Tanya Domi:
Hi, this is Tanya Domi. Welcome to The Thought Project recorded at The Graduate Center of the City, University of New York, fostering groundbreaking research and scholarship in the arts, social sciences, and sciences. In this space, we talk with faculty, and doctoral students about the big thinking, and big ideas generating cutting edge research, informing New Yorkers and the world.

Tanya Domi:
Edwin Grimsley is a PhD candidate in sociology at the CUNY Graduate Center. He received his BA from Wesleyan University in biology. Edwin’s dissertation titled The Collateral and Cumulative Effects of Marijuana Criminalization examined the racialized development of marijuana laws in the United States, and the differential impacts of criminalization for marijuana possession particularly for black people seeking employment and educational opportunities. Prior to joining the sociology program at The Graduate Center, his experience includes working as a case analyst at the Innocence Project for 10 years, where he investigated claims of innocence for people incarcerated for crimes, they did not commit ultimately freeing seven people from prison.

Tanya Domi:
There are a multitude of experts in America who have declared that our criminal justice system is broken. We have less than 5% of the world's population while incarcerating 25% of the world's prisoners. Critics assert that this system reinforces systematic patterns of racial inequality throughout its society. This episode of The Thought Project podcast shines a light on how America sends thousands of children to prison who are innocent. Edwin Grimsley's work at the Innocence Project provides informed insight of how science is leveraged to prove the innocence of black youth who have been wrongfully sent to prison. Welcome to The Thought Project Edwin Grimsley.

Edwin Grimsley:
Thank you for welcoming me to the [inaudible 00:02:28] project. I'm excited to be here.

Tanya Domi:
You worked at the Innocence Project as a case analyst for a number of years. What can you share with our audience? What were the most meaningful lessons you learned from this experience working in this ground criminal justice organization that uses DNA to exonerate accused offenders, or people who have already been imprisoned?

Edwin Grimsley:
There are many highlights of my time at the Innocence Project. It's a lot, I think, to go through every one of them with kind of the highlights, but one of the best parts of the work was not only freeing innocent people from prison who did nothing wrong, but who spent anywhere from 20, 30, 40 years in prison for something they didn't do. It's kind of hard to grapple I think, with that kind of concept in your mind of what that did to people's lives, and for the many cases that we would exonerate people on. It really ruined their lives completely. And they still came out with a smile on their face. And that was one of the kinds of-

Tanya Domi:
Wow.
Edwin Grimsley:
... aspect that I had to really think about hard, about how someone could have their life ripped apart, their families ripped apart. I had one guy, Nathan Brown, who spent over 17 years in prison for an attempted rape he didn't do. And one of the highlights of that case was it sat on my desk for about three to four years, as I was trying to figure out how to prove his innocence. Very complicated DNA case. And I learned from that not to give up. I didn't give up, fighting for Nathan to figure it out. And then when I went down for his exoneration and saw him walk out of prison, and I took him to my hotel, gave him clothes, and it was one of those kind of bright moments, I think in my life of seeing his joy of being out of prison. Just getting out of prison of 17 years, smiling.

Edwin Grimsley:
And I was thinking in my ahead because I see this over and over again with exonerrees how people could be so, not in pain about the system, but the reality was what he told me was that was a new part for his life to start over. And he thanked me from my work, but really, I think I learned a lot from that kind of process that I give to all of my work go going forward at The Graduate Center, but even after I'm done at The Graduate Center too. The other thing I'll also note about the work, I started up a race in wrongful convictions research line that I think really was really powerful in trying to explain out all of the discrepancies, disparities in black men who were wrongfully convicted. We had over 60% of the DNA exonerations were black men, mostly accused of rape, but some accused of murder, too.

Edwin Grimsley:
Many of them juveniles, we had disparities in terms of over 75% of the juvenile DNA exonerations were black youth for many different cumulative effects and causes of why they were arrested and wrongfully in prison. And that really taught me too about how the system, there's so many different levels of what's wrong and not just in wrongful conviction work, but most of the criminal justice system. And that's really, I think the stuff that inspires me to think more deeper than not just about wrongful convictions, but about the whole entire criminal justice system.

Tanya Domi:
How long did you work at the Innocence Project?

Edwin Grimsley:
Almost 10 years.

