” Monica thinks that “injustice is a cancer in our society, one that is unnatural, and affects everyone.” She advocates for studying the causes of such injustice, in search of strategies to fix and prevent them, and for holding the state accountable instead of granting it wholesale immunity. Monica further promotes compensation for the costs not only to the innocent for loss of life, liberty, and attenuated costs, but also to the public for misuse of funds by officials. “And the most important thing is having a voice and the access and meaningful ways to affect change and reform.”
- Although she believes that “the foundation of our justice system is good,” Bunny also advocates making changes in the legal system, working on “creating consequences for people with tunnel vision or [who] have vendettas or people that make the system less [just] than what it was supposed to be.”
- Maggie wants “people to see what can happen when you have people in power who can pretty much do whatever they want. I want the system to work the way it is supposed to work. I want the rights to belong to the defendant and for him or her to be treated and protected the way they are supposed to be. And if innocent people are convicted, [through] human error, then when it is learned that they are innocent, it should be undone. . . . And just the whole plea deal concept is ridiculous.”
- Brenda would like to see “some type of law passed that if a prosecutor has sent someone to prison falsely that he or she has the authority to reopen that case and recommend that this person walk free so that it won’t take ten years, fifteen years, twenty years to free an innocent person . . . who can be found guilty and put in prison in ten minutes.”
- Grace urges people to visit the prisons and “see what’s going on because these inmates—male and female—are not being treated right in there.”

- Likewise, Samantha thinks that before obtaining a law license, “attorneys should spend a week in jail to understand what it is like for your freedoms to be taken away.”
- In addition, Bunny would like people to hear that “we do not have enough mental health awareness. We come out and most of us are diagnosed with PTSD. That in itself is a huge tornado. All the time that I lost, I wasn’t growing and learning and maturing like everyone else was. So when things happen to me, how embarrassing is it that I am forty-one years old and have to call somebody and tell them I don’t know what the hell to do.”
- Bethany agrees and thinks “we need more than mental health, we also need insurance.”
- Lynn reminds those who mean well: “We appreciate your support, but please ask us what we need. A spa treatment is *nice*, but I *need* dental care.”
- Barb sums it up by telling us to “educate as many people as [we] can. Let them know that this is a serious problem and that wrongful convictions do occur.”

Moreover, the primary message that so many of the women want to share is this: “What happened to me can happen to anybody. I could have been their neighbor. I could have been their nurse. I could have been in line with them in the supermarket. . . . You can be at the right place at the wrong time. You can be at the wrong place at the right time. . . . And the real killers are still out killing, while the innocent people are locked up.”

And to those who may one day face a wrongful arrest or conviction, the women offer valuable advice about understanding the legal system, maintaining their faith, surrounding themselves with good people, and continuing to fight to prove their innocence.

- Holly advises: “Never talk to the cops; they’ve got to have a search warrant. Get a lawyer right away; a real one, not a fake one, not a public defender because they are all working as a team.”
- Gena cautions those who are arrested that “the statement that ‘you are innocent until proven guilty’ is not applicable. If you are arrested, you are guilty in the eyes of anybody looking at you. Now if you can prove that you are innocent in a court of law, the judge will go along with it. But you had better know what you are doing and you better have a good lawyer.”
- Ursula’s message is first practical, and then spiritual. She says “to never give up. Never give in to a plea, thinking ‘I will regain my freedom.’ . . . Wait on God. Seek God. And trust and believe in Him that all wrongs will be made right. And know that you are not alone. And take each day by waking up and laying down, praying and being thankful that you made it another day and that

you saw another day. Yes, it may not be where you want to be but you are still here and you are still standing.”

- Barb likewise wants to “let people know how strong God is, that He is the one who is in control.”
- June adds that it is important “to keep a positive mind and don’t lose the faith. Keep fighting until you can’t fight any more.”
- Connie “hopes everybody gets blessed and has that one person that is rooting for them and will fight to get them out and not to quit fighting. Don’t ever give up.”
- Polly believes that “The world is a good place as long as you surround yourself with good people. And do not give up the fight. . . . Keep strong.”
- Lisa has “been through the darkest and made it out.” She implores the world to “just fight with everything you’ve got.”
- And finally, Lynn shares her wishes and advice with other wrongfully convicted women: “I wish there was some way to hurry the process, but there isn’t. I wish there was some way to fix all the little bits of what’s been shattered out of their lives and there isn’t. You just do the best you can with what you have got to work with and move on. And it’s not right; it’s not fair. But it is what it is. You have to just fight on and when you don’t think you can fight anymore then quit for a little bit, a few hours, a day, a week and then pick up your sword and go fight some more. And I don’t have any magic. Maybe knowing that is the magic.”

TABLE 1

## RESEARCH STUDY PARTICIPANTS

Name	# Years Imprisoned	# Years Conviction to Cleared/ Exonerated	Offense
Barb*	4	5	Child Abuse—Shaken Baby
Belinda	4	13	Burglary
Bethany*	6	5	Felony Child Abuse—Murder
Brenda*	9.5	9	Murder
Bunny*	16	16	Murder—Arson
Connie*	8	7	Murder
Edie*	11.5	12	First Degree Reckless Murder—Shaken Baby
Gena*	5.58	19	Second Degree Murder—Aiding & Abetting
Grace*	18	24	Murder, Rape, and Robbery
Holly	0	2	Felony Child Abuse
June*	7.25	7	Bank Robbery
Kelly*	16.5	16	Murder
Lisa*	0.14	4	Failure to Pay Child Support
Lynn*	20	20	Murder
Maggie*	0	7	Fraud
Monica*	10	10	Murder
Polly	6.5	6	Murder
Samantha*	2	1	Murder
Sharon	0.167	2	Theft
Ursula	0.167	2	Theft
Wendy*	11	11	Child Sex Abuse

\*Exonerations that resulted from reconsidering evidence of innocence that was not presented at trial and listed in The National Registry of Exonerations, a joint project of the University of Michigan Law School and the Center on Wrongful Conviction at Northwestern University School of Law.<sup>80</sup> All twenty-one exonerations are listed in the Forejustice.org comprehensive, and more inclusive, worldwide Innocents Database, which lists individuals who were judicially exonerated or pardoned on the basis of innocence.<sup>81</sup>

80. See *About the Registry*, *supra* note 40.

81. See Sherrer, *supra* note 43.

TABLE 2

## KEY NARRATIVE QUESTIONS

Please tell me about your personal experience of wrongful conviction.
Tell me what happened.
How were you before the wrongful conviction?
How were you during the arrest, trial, conviction, incarceration, exoneration, and post-release? What did you think, feel, and do at each stage?
How has the event impacted or influenced your life?
How did your actions or engagement with the world change?
Have your physical or psychological injuries had an effect?
How did you change? (positive, negative)
What helped you get over the outcome of the event?
How do you think the incident will influence your life in the future?
What did you learn about yourself?
What do you want others to understand about wrongful conviction?