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Feminist Research Methods in Theory and Action

Learning from Death Row Exonerees

Historically, feminist methodology has emerged within a context of women scholars studying female subjects. This has been an essential and illuminating process in the development of social science research and has produced important advances for methodology. This chapter expands qualitative feminist methods to women scholars studying (predominantly) male subjects—in this case, death row exonerees. We have been explicit in our attempts to maintain our feminist integrity in the research process while studying a group of people whose lived experiences have not been central to most feminists concerns. Thus, we ask: how do we accomplish feminist methodology in the process of interviewing innocent individuals who have been exonerated of capital crimes? Given that our interview participants are predominantly men, how do we keep feminist concerns and techniques central to our method? In this chapter, we begin by briefly describing our current research and participants. We then outline our guiding principles of feminist methods and examine how we employ feminist methodology to study exonerees' lives. We conclude by discussing what we see as the lessons from this project for further expansion of feminist methods.

"Life after Death Row"

Since 1973, 122 men and one woman have been released from prison after having been exonerated of capital crimes. These individuals had been wrongfully convicted of crimes they did not commit, sentenced to death, and eventually exonerated based on substantial evidence of their actual innocence. To date, most of the academic literature addressing the wrongful conviction issue has

focused on two primary concerns: documenting the extent of the wrongful conviction problem (Gross et al. 2004; Huff et al. 1996; Liebman and Fagan 2000; Radelet et al. 1992) and identifying the various legal and social factors that can lead to the conviction of an innocent person (Leo and Ofshe 1998; Olson 2002; Scheck et al. 2000; Westervelt and Humphrey 2001). Little scholarly research, however, has examined the emotional and practical consequences of a wrongful conviction for those unfortunate enough to experience it (see only Campbell and Demov 2004 and Grounds 2004). Thus, the questions guiding our larger research project are as follows: What is the impact of a wrongful capital conviction and incarceration on individuals who have been exonerated and released? What coping strategies do exonerates use post-release to negotiate re-entry into family and community? What aids and impedes their reintegration? The purpose of this chapter is not to provide a detailed response to each of these questions, but instead to describe our strategies for exploring these questions. Still, we provide an overview of our research into the post-exoneration lives of these death row exonerates to lay the foundation for better understanding how we employ feminist techniques in this project.

From August 2003 to March 2006, we interviewed sixteen of these 123 people who have been exonerated of capital crimes. Our study does not include individuals who were erroneously convicted of non-capital crimes or those who eventually were released owing to legal error, though evidence of their guilt may be substantial. We focus solely on individuals sentenced to death who have been exonerated based on evidence of actual innocence. Our sixteen participants¹ were chosen from a list of death row exonerates maintained by the Death Penalty Information Center (DPIC).² The DPIC list includes all individuals exonerated of capital crimes since 1973, based on one of the following criteria: (1) the original conviction was overturned on appeal with acquittal at retrial, (2) the original conviction was overturned on appeal and charges were dropped by the prosecutor or dismissed by a judge, and/or (3) an absolute pardon was granted by a governor based on new evidence of innocence.

We chose individuals who varied along a number of factors: gender, race, state in which convicted, length of time in prison, length of time on death row, length of time since exoneration, and reason for exoneration (see table 1). We traveled to all the participants and interviewed them in their place of residence or somewhere nearby of their choosing. The interviews lasted from two hours to two days. Each interview was audio-taped and transcribed, producing transcripts ranging from 55 to 180 single-spaced pages. We also compiled field notes immediately following each interview in which observations and recollections of interactions with family and friends whom we had met were recorded. All but one exonerate gave us permission to use his or her real name in the research. Each person received compensation of \$125, as well as a small and appropriate thank-you gift. In most interviews, we shared meals together

