

APPENDIX: Characteristics of Exonerated False Confessions

Brandon L. Garrett, *The Substance of False Confessions*, 62 *Stan. L. Rev.* 101 (2010)

Brandon L. Garrett, *Convicting the Innocent: Where Criminal Prosecutions Go Wrong* Ch. 2 (Harvard University Press 2011)

Name of Exoneree	State	J / M / R / MI ¹	Examples of Non-Public or Corroborated Facts and Inconsistencies	Quotes from law enforcement testimony	Quotes from prosecution arguments	Recorded ²
Bradford, Marcellius	IL	J	<ul style="list-style-type: none"> Victim was hit with a brick – then changed in the statements to a piece of concrete Victim was kicked BUT Testified victim found inside car when found outside. Did not initially name Saunders, then did at trial; also named other persons never located. 	Guilty plea case – Bradford himself testified in co-defendants' trials	At Larry Ollins' trial: "So, when Marcellius Bradford told you Larry Ollins did that, it fits the evidence. And you know he was telling the truth." He described crime scene footprints and noted that they are "more evidence to show you that Marcellius Bradford accurately truly described to you what happened that day."	S
Brown, Dennis	LA		<ul style="list-style-type: none"> Victim was wearing dark blue jeans or slacks Victim was watching television on her couch Couch was tan/beige/brown Rapist grabbed victim's left arm Facts about style/interior of home <p>BUT</p> <ul style="list-style-type: none"> Stated entered through window when attacker entered through the door <p>Brown had a learning disability.</p>	<p>"Q: Lieutenant Cauzabon, you understand this is a very serious case? A: Yes. Q: Did you give any of this information to Dennis Brown? A: No, I did not. That's the first contact I had with him, sir. Q: To your knowledge, did anyone else give him any of that information? A: Not to my knowledge."</p> <p>"Q: Sergeant Montgomery, this is a very serious case. You know that. A: Yes, sir. Q: You're stating under oath you did not know what the victim had on that night, is that correct? You did not know the color of the couch? A: No, sir. Q: You did not know which arm she was grabbed by?</p>	<p>"And the things that were presented to the police by Mr. Brown were the ways that he made entry into the house, the fact that he grabbed the victim by her left arm, a description of the couch, a description of the house itself, a description of how the victim was dressed that night, things that only someone who was there would have known. Not things that are going to be printed there in the newspaper that he could have read about, but only things that a person who would have been there would have known."</p>	

¹ J indicates a juvenile at the time of arrest. MR indicates mentally retarded and MI indicates mentally ill. Still others may not have been adequately examined by experts or fully diagnosed at the time of trial.

² A indicates an audio recording was made of some portion of the interrogation. V indicates a video recording. S indicates no recorded interrogation, but that a written statement was prepared and signed.

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				<p>A: No sir, I did not. Q: And that the defendant confessed to the rape of Diane Talley, correct? A: Yes. Q: And he gave you specifics as to that rape? A: Yes, sir. Q: And he told you about the house? A: Yes, sir. Q: And he told you what color the couch was? A: Yes, sir. Q: And he told you how he committed the rape? A: Yes, sir. . . .”</p>		
Brown, Keith	NC		<ul style="list-style-type: none"> • Two page confession statement described entering the front door of a “big 2 story white house,” the address of the house, and two “old ladies” present. • Describing taking a black change purse. • But in his own statement, he did not describe a rape, rather hitting the women and running away. • A longer set of notes prepared by police included very different and apparently more accurate details, including entering the rear of the house, assaulting a woman with a hammer and a wooden chair, and raping her and an 8 year-old girl. 	Guilty Plea – No trial.	Guilty Plea – No trial.	
Cruz, Rolando	IL		<ul style="list-style-type: none"> • Victim's nose was broken (in taped confession) <p>In statement Cruz gave describing a “vision”:</p> <ul style="list-style-type: none"> • the victim’s head was bashed from behind • the victim’s head formed an imprint in the mud; • the victim had been raped anally 	<p>Q: During that period of time, from the first time that you made contact with Rolando Cruz, up until the time that he has gone through and related the vision to both you and Detective Kurzawa, had you or Detective Kurzawa every related any of the facts that he put in the vision to you? A (Vosburgh): No. We wanted to keep all of those off of the street; any knowledge about the crime scene, we wanted to keep that to ourselves.</p>	<p>And he [Cruz] tells him in this vision, she was anally assaulted. There’s no way to know that information. He knows it because he was there...</p> <p>Who knows that is somebody who was standing right there when that stomping was occurring, and she was being hit, and she was smashed right on the spot. That’s who knows that. But it came to him (Cruz) in a vision.</p>	A
Dean,	NE		• Described layout of victim’s	Guilty Plea – No trial. But testified in		