Tanya Domi:
Almost 10 years. Almost a decade. So, I imagine that you walk out with those really incredible experiences, very inspirational to hear about the joy this person had in his liberation that you played a pivotal role in assisting, but also, when you began thinking more broadly about the criminal justice system, is this what compelled you to seek out an advanced degree, a doctoral degree in sociology?

Edwin Grimsley:
It did. I started out doing research, as I mentioned, for the... In race and wrongful convictions that I was doing blog pieces, seeing how much attention I was getting from people who were interested in that kind of analysis. I did actually a piece of Ebony Magazine at the time, and it taught me in how useful more analysis we needed, not just on wrongful convictions, but other criminal justice harms, and
policies, and more of the work that needed to go into it. So, when I applied to PhD programs, I had actually a bachelor's in biology at the time, and I did a whole 360 degree working immigration with the ACLU, then I went to the Innocence Project. I worked at human rights watch actually too, on a volunteer basis.

Edwin Grimsley:
And so, I was really deep into, I think most of the civil rights, social justice, racial justice policies and practices and how to work in that realm. But I thought adding that kind of academic arm to that type of work would be very powerful. And also looking at just how we can really move forward in moving a kind of a racial justice analysis in an academic way. And I mean that in, we need more cutting-edge creative research that's actually going to identify what really are the causes of why people are arrested, in prison, jailed, incarcerated. And that's what I'm hoping to bring to my research going forward.

Tanya Domi:
You are now teaching at the University of Hartford in a unique program and you're going to graduate this coming year, is that right? Or you're close to it.

Edwin Grimsley:
Most likely another year from now.

Tanya Domi:
Another year, another year.

Edwin Grimsley:
Yeah.

Tanya Domi:
So, you're-

Edwin Grimsley:
2023.

Tanya Domi:
Okay. So, you're in a unique program. Can you also share that with our listeners? The program that you're in at University of Hartford?

Edwin Grimsley:
Sure. It's called The Jackie McLean Fellowship. So, it's meeting another black PhD candidate who awarded and it's helpful for us to also finish out our dissertation research by sponsoring some of our, giving us money to a small little fund to finish our dissertation. We teach a class at the University of Hartford. And then also with the potential to also join the faculty at the University of Hartford after we're finished. So, it's a great program.
That's amazing.

Edwin Grimsley:
Yes, it's amazing. I mean, I had to actually interview, like it was a tenure track job too. And so, it was a lot of work actually getting [crosstalk 00:08:48].

Tanya Domi:
Oh, well you had to do a job talk then.

Edwin Grimsley:
A job talk, interviews, acquired a lot of work. I mean, right now it's just a dissertation fellowship, but there's a potential, I think, down the line to join the faculty there.

Tanya Domi:
That's wonderful. So, given that your dissertation is entitled The Collateral and Cumulative Effects Of Marijuana Criminalization that examines the racialized development of marijuana laws in the United States, and the differential impacts of criminalization for marijuana possession, particularly for black people seeking employment, and educational opportunities. I imagine that once someone has a record for marijuana use, or selling marijuana, which is a disqualification for many opportunities in life.

Edwin Grimsley:
Yes. And that's exactly what my dissertation is focused on. There's two other actually aspects to it that it's also focused on. One, is that there's this differential impact in how the laws are made. And so, many of the criminal justice laws, even though they can be color blind, and we may think that they're fair, and that they're going to treat white, black, Latinx and other racial and ethnic groups the same, in reality, there is this kind of a backlash against many of the black Latinx, black and brown communities really in the making of the laws. And then, my dissertation really looks at the impact, but then how police departments can utilize loopholes in the laws, how educational and employment systems can look at these laws in negative ways too, the criminal record, as you mentioned-

Tanya Domi:
Right.