TABLE 1
Biographical Details of Exonerates Interviewed

Name	Sex	Race	Age at Conviction	State Where Tried	Years in Prison	Years on Death Row	Year of Exoneration	DNA?	Actual Offender(s) Found?
Fain	M	W	35	ID	18.0	18.0	2001	yes	no
Melendez	M	L	34	FL	17.5	17.5	2002	no	yes
Tibbs	M	B	34	FL	2.0	2.0	1977	no	no
Gauger	M	W	41	IL	3.0	1.0	1996	no	yes
Krone	M	W	35	AZ	9.5	2.0	2002	yes	yes
Butler	F	B	19	MS	5.0	2.0	1995	no	no
Bloodsworth	M	W	23	MD	8.0	1.0	1993	yes	yes
Brown	M	B	25	FL	14.0	14.0	1987	no	no
Wilhoit	M	W	33	OK	6.0	5.0	1993	no	no
McMillian	M	B	47	AL	6.0	6.0	1993	no	no
James	M	B	23	OH	26.0	1.0	2003	no	no
Howard	M	B	23	OH	26.0	1.0	2003	no	no
Keaton	M	B	18	FL	2.0	1.0	1973	no	yes
Gell	M	W	23	NC	8.5	5.0	2004	no	no
Cobb	M	B	37	IL	9.0	4.0	1987	no	no
Taylor*	M	B	29	IL	13.0	10.0	2003	no	no

* This exonerate prefers to remain anonymous. We have chosen this pseudonym for him.

and chatted informally. Since these initial meetings, we have maintained regular contact with each participant to provide updates on our project and see how they are doing.

Table 1 displays a summary of biographical and case-related details of the exonerees who have participated in our study to date. Fifteen participants are men; one is a woman, the only female death row exoneree on the DPIC list. Six are white; nine are black, and one a Latino. The average length of time incarcerated is 10.8 years, though this masks incredible variation in time served by exonerees, which ranges from two to twenty-six years. Though all individuals were originally convicted of capital crimes and sentenced to death row, some received retrials at which they were reconvicted but sentenced to life in prison, and, as a result, moved from death row into the general population of the prison. Thus, in some cases, the average length of time served in prison is not equivalent to the average time spent on death row, which is a lesser period of 5.6 years with a range of one to eighteen years. The amount of time that had passed since exoneration ranges from 1.5 to 32 years. Three participants were exonerated as a result of DNA testing that was not available at the time of their wrongful convictions. In two of these cases, the DNA results revealed the identity of the actual offenders. The remainder were exonerated for a variety of other reasons: prosecutorial misconduct, police misconduct, false jailhouse snitch testimony at trial, coerced confession by the defendant, flawed forensic analysis at trial, mistaken eyewitness identification, ineffective assistance of counsel, and flawed expert testimony at trial. In three of those cases, the actual offender was identified. This results in five cases in which the actual offender was identified. Three of those offenders have since been prosecuted for those crimes. In one case, the actual offender was deceased by the time of our participant's exoneration.

Four of our participants had been accused of killing family members: Gary Gauger, his elderly parents; Sabrina Butler, her nine-month-old son; Greg Wilhoit, his wife; and Scott Taylor, his wife and young son (along with five others). As a result, they suffered the loss of their family members at the same time they were being accused, tried, convicted, and sentenced to death for those murders. Sabrina Butler's story exemplifies the horror of grieving for a loved one while facing a wrongful capital murder investigation and trial:

... when I was at the hospital when my son died [whom she was later convicted of killing], it was about fifteen, twenty different folks askin' me questions. . . . And I'm sittin' here holdin' him [Walter Dean, her nine-month-old baby]. And everybody's askin' me . . . I could have said I was a elephant! I don't know what I said. All kind of stuff. Everybody was askin' me, "What happened? Who did this?" And you know . . . and I'm sittin' there . . . [she begins to get emotional] . . . I don't know what I said, what I didn't say. I mean, you know . . . And, nobody would help me. *Nobody*.

Gary Gauger explains what it was like to come to grips with the violent death of his parents while being manipulated by the police into believing that he was the person responsible for their murders:

... within twelve hours, the police were telling me I'd done it. They had all the evidence. I'd failed the polygraph test. And I was in a very vulnerable, emotional state, looking to the police to help solve the murder of my parents. So that's why they had such an easy time with me. I was trusting them. I was very vulnerable. . . . I mean, they had me believing it enough that the next morning, after I'd been charged, I tried to inhale toilet paper [in order to commit suicide]. . . . The only way I could say I maybe had grieved a little bit was about a month and a half, two months after my arrest, I had a dream. And I was speaking with my mother. And then I realized, I said, "Oh, wait a minute, but you were killed." And then she faded away. I asked for a hug [she begins to cry and whisper]—Man, I didn't wanna do this [deep breath and silence]—um, I asked for a hug and then she faded away, and I started crying. And I woke up crying. . . . that was as close as I had come to mourning their murders, their deaths. . . . I feel like a plastic barrier holding back the ocean. You know, not much substance and a lot of weight.