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James			apartment <ul style="list-style-type: none"> ● Described rape and strangulation of victim ● Described hearing a sound like a bone breaking, and autopsy concluded that the victim’s left arm was broken BUT Inconsistent descriptions of Joseph White and described memory problems and inability to recall details before speaking to law enforcement No records of mental evaluation at time of interrogations or trial obtained, but at trial described difficulty distinguishing between dreams and reality.	Joseph White trial.		
Deskovic, Jeffrey	NY	J	<ul style="list-style-type: none"> ● Gatorade bottle used to hit victim ● Locations of “three distinct crime scenes” ● Victim was carrying a camera and location where it was found ● Victim received blow to the head ● The victim was dragged and her bra ripped off 	Asked, “...had you in any way affirmatively related to Jeffrey the knowledge that you had gleaned from the results of the autopsy?” the detective responded “No, I did not.” When asked on redirect, “did you yourself relate to any of those students any of the observations that you had made of the various scenes that you had seen...” the Detective replied, “No, I didn’t. they were given no information at all.”	The defendant knew “certain intimate details that only the true killer would know.” The detectives “did not disclose any of their observations or any of the evidence they recovered from Jeffrey nor for that matter, to anyone else they interviewed.”	A
Godschalk, Bruce	PA		First victim: <ul style="list-style-type: none"> ● Wearing a tampon, which her attacker removed and threw on the floor of her room. ● Had a bedside lamp on ● Reading a magazine before being assaulted ● Attacker entered through a window ● Victim was a brunette BUT – initially said he entered through a kitchen window; the apartment had no kitchen window Second victim:	Detective described that a crucial non-public fact as to the first rape, that the victim had a tampon, was volunteered by Godschalk before the recording was made. Similarly, as to the second rape, he stated that Godschalk had admitted before being taped a series of facts that the Detective was clear had not been made public, including facts such as that a pillow from the victim’s son’s bedroom was used during the assault.	“Well, if he were guessing, he was guessing pretty darn good.” It was a “mathematical impossibility” that Mr. Godschalk could have guessed correctly on so many non-public facts regarding how the crime was committed.	A

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			<ul style="list-style-type: none"> ● Assaulted in her bedroom ● A pillow from victim's don's bedroom was used during attack ● Victim was blonde ● Rape occurred on the floor ● Attacker fled after victim said someone was returning home 			
Gray, Anthony	MD	MR	<ul style="list-style-type: none"> ● Based on court file, new reports and conversations with Gray's lawyers and former prosecutors involved in the case, Gray "had given a detailed confession." Attorney Grievance Comm'n v. Kent, 653 A.2d 909, 917 (Md. 1995). He had offered details including a description of how and where the murder took place while he stood watch. ● His statements also contained certain inconsistencies with crime scene evidence. <i>See</i> Todd Richissin, "Trying to Right an Injustice; Murder: A Defense Attorney and Calvert County State's Attorney Say a Man Has Been Wrongly Imprisoned for the Past Seven Years," Baltimore Sun, February 6, 1999, 1A. 	Guilty Plea – No trial.	Guilty Plea – No trial.	
Gray, Paula	IL	MR	<ul style="list-style-type: none"> ● Location of crime scene ● Where cars were parked ● There were two victims ● One victim was kept at the bottom of the stairs in the abandoned house ● The second victim was shot twice in the head from a very close range ● The first victim was taken to a field and shot twice in the head and once in the back 	<p>"[S]he had taken us into the building and somewhat described the events that took place, you know, prior to the two victims being killed. . . . After we were in the apartment and she kind of ran the think down to use she took us across the street to a creek and showed us where the second victim was found."</p> <p>She said Dennis Williams "held the gun in his hand, he reached down. . . . He took the gun and put it right next to her head and fired two shots into her head."</p> <p>As for the second victim, "They walked him across Cannon Lane out into the field down by Deer Creek. . .</p>	"Paula Gray made a statement to certain members of the police department and to certain members of the State Attorney's office and to a duly constituted Grand Jury. The Defense has alleged that this was a State induced statement. The difficulty with this is that the statement that she related to you and its content fits like a hand into a glove all the other evidence that the State had adduced."	