Edwin Grimsley:
... that happens after someone gets arrested or gets a conviction. And then the other thing too, why I think it's useful, is we're in an age where marijuana is becoming legalized around the country, yet we still have just as many marijuana arrests around the country. It's debatable whether the marijuana laws are going to be beneficial for black and brown communities, even though we know that they were most harmed by the war on drugs. And so, that's really what my dissertation's going to kind of look at, is that historical aspect of it, and also the impact of it, but also to place it in the times we're in right now. Where there is a real question I think, and that's where I'm going to focus a lot of my future research on, on that question of whether a lot of the laws in the past were beneficial for black people and black and brown people, but also in the future, whether the laws we're making now, are also going to be beneficial for them? And I think there's a lot of questions on that.
Tanya Domi:
So, the jury is out on that question. Very interesting. Yes, we live in an age where it's legal to set up and sell marijuana in many places in the country for medicinal purposes, or recreational purposes. And just as you said, I remember when the war on drugs was initiated by Nixon, and then by Reagan and subsequent presidents. And what you were seeing was that if white people had enough resources, in particular when heroin was around, when it was a really big drug that was being used or consumed, or methamphetamines that you could get off, or you could get vastly reduced sentences. At the same time, it seems that your work at the Innocence Project shows that many, many youthful offenders end up in the criminal justice system, and really are punished in ways that are not only detrimental, but really have lifelong consequences, as you have mentioned. And yet white people that have resources are able to get off.

Tanya Domi:
That's a very simplistic way of presenting it, but when you talk about drugs, it's very clear. For example, the opioid addiction rate across America, like from the Northeast down through West Virginia, in many of the poor areas, this is all basically major white consumption, where they got the drugs from their doctors. And now they're looked at as being addicted, but they're not necessarily imprisoned or arrested, right?

Edwin Grimsley:
Mm-hmm (affirmative).

Tanya Domi:
Is that an example?

Edwin Grimsley:
Yep. It's very true. We have a different kind of way that we tackle what's happened, treatment and other services, versus kind of other criminal justice kind of contact and harms.

Tanya Domi:
Right. So, the criminal justice system has now become a place where not only they punish, but they don't offer any training or, I mean, there's limited access to resources. Education, we know that they've cut it back. There's this idea that, "Oh, they're in prison. They shouldn't be able to be educated." There's this really [inaudible 00:14:16] type of attitude towards people who are in prison, and your work in the Innocence Project shows that there are so many innocent people in prison, and this compounds their imprisonment.

Edwin Grimsley:
Right. I mean, and the last 50 years we've been cutting back educational programs, we've been coming back a lot of the money for people who spend time in prison. There is a big push for reentry programs, or restorative justice, which is a great thing, but there's so much more work that needs to be done. And one of the problems is how do you get back and put people on a path when they've already been disadvantaged? The inequalities that exist in their community prior to landing in contact with the criminal justice system, that inequalities that exist after they come out with the criminal record are
extensive, combine that, collateralize it, and just times it on that people are even more disadvantaged by the time we move down the line, and in the families, their children, right?

Edwin Grimsley:
There’s generational kind of problems of this kind of way of tackling these problems in our society. And we’re only just starting to kind of correct it, but the problem is when you have decades long of this increasing criminal justice, money for policing, money for jails, and prisons, it's a long way to fix these problems. And then also we have other problems with technology, criminal records. There's great research showing people's criminal records, we found internet searches. And so, even with [inaudible 00:15:54] box research on banning the use of criminal records by employers, there's always ways I think to find out the gaps and whether people have been in contact with the criminal justice system have a criminal record, has spent time in prison. Even when us at the Innocence Project, many of our exonerees had to bring newspaper reports of their exoneration to their interviews because of the gaps on their resumes, and also because people would not believe them.

Edwin Grimsley:
And then also, that still may not land them a job because as you said, the stigma and the harm that even employers see on people who've been in prison, can also be detrimental to their chances of gaining employment.

Tanya Domi:
And this must also yield to intergenerational poverty too, I would imagine, or extends it.

Edwin Grimsley:
Completely. It extends into intergenerational poverty, wealth gaps. You already have wealth gaps between the black, wealth gap and the white wealth gap. There's another gap below that in terms of people who are going to be over generations placed into that bottom even kind of category, low income, poor communities who would not be able to get out into gain income. If your family member and your father or mother is in prison, can't come out and get a job, then it's going to be hard to gain that kind of capital and assets and wealth that is needed over generations. That's a big problem I think for many of the black and brown communities who have been harmed already. We need radical solutions is the problem. We don't need little solutions that are just going to take away people's convictions on their record, we need real solutions that are going to get people opportunities.