Kirk Bloodsworth and Charles Fain were accused of killing young girls who also had been sexually molested, thus subjecting them to vile treatments by other inmates in prison and passionate public hatred. Delbert Tibbs, Walter McMillian, and Shabaka Brown are all black men accused of raping and/or killing white victims in the Deep South. Most exonerees did not come close to an actual execution date, though two are worth mentioning. Shabaka Brown came within fifteen hours of his execution before being granted a stay. He lost several teeth in the scuffle he had with prison guards when they came to measure him for his burial suit:

... the most telling thing during that time was when they took me out of that cell. And they had a civilian with them, with the Lieutenant. And the civilian had a tape measure in his hand. And they took the handcuffs off me and asked me to raise my hands, like that. And the tape measure went around my chest, and around my waist, and the in-seams of my leg. And then it struck me. Son of a bitch's measuring me for a burial suit, you know. And I struck out. I mean, 'cause I was standin' there, and they was doing this so mechanically. I mean, it was almost like [bangs on the table] I was an inanimate object. And for some reason, something just . . . [Shabaka shouts in frustration]. And I was determined right then and there that if they were going to kill me, they were going to do it with some damn dignity. . . . This is how I lost these teeth.

Sabrina Butler believed that her execution date was imminent, though she had, in fact, received a stay. On March 8, 1990, the judge announced her execution date as July 2, 1990. This date was seared into her consciousness because it was two days before her dead son's birthday (the son she was wrongly

convicted of killing). What the judge said subsequently was lost to her: the execution would be stayed pending appeals. She was a young black woman of nineteen in the Deep South—a high school drop-out and mother of two small children. She did not understand the legal process. She sat on death row, mourned her child, and worried about her other child languishing in foster care. As she awoke on July 2, she believed it would be her day to die:

When that day came, I was the scariest person in the world. That is a feelin' that I wouldn't wish on my worst enemy. I stood there at the little old door . . . the slot in it . . . and you [would] just stand there and look. And I thought, by me watchin' TV and stuff, that they was gonna come and get you, and you was gonna have this ball and chain on. And these people gonna be walkin' beside you. You goin' down this long hall, you know what I'm sayin'. Like they did in *The Green Mile*. . . . And I was scared to death. . . . You know, I was standin' there cryin'. I kept tellin' her [the woman in the cell next to Sabrina], "Yeah, they gonna kill me. They gonna kill me. Somebody call my mama, or somethin' and tell 'em that," you know, "I love 'em." . . . That whole day I just sat in my room. I couldn't sleep. I couldn't eat. [She's crying.] That is the most humiliatin', scary thing that any person could ever go through. I was scared to death because I thought that they was gonna kill me for somethin' that I didn't do. And I couldn't tell nobody to help me.

No one came to get her. Her anxiety mounted. In the late afternoon when she asked a guard "aren't they supposed to come and kill me today?" she learned, only then, that she would not be put to death that day.

Stories like these ripple through the pages of the transcripts from our interviews. Our participants relate that their losses are profound and multiple, their recovery hampered by social and economic obstacles, their feelings of injustice inflamed, and their stigma at times overwhelming. Our challenge as researchers has been to gain access to our participants and to their stories and experiences—their feelings of loss and injustice, their beliefs about prison and the death penalty, their fears about and hopes for the future. Death row exonerates are often quite guarded in their interactions with those outside of their immediate family and/or legal team. These individuals have had their words twisted and used against them; they have been manipulated and misrepresented; they have been "used" and forgotten by politicians, criminal justice officials, and even other researchers. They do not trust with ease.

Greg Wilhoit depended on his defense lawyer, a hired attorney with a solid reputation in the community, to point out the numerous problems with the prosecution's accusation that he had killed his wife. The attorney instead asked Greg to provide a list of questions to ask the witnesses at trial, having developed none of his own. Frequently joked with the judge and prosecutor in court, and once threw up in the judge's chambers after coming to court drunk. Gary Gauger depended on the judge at his trial to ensure that he received a fair

proceeding. Instead, while Gary was testifying on his own behalf, the judge made misleading and crude gestures intended to indicate his disbelief of Gary's story. When the lawyers objected to the judge's behavior, the judge simply spun his chair to face the wall and remained as such for the remainder of Gary's testimony. Sabrina Butler explained that she now refused to do interviews for "free" as she had been "used bad" by others. Because we offered \$125 for her time, she believed she could take us seriously.

