Stigma After Exoneration? How Potential Employers View Those with a Wrongful Conviction
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Introduction

To date, over 320 people have been exonereated through DNA evidence after serving time in prison for a crime they did not commit. Over a thousand more have been exonereated through other means. Currently, much of the research about wrongful convictions deals with how a person may be wrongfully convicted, such as through mistaken eyewitness identification, a false confession, or other factors (e.g., Clow, Leach, & Ricciardelli, 2011; Jenkins, 2014). Very little research has investigated the challenges after exoneration (e.g., Clow & Leach, 2015). The current research aimed to begin filling this gap. A potential cost of being wrongfully convicted is the stigma associated with being in prison (Clow, Ricciardelli, & Cain, 2012). People are also prone to commit the fundamental attribution error (Ross, 1977). In terms of an exoneree, employers may assume that the wrongful conviction occurred because of the type of person the applicant is. Therefore, we specifically examined how employers evaluated fictitious job candidates, some of whom had spent time in prison for a crime they did not commit. For the reasons stated above, we hypothesized that wrongfully-convicted applicants would be perceived less positively than applicants with no conviction record.

Methods

For this study, 115 participants completed an online experiment. We recruited them using a snowball sampling technique. Participant Demographics: 57% Female, M_age = 46.4 years, 92% Caucasian, and 58% held a managerial position or higher. Each participant reviewed an application and was randomly assigned to one of four conditions, which involved a manipulation of the applicant’s history. The manipulation occurred with how the applicant responded to this question: “Have you ever been convicted of a felony?” (see Figure 1 below).

1. The applicant with no conviction checked the box “No”.
2. The applicant with an actual conviction checked the box “Yes” and explained “I was convicted of robbing a bar at gunpoint and served 3 years in prison until I completed my sentence.”
3. The applicant with a wrongful conviction discovered checked the box “Yes” and explained “I was convicted of robbing a bar at gunpoint and served 3 years in prison until I proved that I had not committed the crime.”
4. The applicant with a wrongful conviction discovered through a Google search checked the box “No.” However, participants received information about a Google search that provided similar information about the wrongful conviction as in condition 3.

After viewing the application, participants rated the candidate on perceived dangerousness, workplace deviance, prospects for advancement, and honesty. They also stated whether or not they would hire the applicant.

Results

Except for honesty, all perceptions of the applicants differed as a function of the condition (all F > 3.86, all p < 0.05). For individual deviance and dangerousness, the actual conviction condition was significantly higher than the other conditions. For prospects of advancement, the actual conviction condition was significantly lower than the other conditions. For occupational deviance, the wrongful conviction discovered condition was significantly lower than the other conditions. In terms of honesty, there were no significant differences (see Table 1 below).

For hiring decisions, the actual conviction condition was significantly lower than the other conditions. In other words, the participants were less likely to hire the applicant with a conviction (see Figure 2 below).

<table>
<thead>
<tr>
<th>Dependent Variables</th>
<th>Control with No Conviction</th>
<th>Actual Conviction</th>
<th>Wrongful Conviction Disclosed</th>
<th>Wrongful Conviction Discovered</th>
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<tbody>
<tr>
<td>Individual Deviance</td>
<td>2.26&lt;sub&gt;a&lt;/sub&gt; (1.02)</td>
<td>2.83&lt;sub&gt;b&lt;/sub&gt; (1.26)</td>
<td>2.40&lt;sub&gt;b&lt;/sub&gt; (1.03)</td>
<td>1.89&lt;sub&gt;b&lt;/sub&gt; (0.93)</td>
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<td>Organizational Deviance</td>
<td>2.35&lt;sub&gt;a&lt;/sub&gt; (1.06)</td>
<td>2.86&lt;sub&gt;b&lt;/sub&gt; (1.23)</td>
<td>2.46&lt;sub&gt;b&lt;/sub&gt; (1.18)</td>
<td>1.74&lt;sub&gt;b&lt;/sub&gt; (0.89)</td>
</tr>
<tr>
<td>Dangerousness</td>
<td>2.25&lt;sub&gt;a&lt;/sub&gt; (1.16)</td>
<td>4.11&lt;sub&gt;b&lt;/sub&gt; (1.26)</td>
<td>2.79&lt;sub&gt;b&lt;/sub&gt; (1.10)</td>
<td>2.76&lt;sub&gt;b&lt;/sub&gt; (1.43)</td>
</tr>
<tr>
<td>Prospects of Advancement</td>
<td>4.71&lt;sub&gt;a&lt;/sub&gt; (0.92)</td>
<td>3.56&lt;sub&gt;b&lt;/sub&gt; (1.26)</td>
<td>4.36&lt;sub&gt;b&lt;/sub&gt; (1.10)</td>
<td>4.52&lt;sub&gt;b&lt;/sub&gt; (1.30)</td>
</tr>
<tr>
<td>Honesty</td>
<td>4.80&lt;sub&gt;a&lt;/sub&gt; (0.77)</td>
<td>4.41&lt;sub&gt;b&lt;/sub&gt; (1.12)</td>
<td>4.85&lt;sub&gt;b&lt;/sub&gt; (0.87)</td>
<td>4.56&lt;sub&gt;b&lt;/sub&gt; (1.29)</td>
</tr>
</tbody>
</table>

Discussion and References

Our results showed a stigma against those with an actual conviction because they were seen as more dangerous and deviant. They were also less likely to be hired and were perceived as less likely to advance in the company if they were hired. These results did not follow those of Clow and Leach (2013), who found that the wrongfully convicted were liked significantly less than the general population and similar to that of felons. Moreover, in their study, the wrongfully convicted were perceived similarly to felons and lower than the general public on warmth, friendliness, and respect. Our results could be inconsistent with those of Clow and Leach (2015) because our participants received more information. This individualizing information sometimes reduces the likelihood for stereotyping (Häfner & Stapel, 2009). In short, the more information we receive about a particular individual, the less likely we may be to stereotype or show bias against them. However, this concept of individualizing information does not seem to impact those with an actual conviction, perhaps because people believe it is okay to show bias against that group.

References