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THE NEW SCIENCE  
OF CRIMINAL INJUSTICE

Adam Benforado

"Enthralling and unsettling in equal measure, *Unfair* might be the most important book you read all year." —**MICHELLE WILGEN**, author of *Drive*

# Unfair The New Science Of Criminal Injustice

**Adam Benforado**



## **Unfair The New Science Of Criminal Injustice:**

*Unfair* Adam Benforado, 2015 A legal scholar exposes the psychological forces that undermine the American criminal justice system arguing that unless hidden biases are addressed social inequality will widen and proposes reforms to prevent injustice and help achieve true equality before the law **Unfair** Adam Benforado, 2016-06-14 NEW YORK TIMES BESTSELLER *Unfair* succinctly and persuasively recounts cutting edge research testifying to the faulty and inaccurate procedures that underpin virtually all aspects of our criminal justice system illustrating many with case studies The Boston Globe A child is gunned down by a police officer an investigator ignores critical clues in a case an innocent man confesses to a crime he did not commit a jury acquits a killer The evidence is all around us Our system of justice is fundamentally broken But it is not for the reasons we tend to think as law professor Adam Benforado argues in this eye opening galvanizing book Even if the system operated exactly as it was designed to we would still end up with wrongful convictions trampled rights and unequal treatment This is because the roots of injustice lie not inside the dark hearts of racist police officers or dishonest prosecutors but within the minds of each and every one of us This is difficult to accept Our nation is founded on the idea that the law is impartial that legal cases are won or lost on the basis of evidence careful reasoning and nuanced argument But they may in fact turn on the camera angle of a defendant's taped confession the number of photos in a mug shot book or a simple word choice during a cross examination In *Unfair* Benforado shines a light on this troubling new field of research showing for example that people with certain facial features receive longer sentences and that judges are far more likely to grant parole first thing in the morning Over the last two decades psychologists and neuroscientists have uncovered many cognitive forces that operate beyond our conscious awareness Until we address these hidden biases head on Benforado argues the social inequality we see now will only widen as powerful players and institutions find ways to exploit the weaknesses of our legal system Weaving together historical examples scientific studies and compelling court cases from the border collie put on trial in Kentucky to the five teenagers who falsely confessed in the Central Park Jogger case Benforado shows how our judicial processes fail to uphold our values and protect society's weakest members With clarity and passion he lays out the scope of the legal system's dysfunction and proposes a wealth of practical reforms that could prevent injustice and help us achieve true fairness and equality before the law *Blind Injustice* Mark Godsey, 2019-02-05 In this unprecedented view from the trenches prosecutor turned champion for the innocent Mark Godsey takes us inside the frailties of the human mind as they unfold in real world wrongful convictions Drawing upon stories from his own career Godsey shares how innate psychological flaws in judges police lawyers and juries coupled with a tough on crime environment can cause investigations to go awry leading to the convictions of innocent people In *Blind Injustice* Godsey explores distinct psychological human weaknesses inherent in the criminal justice system confirmation bias memory malleability cognitive dissonance bureaucratic denial dehumanization and others and illustrates each with stories from his time as a hard nosed

prosecutor and then as an attorney for the Ohio Innocence Project He also lays bare the criminal justice system's internal political pressures How does the fact that judges sheriffs and prosecutors are elected officials influence how they view cases How can defense attorneys support clients when many are overworked and underpaid And how do juries overcome bias leading them to believe that police and expert witnesses know more than they do about what evidence means This book sheds a harsh light on the unintentional yet routine injustices committed by those charged with upholding justice Yet in the end Godsey recommends structural procedural and attitudinal changes aimed at restoring justice to the criminal justice system

**The Crisis in America's Criminal Courts** William R. Kelly, 2021-08-15 The Crisis in America's Criminal Courts highlights a variety of problems that judges prosecutors and public defenders face within a criminal justice system that is ineffective unfair and extraordinarily expensive While many argue and author William R Kelly agrees that crushing caseloads and court dockets certainly qualify as a crisis Kelly suggests there is a much greater crisis in the courts that results in profound downstream effects on criminal justice performance and outcomes It sounds simple but the greatest risk faced by the justice system is the lack of time expertise and resources for effective decision making In this book Kelly proposes a variety of evidence based reforms that as a start provide the key decision makers with professional clinical experts to accurately assess and advice regarding mitigating the circumstances that bring individuals into the courts We must rebalance We need incarceration for those who are too dangerous or violent or who are habitual offenders For most of the rest we need to manage risk but very importantly it is time to get serious about behavioral change We need to change the culture of the courthouse and reorient how we think about crime and punishment