We have had to establish ourselves as worthy of listening to their stories, as people worthy of their trust. We have adopted a feminist methodological approach because we find it best able to meet this challenge posed by our research process.

Feminist Methods in Theory and Practice

Since classics by Reinharz (1979) and Harding (1986) revolutionized how social science can and must incorporate gender and gender considerations into theory, analysis, and methodological development, feminist scholars have expanded sociology from a "value-free" social science into a socially relevant, activist-oriented, and grounded theoretical approach. According to Reinharz (1992: 6), feminist methods are "used by people who identify themselves as feminist or as part of the women's movement." We identify ourselves as feminist and are concerned that our approach to research maintains certain principles grounded in feminist theory and methodology. We also find that feminist methods provide the techniques that allow us to overcome most effectively the challenges unique to accessing death row exonerates. In this section, we will discuss four central principles of feminist method and how we realize these in our study of death row exonerates: (1) the belief that research is a collaborative process; (2) the centrality of trust and openness in this collaborative process; (3) the role of the "ethic of care" in research; and (4) the necessity of bringing issues of gender, race, and class to the forefront of research.

Each research project requires idiosyncratic adaptations of method, especially qualitative projects, in order to learn about and analyze the described phenomenon. Our project is no exception. We have chosen to examine rare and traumatic events, to combine our established expertise in wrongful convictions (Westervelt) and the death penalty (Cook) with our ideological convictions as feminists committed to ethical research that illuminates and enhances people's lived realities. Thus, we "mix and match" from the best practices and principles of qualitative research methods to meet the goals of our project—to record, analyze, and learn about the impact of a wrongful capital conviction directly from the exonerated death row inmates.

Fundamentally, social research is best conducted within a collaborative setting between the scholars and the participants in the research (Ely 1991). Accordingly, we, as researchers, do not own or control the means and the outcomes of the research. Feminist research can create “a sense of connectedness and equality between researcher and researched” (Patton 2002: 129). Our role in the collaborative process is to help participants—in this case, exonerates—to tell their own stories, which in turn have consequence for modern society and criminological and sociological theory (Patton 2002). As facilitators, we are guided by the principle that we neither criticize nor categorize the participants or their experiences. Bringing their voices to the public issues of capital punishment and wrongful convictions requires us to let their voices be heard as authentically as possible, in their own words (Cook 1998) without “filtering” by our own interpretations or categorizations into psychological “disorders” or social [mal]adaptations. Because we hope to explore and understand the flesh-and-blood realism of their experiences, we cannot reduce their stories to statistical patterns or disengaged numerical measures of various aspects of their stories. Thus, our feminist methods are inductive rather than reductive.

Furthermore, as individuals who have been talked about, classified, categorized, and legally processed as if they were murderers, these participants have rarely been granted an opportunity to speak for themselves. Their lawyers talked for them (with varying degrees of effectiveness); the prosecutors spoke against their right to live; witnesses spoke against them; journalists spoke with authority about their cases; jurors convicted them, and judges condemned them to death. All the while, the participants in this study felt powerless to respond effectively in their own words and rarely believed they were truly heard. As noted above, the judge overseeing Gary Gauger’s trial spun his chair to face the wall rather than listen fully to Gary’s testimony. Our project provides an opportunity for the exonerates’ authentic voices to be heard, thus affirming the value and meaning of their lived experiences.

We have made a number of choices in our research process to increase the level of collaboration between us and our participants. We always allow them to choose the location of the interview in order to ensure they are as comfortable as possible. We typically do not prefer to interview in a participant’s home but instead recommend quiet places with no phones and/or children, such as hotel or library conference rooms. However, we have completed interviews with several exonerates in their homes because they clearly were most comfortable in that setting. We also provide all participants with a copy of the final transcript and allow them to make any changes. Again, the point is to ensure the accuracy and authenticity of their stories, which is enhanced by giving them as much input into the final “product” as possible. We have rejected numerous attempts by other researchers and funding agencies who ask us to subject participants to a psychological evaluation and/or survey before the interview. We believe it essential to

rely on exonerates for their own assessments of their well-being, both past and present, they must be allowed to author their own stories rather than being placed into prefabricated categories of emotional and/or psychological conditions. Exonerates view their post-release reintegration and coping as a process, and they frequently compare their current states of mind with their memories of times past. So, though they may “objectively” suffer from depression or post-traumatic stress disorder, if they were to be given a battery of tests, they would see themselves as more psychologically, socially, and emotionally sound (or damaged) today than they were several months or years previous. Thus, we think it essential to allow them the opportunity to speak for themselves and claim their own stories, free from the labels placed on them by others (Goldman and Whalen 1990; Goodley 1996; Hones 1998).³