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				She told me that he handed the gun to Willie Rainge... and Willie Rainge fired one shot into the man's back."		
Halsey, Byron	NJ	MR	<ul style="list-style-type: none"> ● Two children were killed ● Panties placed in one victim's mouth. ● Nails and blue cloth hammered into one victim's head with a brick ● Scissors used in assault ● Red wire used in assault ● Semen in one victim's mouth 	<p>"...[H]e blurted out my kids are dead. At that time there was only one child when it was initially found."</p> <p>"Lieutenant Lynch again was telling him that, you know, you're the one that wants to give us a truthful statement. You're not being truthful with us. Then he finally did tell us what he used to drive the nails into [the victim's] head.</p> <p>Q. At any time was it suggested to the defendant what the answer should be? A. No."</p> <p>"Well, the scissors that were found at the scene were little scissors and we subsequently used a unit of measurement which most people could be familiar with, which would be a Kool filter king cigarette. But his initial time I would say he had it about a foot, he had the scissors about the size of the foot... We again said, you know, Byron, you're already – I mean he's already gone through everything, telling us exactly what has occurred and yet he starts playing a game with us... We said, Byron, you know the scissors weren't that long or words to that effect. He was grinning... Then he brought it smaller. . . Then he made – then we used the Kool filter cigarette as a unit of measurement and that's what he said the size of the scissors were."</p>	<p>"And, ladies and gentlemen, think to yourself, detectives – [defense counsel] suggests that the detectives fed it to the defendant, suggested things. They're doing to suggest two different times which he committed the murders? ... Ladies and gentlemen, this defendant, whatever he said was written down."</p>	S