Edwin Grimsley:
Again, whether it's educational, employment, bring people back to the starting line, but also, bring them back before the starting line, before the inequalities existed in their life. And those are also generational. Those are all rooted back, the historical problems in slavery, Jim Crow laws are already discrepancies and overt racism that moved into the covert colorblind racism that has [inaudible 00:17:58] in our society that we still have a problem identifying. The Black Lives Matter movement helped us to identify a little bit more of those problems. We had a year of the protest last summer, and then we had the backdrop on the protest this year where people now want to act like racism doesn't exist anymore. And that's the problem. We have to still exist at the color blind racism is real racism that it also is built on the overt racism of historical preferences for white people and differential treatment for them that has actually been detrimental [inaudible 00:18:30] a black and brown community.
Tanya Domi:
Of course. So, your research on youth offenders actually showed that the vast majority that were arrested as minors, and that the vast majority were people of color, specifically African American. And even so were as young as 14 when the crime occurred, and all were tried in adult court. Just how traumatizing is that for a young person sent probably to adult jail too, I might add.

Edwin Grimsley:
Mm-hmm (affirmative). Definitely. And one thing I'll note on that piece-

Tanya Domi:
Yes.

Edwin Grimsley:
... which I [inaudible 00:19:10] in the piece was that many of these youth actually had prior contact already with the criminal justice system. And so, it wasn't that they were found, and even at 14, before then some of the police officers knew them. They already had been arrested for other, mostly minor low-level offenses. This goes in where drugs come in to the program again, whether it's drugs or somewhat minor misdemeanor that brought them into the system also can also lead you into being accused of something you did not do, or being tacked on to other crimes and other offenses onto your record. And that's why I found in that research that it was actually that the police and criminal justice system where black and brown people were living in communities heavily policed already, that led them into being accused of murders that they did not do.

Tanya Domi:
Mm-hmm (affirmative). Yeah. You cite Joshua [inaudible 00:20:06] who noted that blacks are the majority of all youth exonerees disproportionately black and young. So that shows you that they must have been involved in the criminal justice system or been policed. When you start talking about the broken windows approach to policing, kids are being pushed off their front stoop and the 48 block around Yankee Stadium during a game. They can't even sit out there. Black people cannot sit on their stoop. They make them go inside or go elsewhere. And then you have all these white fans that come through the neighborhood. And many times, they're openly drinking, which is in violation of the law, by the way, having an open bottle on the street, that's a study that was done by the public science project. You're just a kid, you're hanging out. I mean, it's summer. You want to play ball, or you're hanging out with your friends and the cops are telling you to get off the steps.

Edwin Grimsley:
Mm-hmm (affirmative). And let's think about this too, in the opposite side of this, right? In terms of COVID where we had white youth, and actually most of them were adults really out in Manhattan, in not wearing masks, flouting the COVID laws at the height of the pandemic and with police officers right around them. And it turned out there's... I mean, there's some research that showed the police were mostly arresting black and brown people in those communities for COVID violations under social distancing and not wearing masks, etc., where we saw videos and plenty of research of police officers handing out masks, or just disregarding other violations by other people throughout New York City. This is the real problem of it, is that differential treatment kind of aspect of it, where even when you have the same laws, and that goes even to what you were saying too, is that we can think most of the
misdemeanor violations are done evenly, there's a lot of research on drugs, and marijuana use is done across all racial and ethnic groups.

Edwin Grimsley:
And we can think that most of these offenses that are really low level are done similarly across all racial and ethnic groups, but it's only black and brown communities that have to face the burden of it. And that is one of the biggest issues. Even when we're flouting all the other groups who are doing it, right. It's not that whether black and brown people are doing the crime you should pay for it. The problem is that there's a very uneven distribution of who's paying the price for it.

Tanya Domi:
And enforcement of the law, right? An uneven enforcement of the law.

Edwin Grimsley:
Right. Completely.

Tanya Domi:
Yeah. And I mean, like for example, I'm a New Yorker and I'm walking around, and most of the cops I see aren't even wearing masks. I mean, they refuse to wear masks. Anyway, your research also showed in this study that at least 75% exonerees of color were minors at the time of their arrest, and they were falsely implicated by other children. Other children. A child being approached by a police officer, they would be very afraid. Especially a black or brown child. And they're convicted on the testimony of another child.

Edwin Grimsley:
Completely. And for that part, it's the trickery of the police that plays a role in this and that. And this is really kind of the why it's not just affecting one youth, or one black youth who's going to be arrested, it can affect their friends, it can affect their brothers and sisters, it can affect their community members, their father, right? Because the implications of it-

Tanya Domi:
Yes.