Unfortunately, the power of labeling can never fully be escaped, and these people’s stories are powerful testimonies to the enduring consequences of ascribed stigmas, socio-legal classifications that render a human being “worthy” of capital punishment, as well as the capacity of hope, faith, and fortitude. Part of our feminist epistemological framework draws from Patricia Hill Collins (1991), who teaches that dualistic approaches employing mutually exclusive categories are less helpful than “both/and” frameworks that recognize complexities of identity and ownership of authentic selves. So, while on the one hand, our participants have been frightfully traumatized, stigmatized, and betrayed, at the same time, they have survived on hope, dreams, and desires for justice. As Delbert Tibbs, one of our participants, comments, “you have to make medicine out of poison.”

We have chosen a semistructured interview method known as the “life history technique” for recording the life stories of our participants because this method is premised on the assumption that an interview is a collaborative event (Atkinson 1998; Goodley 1996; Hones 1998). Interviewing participants has an important legacy in feminist methodology. Hilary Graham (cited in Reinharz 1992: 18) refers to interviewing as “the principle means by which feminists have sought to achieve the active involvement of their respondents in the construction of data about their lives.” The life history technique emphasizes this “active involvement” of all research participants (scholar and subject) and allows the participant to dictate the direction of the interview as much as the researcher. For example, we found that more than one participant created opportunities to discuss at length the adequacy (or inadequacy) of the current political administration’s handling of current events, including those not directly related to criminal justice or death penalty issues. No matter which direction we took with the interview, several exonerates came back over and over to politics. Ray Krone spent quite a bit of time discussing how he adapted to prison life itself, and life on death row in particular, even though our primary focus was on his life once he was released from prison. When participants took

these directions in our discussion, we followed their lead, believing that we can learn as much by discussing what they deem important as we can from following our own interview schedule.

The interview process also liberates participants from the confines of a "survey" or set of predetermined answers (on a scale of 1 to 10, for example) to questions prepared in advance by the scholar. It provides the participant time to reflect on what is most salient to him or her about the experiences being discussed. It also allows for unexpected "tangents" to emerge into full-blown themes that might be unanticipated by the researcher, as is typical when using this type of grounded theory approach (Glaser and Strauss 1967). An interesting "tangent" occurred when we interviewed Tim Howard in Ohio. While we were talking, his attorney called, and Tim mentioned that we were there interviewing him. This attorney had represented Tim successfully on appeal, culminating in his exoneration and release after twenty-six years in prison. Tim invited him to join us for the afternoon. This afforded us another perspective on Tim's story that we had not anticipated or planned.

As Tierney (1998) notes, a collaborative interview process is particularly important for marginalized peoples and those who have experienced powerlessness and exploitation, as is certainly true for our participants, because it increases the level of trust between the researchers and the participants and reduces the possibility that the interview itself will become just another form of exploitation as viewed by the participants. More than one exonerate has told us that researchers came to interview them who were never heard from again, leaving the exonerees feeling used and exploited. This brings us to the second principle of feminist methodology essential to our research—the establishment of trust.

The process of conducting interviews of death row exonerees has been an exercise of trust, respect, and relationship building. These are guiding principles of qualitative and feminist methods (Patton 2002). Because the people we are interviewing have been so terribly exploited (wrongly accused, convicted, and sentenced to death), the degree to which they are able to trust us, or anyone, varies. We do not assume from the start that they should or would want to talk to us. We begin the process of building trust with our decisions about how to first contact our participants. We try to gain access to exonerees through networks of scholars, attorneys, and activists who work with and are trusted by the exonerees. Some of these individuals we know and some we do not. For those we do not know, we provide references to allow them to check on our credibility and ethics as researchers before they put us into contact with the exonerees with whom they work. We rarely "cold call" exonerees but prefer instead to have these other trusted individuals contact them on our behalf, or at the least we initiate contact through an introductory letter. This approach seems to have worked well for us, such as when attempting to set up an interview with Shabaka Brown:

To be honest with you, the only reason I'm sittin' at this table is because of Mike Radel [a close friend of Shabaka's who is a colleague of ours]. I mean, that's the truth. . . . I trust [his] judgment. We talk a lot. We talk when I'm at work or at home. We e-mail each other. I trust his judgment. He said ya'll was cool people.