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Hatchett, Nathaniel	MI		<ul style="list-style-type: none"> Victim was a white woman Victim was forced into her car Victim had infant car seat in back seat Told victim not to look and raped victim Implied he had a gun Told victim it was her "lucky day" Left victim on service drive near expressway Described victim's pubic hair <p>BUT denied taking victim's purse or contents, whereas victim described assailant taking contents of purse</p>	<p>Q. Did you ever supply the Defendant with details, specific details of the offense so that he would be able to recite them back to you when and if he decided to give you a statement about his knowledge and involvement with these crimes?</p> <p>A. I didn't.</p> <p>Q. You say you didn't, so I will ask the next question: Did you hear anyone else or see anyone else provide him with the kind of details that he eventually later gave you demonstrating his knowledge and involvement in this crime?</p> <p>A. No. As a matter of fact, as lead investigator I was the only one privy to such details at this point.</p>	The Defendant not only confessed generally to kidnapping, raping and stealing [the victim's] car but also gave very specific facts regarding the crimes charged here. He gave specificity as to the day, time, circumstances, right down to [the victim's] purse being stolen, and the car seat for the baby that was in the back of the car, and also to ordering the victim not to look at him during the course of the incident so that she wouldn't be able to identify him later.	A
Hayes, Travis	LA	J, MR	None; he simply agreed he was present as a getaway driver			A
Hernandez, Alejandro	IL	J	<ul style="list-style-type: none"> He and his accomplices drove to the scene in a dark green, late model Ford Abducted girl's lip was bleeding Victim was blindfolded, hit with a bat and kicked on head Victim was dragged on ground <p>BUT gave incorrect description of a light and described an appliance being stolen from the house when nothing had been stolen.</p> <p>Apparently at his first trial, which was not obtained, a defense expert conducted an examination and found that he was "dull-normal"</p>	<p>"He proceeded to state that ... on a certain day in February he was referring to a burglary. He was invited, had been planning with two other named individuals for some time a home located in Naperville, not too far off Route 65, a short ways from Aurora... They proceeded to the scene in a late model Lincoln Continental... Q. Did he describe the color of that car at all to you? A. Dark green..."</p> <p>"He described the little girl as, obviously, frightened. Her lip was bleeding and she was pleading that she wanted to go home."</p>	<p>"And what did he say about her was that she had a cut lip. And you heard the testimony of Dr. Cleveland that, in fact, Jeanine had a laceration that was through the upper lip, which is just right there.</p> <p>Now, where does that detail come from? Alex Hernandez..."</p> <p>"Where's that detail come from... where does he get that kind of detail if it doesn't come from the fact he knows about her."</p>	
Jones, David Allen	CA	MR	<ul style="list-style-type: none"> Location of one crime <p>BUT He denied taking one victim's clothes off, describes giving that victim money, and being taken to location by the victim</p>	<p>Use of leading questions apparent from recording:</p> <p>"You remember yesterday we showed you that picture" and that it was "by the water fountain" and "you remember that gate we showed you right there," finally eliciting only a response from Jones that was transcribed as "This right here</p>	<p>Transcript could not be obtained.</p> <p>At suppression hearing, prosecutor argued he was "volunteering information that probably the detectives wouldn't have known about but for the actual suspect telling them that information."</p>	A

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				<p>(Untranslatable).”</p> <p>“Q. So you got behind her? David Jones: Yeah. Q. And you put your arm over her shoulders like this? David Jones: Yeah. Q. And then you put -- so your elbow -- so her neck and her face is facing your elbow” David Jones: Yeah.”</p> <p>“Q. What kind of clothes did she have on? David Jones: I think it was black -- brown (untranslatable) color. I forgot what color. It was kind of dark -- light colors or something. Q. Light colors? David Jones: Yeah. Q. Tan? David Jones: Something like that. But I didn't pay no attention to what the color was.”</p>		
Jones, Ronald	IL		<ul style="list-style-type: none"> ● Location of crime scene in abandoned hotel ● Location of blood stains ● Victim was stabbed ● Described victim’s appearance <p>BUT He claimed victim was a prostitute who had propositioned him and pulled a knife on him.</p>	<p>“We went into the Crest. We went in through the back door. We went into the first floor and he showed us the room – he showed us the room that they went in to have the sex and also showed us where the struggle took place and where she was actually stabbed. And while we were in there he said that he also remembered stabbing her more than once and showed us also the same window, that they came in was a window that he had jumped out of.”</p>	<p>“We claim, and the evidence shows, that his statement is not the truth. His statement is not the way it happened.”</p> <p>“The Defendant says he was taken back to the Crest Hotel because they were showing him what happened. If they were showing him what happened, why isn’t it in here? If that was the reason for taking him back there, why weren’t there details about what room it was in and where the blood was or anything like that? . . . He knew about the Crest Motel, Hotel. He testified he knew the area. They knew he knew the area, so why are they going to show him something he already knows about?”</p>	S
Kelly, William	PA	MR	<ul style="list-style-type: none"> ● Provided "somewhat detailed account of the murder" ● Admitted presence at Dinger's Café/Bar with victim shorter before her death 	Guilty plea – no trial	Guilty plea – no trial	