Uniform Feelings Jessi Lee Jackson, 2022-05-09 In Uniform Feelings American studies scholar and abolitionist psychotherapist Jessi Lee Jackson reads policing as a set of emotional and relational practices in order to shed light on the persistence of police violence Jackson argues that psychological investments in U S police power emerge at various sites her counseling room manuals for addressing bias museum displays mortality statistics and memorial walls honoring fallen officers Drawing on queer feminist anticolonial and Black engagements with psychoanalysis to think through U S policing and bringing together a mix of clinical case studies autotheory and ethnographic research the book moves from the individual to the institutional Jackson begins with her work as a psychotherapist working across the spectrum of relationships to policing and then turns to interrogate carceral psychology the involvement of her profession in ongoing state violence Jackson orbits around two key questions how are our relationships shaped by proximity to state violence and how can our social worlds be transformed to challenge state sanctioned violence

Toward Justice Kristi Holsinger, Lori Sexton, 2017-03-16 Designed as a text for Criminal Justice and Criminology capstone courses Toward Justice encourages students to engage critically with conceptions of justice that go beyond the criminal justice system in order to cultivate a more thorough understanding of the system as it operates on the ground in an imperfect world where people aren't always rational actors where individual cases are linked to larger social

problems and where justice can sometimes slip through the cracks Through a combined focus on content and professional development Toward Justice helps students translate what they have learned in the classroom into active strategies for justice in their professional lives preparing them for careers that will not simply maintain the status quo and stability that exists within our justice system but rather challenge the system to achieve justice *Why Didn't We Riot?* Issac J. Bailey,2020-10-06 In these impassioned powerful essays an award winning journalist deals forthrightly with what it means to be Black in an America that still supports Trump South Carolina based journalist Issac J Bailey reflects on a wide range of complex divisive topics from police brutality and Confederate symbols to respectability politics and white discomfort which have taken on a fresh urgency with the protest movement sparked by George Floyd s killing Bailey has been honing his views on these issues for the past quarter of a century in his professional and private life which included an eighteen year stint as a member of a mostly white Evangelical Christian church Why Didn t We Riot speaks to and for the millions of Black and Brown people throughout the United States who were effectively pushed back to the back of the bus in the Trump era by a media that prioritized the concerns and feelings of the white working class and an administration that made white supremacists giddy and explains why the country s fate in 2020 and beyond is largely in their hands It will be an invaluable resource for the everyday reader as well as political analysts college professors and students and political consultants and campaigns vying for high office **Is Justice Possible?** J. Paul Nyquist,2017-02-07 Christians who take the Bible seriously dare not ignore this message Paul Nyquist writes like an Old Testament prophet in modern America Leith Anderson president National Association of Evangelicals Washington DC Paul Nyquist brings a biblical focus and discerning look at why justice matters and how we might worktoward it Ed Stetzer Billy Graham Chair Wheaton College Explains why justice often eludes us in this life but also how we must work to achieve it as best we can Dr Erwin W Lutzer pastor emeritus The Moody Church Chicago Why is justice so hard to come by The innocent are convicted The guilty get away The scales tip toward the powerful while the weak remain oppressed If our world is so sophisticated why is there so much injustice What can believers do Can we ever expect justice Dr Paul Nyquist former president of Moody Bible Institute addresses these questions and more in his new book Is Justice Possible In four parts he considers Biblical and theological foundations of justice Obstacles to justice in human society Practical steps for pursuing justice in political personal and public arenas The hope of true justice upon Christ s return As police shootings and wrongful incarcerations raise increasing questions in the minds of Christians Is Justice Possible will seek to provide answers and establish biblical expectations At its core this is a book about an attribute of God Rather than rely on our own ideas of justice we must look to the One who made us and embodies justice perfectly Only then can we pursue justice in purposeful effective eternal ways *Nudging Green: Behavioral Economics and Environmental Sustainability* Pardeep Singh,Shikha Daga,Kiran Yadav,2024-08-12 Our use or rather overuse of natural resources is having an increasingly drastic and adverse effect on the environment Behavioural economics uses the concepts and elements of

psychology and applies them in economic decision making It has been identified that behavioural economics can be used to tackle the issue of climate change by using nudges to influence people to make choices that are more eco friendly Behavioural economics also accept the presence of cognitive biases in the decision making process and one solution to reduce the biases is instigating nudges that increase the probability of making optimal decisions The book therefore provides an in depth understanding of the environmental and climatic issues and the role played by people s psychology in addressing them The book highlights cognitive biases and nudges that can be used to negate or reduce the negative impact of decision making on the environment The book provides a detailed explanation of the topic along with illustrations tables and case studies that make it easy to understand and apply the concepts The methods results and topics covered in the book will be of particular interest to readers interested in behavioural economics sustainable development environmental conservation and various biases that impact decision making and the nudges that are used and can be used to bring environment protection The main benefit that readers will derive from the book is a comprehensive understanding of behaviour biases and nudge based solutions and their potential to address major challenges faced while making decisions The book is helpful for policymakers researchers practitioners and students interested in behavioural economics biases sustainable development and environmental protection