Though the contact information for many exonerees can be accessed through paid online "background check" services, we have chosen not to pay for such information but instead to continually rely on these more trusted network members for access. By doing so, we hope to relay to exonerees that we are interested in hearing about their experiences but that any contact with us is up to them; they have control over their own stories and to whom they tell them.

We also attempt to build trust by following up with exonerees on any requests made of us. Two specific examples come to mind. First, while traveling in North Carolina, the son of one of our participants needed some immediate help in an emergency situation. The participant called Sandra to ask for advice on how best to negotiate the situation for his son in North Carolina. Sandra made some inquiries of colleagues and provided as much information as she could to help them better address their problem. Sabrina Butler also made a request of us to help her get a copy of the transcript of her second trial, at which she had been acquitted. During this retrial, her former husband testified that he had been the last person to see her baby alive, not Sabrina. This testimony had stunned her because though she knew that she did not kill her child, she did not, to that point, know what had happened to her child. She wanted the transcript in order to reread that portion of his testimony. However, because she was acquitted at this trial and thus the transcript was not needed for a possible appeal, the court did not automatically make one. She asked us to help her get a copy. We pursued every angle possible to locate the trial transcript for Sabrina, including finding the name of the court stenographer on duty during her trial (more than ten years ago) and attempting to make contact with this person at her new home in Texas. Although we were unable to find the transcript, we did provide Sabrina with copies of all of the legal documents that we had in our files, and she seemed to appreciate our extended efforts on her behalf.

Trust also is enhanced, we believe, by a forthright acknowledgment and exploration of the identity of all participants; therefore, if anyone is interested in our lives or asks us personal questions, we reply as fully as possible. We willingly reveal relevant details of our personal lives and histories to participants. We cannot hope to gain openness and honesty from people if we are closed and guarded about ourselves. In principle, this is considered by some to be sound feminist practice (Oakley 1981). For us, it is essential in helping us bridge the gap between our experience and theirs. This is even more important given that we are two middle-class white women interviewing working-class and poor

men (mostly), many of whom are African American or Hispanic. Thus, we engage in self-disclosure when asked or appropriate, as long as it does not silence or infringe on the participants' telling their own stories.

We believe that another element of the establishment of trust is that the listener believes the speaker. Crowden (cited in Reinhartz 1992: 3) suggests that understanding someone comes from "seeing [him or her] with a loving eye," and we would add, hearing with a loving ear, even if participants are not particularly lovable (Presser 2005; Scully 1988). We do not argue that "believing the speaker" means relying on the speaker as the sole source of information. To the contrary, we collect extensive documentation on each exonerate before our interview, including all publicly available legal documents, newspaper articles, scholarly books or articles, and even film clips. We use these materials to become intimately familiar with the details of each case and as a reference to check exonerates' own memories of such details. Instead, we argue that "believing the speaker" means to give credence to the story being told by the participant, to give it weight and indicate acceptance of his or her feelings, beliefs, and claims.

In this project, the participants have fruitlessly proclaimed their innocence for decades, having not been heard or believed by powerful entities (prosecutors, judges, juries) and the public, a deafness to their voices that nearly resulted in their deaths. For example, when Kirk Bloodsworth was released from prison after DNA evidence revealed he was not the man who raped and murdered nine-year-old Dawn Hamilton (Junkin 2004), he returned to his hometown and his family home on the eastern shore of Maryland. Though Kirk had proclaimed his innocence since the beginning and believed that the DNA results finally vindicated him and gave credence to what he had been arguing all along, many in his community, as well as the prosecutors in the case, did not agree. Many townspeople believed he got out on a "technicality" and continued to treat him as if he were guilty. The prosecutor in the case only enhanced the community's hostilities by continuing to state her belief in Kirk's guilt. The barber who had cut Kirk's hair since childhood refused to do so any longer; parents would clutch their children when he passed them in the local grocery store; neighbors yelled "child killer in the neighborhood!" when he went door-to-door looking for odd jobs because no one would employ him for long; former coworkers wrote "Child Killer" on his truck in dirt; he received death threats and hate mail. Ten years after his exoneration and release, the prosecutor in the case finally submitted the DNA from the case to the national DNA databank and discovered the true identity of the actual rapist and murderer of Dawn Hamilton. When she met with Kirk to tell him this news, she apologized to him, providing him with the recognition and belief that he had so longed for: "And then just like water off a duck's back, my pain disappeared. My anger, it was all gone." He goes on to explain what he wanted most upon his exoneration: "I wanted to be loved again. I wanted people to respect

me. And I didn't want people to think I was a child killer anymore. Out of everything, you know, that was the biggest thing. . . . I wanted love and acceptance." He wanted to be heard and believed.