Edwin Grimsley:
Are that if you're tricked by the police and they can use you and you don't understand the system, especially if you haven't been arrested, if you're facing serious charges, the police can use that whatever information and trick you into giving information up on other people. And in many of these cases, which you cited, they also implicated some of the youth who were arrested and gave up other names. Sometimes they let them off. Sometimes they didn't let them off. Sometimes they arrested multiple people. So, you would bring in four or five other youth for crimes they didn't know about and weren't involved in. And then, they would get confessions and other statements from them through other trickery on crimes that these... You've had no idea what was going on.
And so, that really comes into how this system cannot just arrest one person, but also impact kind of how this cumulative effect again, on impacting many other black and brown people who would never have known what to do in that kind of situation. And for many people who are impacted, and who are arrested, they do not have any experience working with officers being accused of a crime. It's different when you're talking to an officer in the street, and you need help from them. But when you're actually arrested by somebody and you're accusing you of something, it's a whole different ballgame.

Tanya Domi:
Of course. And this study also found that youth of color were often accused of committing, wrongly convicted. Youth of color were often accused of committing crimes in large groups. I imagine that this would be like walking in the street, like a big group of kids, maybe being in a demonstration, maybe participating like during Black Lives Matter. I mean, so many people were arrested, and they were just standing on the sidewalk, for example. This is your research so...

Edwin Grimsley:
Completely. And one of the reasons why that, I mean, there's many reasons why that occurs, but some of the reasons why that occurs, are it's easy to lump in as many black youths as you want to lump in into the equation, is one of those. Two, there's this kind of the planning of it, we do this with games, and not even trying to figure out what everyone's involvement is. We don't even have that kind of sense of trying to assess out guilt of different individuals. So, the criminal justice system can easily lump as many people as they want into part of conspiring into a crime. And the real problem of it, and especially in my research, which I found on it is even if the statements did not match each other, there's many inconsistencies, I think in many of the stories. And so, many of those cases, we would've known that the story did not jive, just like in the Central Park Five case where the stories did not match each other.

Edwin Grimsley:
You had different people doing different things in terms of what they're saying in these statements. And in many of these, you face when, especially when people are interrogated the stories a lot of times, especially when there's no involvement between them won't make any sense. And the criminal justice system has a hard time picking those things up though. And this is one of the problems of the criminal justice system is not an analytical system where it's going to piece together how everything is supposed to jive or should [crosstalk 00:27:10].

Tanya Domi:
Right.

Edwin Grimsley:
Right? It's going to-

Tanya Domi:
They're just looking at whatever's in front of them and deal with it that way, right?

Edwin Grimsley:
And you can get a conviction, right? Will the jury buy it?
Tanya Domi:
Exactly. You clear the case; you clear the case. You clear the case.

Edwin Grimsley:
[crosstalk 00:27:25] cases, it was false confessions was enough. And so, there's a lot of research on false confessions, it's hard thing to get over. And so, in many of these cases, it's not actually the factual interpretation of what's going on, or piecing together whether-

Tanya Domi:
Uh-huh (affirmative). Yes.

Edwin Grimsley:
... we think someone did it, it's that there's certain hallmarks that juries, judges, prosecutors can easily play on that are hard to get around. And so, they're just not going to be able to piece together every piece of the story, right? They're not going to be interviewed, honestly, the people who are right suspects of a crime themselves, and so, all they can go on... And this is what most of the research said, that if you falsely confess, people could not really get around why someone would falsely confess. When I did speaking gigs at universities and high schools, a lot of times people had a hard time with that. Even having the exonerees there to explain [crosstalk 00:28:15] hard to grapple why would you falsely confess to something? But the problem is, is that they can't think about the other parts of the system of the police making someone falsely confess-

Tanya Domi:
Well, right.

Edwin Grimsley:
... of the police writing up the confession.

Tanya Domi:
Right.

Edwin Grimsley:
Giving them details, how the story doesn't match, right? That's something hard to grapple with.

Tanya Domi:
Well, it's the interrogation techniques they use too. I mean, you're a child, you're sitting across a table from a police officer that says, "You're going to go away to jail." Your study showed that false confessions and guilt admissions made up 84% of the cases of exonerees of color who were arrested as juveniles. I mean, being a child in that situation, you cannot overstate the influence of the intimidation that the child is confronted with.