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			<ul style="list-style-type: none"> • Drive with victim to landfill • Hit victim with a plank. • Dragged victim to location (which he identified) where body was found, and covered body • Confessed to raping victim vaginally <p>But told police he did not ejaculate (in fact perpetrator did ejaculate)</p>			
Kogut, John	NY		<ul style="list-style-type: none"> • Description of victim • Description of victim's death by strangling; autopsy confirmed that victim had been killed by a ligature tightened around her throat • Location of body, which had been hidden in the corner of a cemetery • Location of victim's ring, pendant, and cracked heart locket. • Color of pants, jacket, blankets found at crime scene <p>BUT stated jewelry removed from crime scene, which was not accurate</p>	<p>A detective stated Kogut “described [the victim] to me at fifteen to sixteen years old, dark hair, medium long hair. She was wearing a blue denim jacket. He thought maybe a dark top and dark pants. And that she had on white hightop sneakers.”</p> <p>Kogut “observed, or he noticed, that she had jewelry on. And he said, on particular item looked like, it appeared to be a heard on a chain. He said there were other charms, but he doesn't recall what they were like. It looked like a portion of it was broken off.”</p> <p>Detective described Kogut as admitting to burying the victim “in a shallow grave” in a cemetery, and specifically “in the corner of the cemetery.”</p> <p>“He was accurate with the description of the clothing, other than the – well, in his own mind, other than the blouse. He wasn't sure.”</p> <p>The detective described that blankets from the crime scene were immediately removed for lab analysis and none photographed them at the crime scene.</p>	<p>“[H]e pointed to the exact spot where the body of [the victim] had been...”</p> <p>“So if you believe the defendant, you have to disbelieve... [s]even detectives and police officers...”</p> <p>“Also ask yourselves, if the police wanted to falsely incriminate the defendant, if they wanted to make up a confession, to frame an innocent man, couldn't they have done a better job? I suggest to you that what's in that statement is what the defendant said. It's not Detective Volpe's words.”</p> <p>“He described that broken heart. Now sure the police knew at the time they interviewed him about that broken heart. . . . But they also knew about that unicorn that they found. Why isn't that in the statement if they made it up, to jive with everything they knew? I suggest it's not there because the defendant didn't recall that. But he recalled that double heart.”</p>	V
Laughman, Barry	PA	MR	<ul style="list-style-type: none"> • Victim received head wound not visible to naked eye but uncovered during autopsy • Victim killed with entire bottle of pills in her mouth, and pill bottle placed in her 	<p>“Q: In the same answer there's a statement about the victim wearing a bra and the Defendant I believe the words slipped it up. Had anyone talked about the clothing that the victim was wearing at the time that her body was discovered?”</p>	Not transcribed.	A

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			<p>hand</p> <ul style="list-style-type: none"> ● Victim was raped ● Victim was wearing only a bra ● White rag found in victim's hand ● Number and brand of cigarette butts found at the scene; ● Blue cloth bag and shoe box with money inside ● Described victim's house <p>BUT initially described seeing the deceased victim through her window, which was impossible including because there was no light in the room</p>	<p>A: I had not talked to anyone about it other than police involved in the immediate investigation.</p> <p>Q: Particularly had you told the Defendant or any members of his family?</p> <p>A: No, sir.</p> <p>Q: That same series of answers goes to talk about the fact that he had sex with her. Had the facts that semen or seminal fluid or sperm, whatever, been found during the course of the autopsy been released to the press or to any family members or any of the general public?</p> <p>A: No, sir.</p> <p>Q: That statement also talks about the use of the pills, the language saying dumped the whole bottle of pills in her mouth. Had the cause of death itself been released to the public?</p> <p>A: No, it had not.</p> <p>Q: Had you discussed the cause of death with the Defendant or any members of his family?</p> <p>A: No, sir."</p> <p>"There were certain things in this crime that only the person responsible would know. This was one of them. This injury was not visible to the naked eye until Dr. Mihalakis removed the scalp and the hemorrhaging was underneath the scalp itself."</p> <p>"We don't use leading questions. I don't. I don't use leading questions."</p>		
Linscott, Steven	IL		<ul style="list-style-type: none"> ● Described murder victim's living room, including lighting, wood panels, table and door ● Describes weapon as a tapered metallic object, then tire iron or a blunt object (blood and hairs were found on a tire iron found in bushes in front of victim's apartment building) ● Victim did not physically resist or scream ● Described attacking motions 	<p>"He physically stood there and demonstrated to [the two officers] by moving his arms how the woman was beaten."</p>	<p>"Steven Linscott not only described how a young lady had died in a living room setting, how she was first on her hands and knees and then fell to the floor. He demonstrated with up and down full extension of the right hand what he saw the man do. That is consistent with high velocity blood stains found on her body and the apartment."</p> <p>"Suffice it to say in those tapes</p>	A