Thus, to believe the participants in this research is essential for their truths to be illuminated, understood, and perhaps compensated and affirmed. We are not "studying" them, so much as we are learning from them about the nature of personal fortitude, faith, forgiveness, anger, rage, obstacles, frustrations, racism, sexism, debilitation, hope, and despair. Such belief is an essential foundation of trust.

A third guiding principle of our methodology, borrowed and adapted from Gilligan (1982), is an "ethic of care" for ourselves and for our participants, recognizing and honoring the relational dynamics involved in research collaboration. This ethic of care we apply to our care for each other and our families and begins with our mutual trust. We have full lives; we are both busy women with families, jobs, and a multitude of responsibilities. This research is more time-consuming than some and has required extensive travel, taking us away from family and other responsibilities at home and work. We have each taken turns being overwhelmed with various aspects of our personal needs such that our capacity to focus on the research has vacillated. Fortunately, when one of us is stressed out, the other pulls more of the load. We care for and about each other, and our quality of life. This "ethic of care" emerged very early in our working relationship in that one of our first conversations about this project revolved around our concerns about how this might affect our families. Sandra's son was only two years old when we began this research, and as such we agreed that his needs were to be our first priority. We resolved, for example, to schedule interview trips far enough apart to not take Sandra away from home for too long or too often. It is our pact with each other.

Our ethic of care also applies to the participants in the project. Because we typically interview them only once, and we live long distances away from them, we maintain contact in a variety of ways. We send holiday gifts to each person; we call and write to them regularly to inquire as to their general well-being; we share their joys and provide advice or support when asked. We try to keep them in contact with each other by filling them in on each other's lives whenever they ask about someone. Recently, on an interview trip to Chicago, we took one exonerate, Delbert Tibbs, on a day trip to visit another exonerate and close friend, Gary Gauger, as they had not been able to see each other for some time. We realize, also, that there is a limit to what we can provide; we are not lawyers, and our resources are limited. But our affection and concern for each is real. This guiding principle helps us to deal with the stressful aspects of the work because we do not see these conversations as one-time obligations, but rather as ongoing relationships that enhance our lives and our understanding of broader social issues of justice.

The final guiding principle of our research drawn from feminist concern is the necessity of bringing issues of gender, race, and class to the forefront of the interview process and analysis (Collins 1991; Donnelly et al. 2005). As noted earlier, we are two white, middle-class, well-educated women interviewing mostly males who are predominantly working or lower class and who have varying levels of education. More than half of our participants are African American or Hispanic. Rather than approach our participants with a “color-blind” demeanor (Donnelly et al. 2005), we openly problematize the complexities of class and race/ethnic structures in our interviews. For many of the participants, negative racial stereotypes had significant impact on the circumstances leading up to their wrongful convictions. Delbert Tibbs, for example, was convicted on the basis of false cross-racial eyewitness identification. Walter McMillian, a black man, was convicted of killing a white woman in Alabama in a trial where the (white) judge was named for Confederate General Robert E. Lee. Sabrina Butler was a young mother of two small children, black, poor, and on welfare in Mississippi, and was portrayed in the media as an unfit mother and “welfare queen” in the early 1990s. We cannot be “blind” to these racialized and class-based patterns of structural oppression if we are serious in our efforts to understand and fully analyze exonerates’ experiences.

Implications for Feminist Theory and Methods

Our experience in learning from death row exonerates over the past several years teaches us that the gender of the research “subjects” should not be the determinant of whether feminist methods should be used in a research project. The guiding principles of feminist methodology can apply equally as well to an examination of the lives of men as it can to those of women (Messerschmidt 2000, 2004). The use of feminist methods should be determined by the nature of the data a researcher is seeking, not the gender of the participants. Feminist methods are particularly well-suited if the researcher seeks an understanding of participants as whole people with often conflicting beliefs and feelings who exist within a larger web of obligations, relationships, and structures of power.