*Democratic Law in Classical Athens* Michael Gagarin, 2020-03-17 The democratic legal system created by the Athenians was completely controlled by ordinary citizens with no judges lawyers or jurists involved It placed great importance on the litigants rhetorical performances Did this make it nothing more than a rhetorical contest judged by largely uneducated citizens that had nothing to do with law a criticism that some including Plato have made Michael Gagarin argues to the contrary contending that the Athenians both controlled litigants performances and incorporated many other unusual features into their legal system including rules for interrogating slaves and swearing an oath The Athenians Gagarin shows adhered to the law as they understood it which was a set of principles more flexible than our current understanding allows The Athenians also insisted that their legal system serve the ends of justice and benefit the city and its people In this way the law ultimately satisfied most Athenians and probably produced just results as often as modern legal systems do Comprehensive and wide ranging *Democratic Law in Classical Athens* offers a new perspective for viewing a legal system that was democratic in a way only the Athenians could achieve

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## **Table of Contents Unfair The New Science Of Criminal Injustice**

1. Understanding the eBook Unfair The New Science Of Criminal Injustice
  - The Rise of Digital Reading Unfair The New Science Of Criminal Injustice
  - Advantages of eBooks Over Traditional Books
2. Identifying Unfair The New Science Of Criminal Injustice
  - Exploring Different Genres
  - Considering Fiction vs. Non-Fiction
  - Determining Your Reading Goals
3. Choosing the Right eBook Platform
  - Popular eBook Platforms
  - Features to Look for in an Unfair The New Science Of Criminal Injustice
  - User-Friendly Interface
4. Exploring eBook Recommendations from Unfair The New Science Of Criminal Injustice
  - Personalized Recommendations
  - Unfair The New Science Of Criminal Injustice User Reviews and Ratings
  - Unfair The New Science Of Criminal Injustice and Bestseller Lists
5. Accessing Unfair The New Science Of Criminal Injustice Free and Paid eBooks
  - Unfair The New Science Of Criminal Injustice Public Domain eBooks
  - Unfair The New Science Of Criminal Injustice eBook Subscription Services
  - Unfair The New Science Of Criminal Injustice Budget-Friendly Options

6. Navigating Unfair The New Science Of Criminal Injustice eBook Formats
  - ePub, PDF, MOBI, and More
  - Unfair The New Science Of Criminal Injustice Compatibility with Devices
  - Unfair The New Science Of Criminal Injustice Enhanced eBook Features
7. Enhancing Your Reading Experience
  - Adjustable Fonts and Text Sizes of Unfair The New Science Of Criminal Injustice
  - Highlighting and Note-Taking Unfair The New Science Of Criminal Injustice
  - Interactive Elements Unfair The New Science Of Criminal Injustice
8. Staying Engaged with Unfair The New Science Of Criminal Injustice
  - Joining Online Reading Communities
  - Participating in Virtual Book Clubs
  - Following Authors and Publishers Unfair The New Science Of Criminal Injustice
9. Balancing eBooks and Physical Books Unfair The New Science Of Criminal Injustice
  - Benefits of a Digital Library
  - Creating a Diverse Reading Collection Unfair The New Science Of Criminal Injustice
10. Overcoming Reading Challenges
  - Dealing with Digital Eye Strain
  - Minimizing Distractions
  - Managing Screen Time
11. Cultivating a Reading Routine Unfair The New Science Of Criminal Injustice
  - Setting Reading Goals Unfair The New Science Of Criminal Injustice
  - Carving Out Dedicated Reading Time
12. Sourcing Reliable Information of Unfair The New Science Of Criminal Injustice
  - Fact-Checking eBook Content of Unfair The New Science Of Criminal Injustice
  - Distinguishing Credible Sources
13. Promoting Lifelong Learning
  - Utilizing eBooks for Skill Development
  - Exploring Educational eBooks
14. Embracing eBook Trends
  - Integration of Multimedia Elements

- Interactive and Gamified eBooks

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