Edwin Grimsley:
Completely. And especially for people 14, 15, 16 years old, and the problem is in many states, that was good enough. I mean, murder charges... And it's hard for kids to grapple up all those kinds of serious
consequences. And many of them did not, like we mentioned earlier, did not have actual contact with the police, it was their front and other people who had contact with the police who put them in those kinds of circumstances. But that was also because their friends were duped and misled by the police to give up other names and coerced into that. A whole cycle there that is really disturbing.

Tanya Domi:
You shared with us; you'll never forget the experience of getting this person out of jail after they've been in prison for so many years. Well, what gives you hope? You're an academic, and so, you're not doing like case work now, but it's a body of work that's important, and there's a lot of bad news there.

Edwin Grimsley:
Yeah. What gets me hope is that it matters really on what's happened to people. And one of the things that gave me hope at least was that the work that I did at the Innocence Project mattered that someone got out of prison, that their life at least was not going to go down the same path that they did before, that their life would never be the same, but it did teach me that there's a lot that we can do. The work in Innocence Project I think was powerful in that we can think differently about a system, something like the criminal justice system, than we ever did before. When I started there beginning of 2007, when I was working and [inaudible 00:30:41] many people who were my friends did not know of the Innocence Project at that time, and I knew it only took about a couple more years for it to get on the map. There were movies made-

Tanya Domi:
Absolutely.

Edwin Grimsley:
... New York Times, Times Magazine was writing on it. And then it became just in everyone's kind of thought that, oh, innocent people are in prison, right? Innocent people have been executed. Innocent people who are in death row right now.

Tanya Domi:
Absolutely.

Edwin Grimsley:
And that's normal now to think of it now say 13, 14, 15 years later, that's powerful to me. And so, even if the work hasn't been done yet, I know at some point down in the future, people might think differently about a system, right? Of oppression. A system that has mostly been detrimental to black bodies in this country.

Tanya Domi:
Yes.

Edwin Grimsley:
And people can think differently about that. And how can we think about doing that work? Is what I got out of that work. And that's what I've tried to bring to my dissertation, that's what I'm hoping to bring to all of my work after I'm done getting PhD.
Tanya Domi:
Well, Edwin, given all that you know, given all that you have done, you're writing this dissertation that's really important in terms of looking at a system, how would you advise the attorney general of the United States who runs the department of justice? We have this moment right now with Biden in the white house, I don't know how long this is going to last, this is not looking good beyond these elections in the next two cycles. But how would you advise the attorney general? You talked about radical change. What would you recommend that he do, and his colleagues do at the department of justice to reverse these disparities, and the disproportionate effect on young black lives in America through the criminal justice system?

Edwin Grimsley:
That is a very difficult question. If I had to think of one thing that I think I would advise the Attorney General's office, the Biden administration, elected officials to do, one, is to think more about racial justice, and to really think about racial disparities, racial profiling, over policing, and to have real researchers to develop methods to one, track it, two, to figure out solutions to it, for laws to be made to correct all of the disparities that are in place, whether are to the criminal justice system, in employment, in housing. That's actually a hard, I think, task, but what we need are actually divisions made, we need more money put towards statistical analysis, but also, all the different types of academic research that could be beneficial to showing all in the racial discrimination, racism. And I mean mostly color blind, implicit laws, or whether it's governments actually also doing this kind of harms to black and brown communities.

Edwin Grimsley:
How do we correct those? We only do it by putting money in people in these positions who actually are going to do the analysis to show it, and also have the power to change it going for forward with new laws in place. That's a tough task. The first start is actually developing positions for that right now.

Tanya Domi:
I want to thank you so much for being with us today. Wish you a lot of luck and look forward to seeing your dissertation reading it when it's finished and published.

Edwin Grimsley:
Thank you so much. I really appreciate the time.

Tanya Domi:
Thanks for tuning into The Thought Project, and thanks to our guest. Edwin Grimsley, a PhD candidate in the sociology doctoral program at the CUNY Graduate Center.

Tanya Domi:
The Thought project is brought to you with production engineering and technical assistance by Kevin Wolf of CUNY TV. I'm Tanya Domi, tune in next week.