This is particularly true if one seeks to understand participants who have been marginalized, disenfranchised, or exploited. By defining the research as collaborative and the “subjects” as active participants, the feminist method allows participants agency and an opportunity to own their stories and be heard and accepted in a way often denied to them otherwise. By recognizing from the outset the class, racial, and gendered structures of oppression that may be at work in their lives, this method gives voice to the larger structural processes that shape their experiences and that often go unseen and unheard by others.

Thus, this method provides a framework for building trust with those participants who may be unsure about the research process and creates opportunities for understanding individuals and groups who may very well be inaccessible when approached in any other way.

Finally, we add that a feminist approach is unique in that it treats both participants and researchers as whole persons. Our participants are more than “just” death row exonerates. They are fathers, mothers, sons, daughters. They have jobs and dreams for the future that often do not revolve around their status as “exonerate.” We try to interact with the whole person as much as possible, even though our contact was initiated because of their “exonerate” status. When we write or talk on the phone, we as often ask about their children as we do about the most recent activities related to their cases. Greg Wilhoit called us when he became a grandfather for the first time. We sent Sabrina Butler some information about an eye disease when she told us of some ongoing headaches she was experiencing. We listen to a CD that Perry Cobb made for us of his singing, his occupation before his wrongful conviction. We attended the book launch party for Kirk Bloodsworth’s biography, *Bloodsworth* (Junkin 2004), and met many of his family members and his lawyer.

This same principle applies to us as researchers as well. We live within larger webs of obligations, relationships, and structures of power that impact on how we approach research and how we approach a research participant or even a particular interview. Detachment from one’s topic or research participant may sound effective in theory, but it often prevents connection and true understanding in practice. As researchers, we bring experiences and emotions to the table when conducting an interview. To the extent that sharing those pieces of one’s self with the participant can aid in achieving a better understanding of the participant’s own story, the feminist method recognizes its value. Therefore, we find that feminist methods are adaptable, flexible, and promote unifying themes of analytical and ethical importance that can allow a more equitable exchange among research participants and a more complete picture of the lived experiences, in this case, of death row exonerates.

Discussion Questions

1. How does this study of death row exonerates differ from past research in the area of the wrongful conviction of the innocent?
2. What are the four guiding principles of feminist methods that are incorporated into the analysis of death row exonerates?

3. How have the researchers created a collaborative research process?
4. How do the researchers establish trust between themselves and the participants, and why is that important?
5. How are feminist methods flexible and adaptable, particularly in studying death row exonerates?

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Notes

1. We prefer the term research "participants" (rather than "subjects") because it provides an inclusive and egalitarian framework around all of us participating in this project—scholars and subjects.
2. For more information, refer to the Death Penalty Information Center's Web site: <http://www.deathpenaltyinfo.org>.
3. We do not argue that such psychological measures are useless or without value but simply that they are not a substitute for and are no more reliable or "true" than the stories that participants tell of their experiences in their own words.

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Chapter 3

Shana L. Maier and Brian A. Monahan

Dispatches from the Field

Negotiating Difference and Diversity in

Criminological Research

Imagine for a moment that you are a white, middle-class male who grew up in an affluent neighborhood and are currently a student at a university studying sociology and criminal justice. For an assignment, your professor asks you to interview a leader of a female gang to explore how her life experiences—such as poverty, drug use, violence, educational attainment—influence her behaviors. You begin to panic and want to run in the opposite direction. After class, you meet with your friends, exasperated at the thought of undertaking such a seemingly impossible task: "Can you believe that my professor gave me this assignment? Why can't I just study something I know about, like drinking or gambling among college students? How in the world am I supposed to interview a female gang leader? We have nothing in common!" This kind of reaction would certainly be understandable: studying crime and deviance can be intimidating, particularly as it often involves dealing with people, places, and situations that are entirely unfamiliar to students.

The truth is, although most students profess to be intrigued by the criminological research of others, many seem to have difficulty envisioning themselves as researchers investigating similar subject matter. In talking with our colleagues and our students to explore this further, we have come to realize that much of this apprehension among intrepid researchers stems from an often overlooked issue in crime and deviance research: the fact that those who conduct criminological research are often quite different from their respondents in terms of observable physical characteristics (e.g., race, gender, ethnicity, age), social status, social biography, or socioeconomic placement.

Crime and deviance researchers have, in recent years, increasingly alluded to the fact that the relative positions of researchers and their subjects can shape who and what is studied, the kinds of questions researchers ask, and how data