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			<p>consistent with blood stains</p> <ul style="list-style-type: none"> Described the victim receiving seven blows to the head and other blows on her body (consistent with autopsy) <p>BUT Statement described a “dream” which incorrectly described the race of the victim, the location of the body, and did not describe stab wounds</p>		<p>he supplied information only the killer ... would and could know... He elaborated in detail...”</p>	
Lloyd, Eddie Joe	MI	MR	<ul style="list-style-type: none"> Described the victim having been sodomized with a bottle. Green color of the bottle. Described strangulation of victim using a ligature, including how he grabbed her throat, consistent with finger marks Described pushing up victim’s sweater and bra. Described “her clean Gloria Vanderbilt jeans.” Described victim’s gold colored earrings Described victim’s underwear left on a tree at the crime scene Described leaving victim laying on her side Diagram of crime scene Described street light on wooden telephone pole near garage where crime occurred. <p>BUT Lloyd, committed in a mental institution had written letters to police regarding a host of crimes. Lloyd described this rape occurring in a stolen car, and the license plates matched an inoperable and different vehicle.</p> <p>He incorrectly identified the location of the body on the diagram of the crime scene.</p>	<p>The lead officer explained the “standard policy” to keep “confidential” “until time of trial” details such as “the caliber of the weapon used in any homicide” because such information can be used to evaluate leads. “You have to keep that information confidential to weed out good and bad information so that you’re not continually spinning your wheels or following down inappropriate leads...”</p> <p>“The information that he had put in the letter was confidential information known only to myself and to the members of the Squad 3 who made the scene that morning at the garage. The information was in regards to a bottle which had been inserted in a particular area of the victim. This was known only to us.”</p> <p>“He brought up the bottle and this time he brought up the color of the bottle which hadn’t been mentioned. It is a green bottle.”</p> <p>“He brought up another important fact regarding her Gloria Vanderbilt jeans. There were corduroys found; he stated where they were found. He stated there were a second pair of pants he took from the girl. He said recently washed, her clean Gloria Vanderbilt jeans. He described the color of the stitching, the independent patch they had in the back of the pants.”</p> <p>“[H]e physically showed how she was</p>	<p>The taped confession “was shocking and graphic in the detail that he gave. Keep in mind that this was not a taped statement in which the police officers were spoon feeding information to Mr. Lloyd where he was just parroting back answers like yes or no.”</p> <p>“[I]f he had come there maybe sometime after this offense, how would he have known about the underwear on the tree, as ‘his calling card?’ The evidence technicians were out there, they processed the scene, they collected evidence. How would he know about the underwear on the tree if he visited the scene after the incident had taken place?”</p> <p>“All of these being details that were never disclosed through the media or general public. The only ones who knew it were the homicide investigators and the killer.”</p> <p>“The area was secured, no one else was allowed in and it wasn’t until sometime later when Officer Degalan and the evidence technician, Officer Babcock, went inside that garage and ended up moving the body that the bottle fell out. That was the first time they knew about it, and as Officer</p>	A

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				<p>laying on her side, which is exactly how she was in the garage in the photographs we have with the knot around her neck..."</p> <p>"I asked him what kind of earrings were they, and he described them to a T, curly Q, gold colored... He emphasized where the ears were pierced, he drew it in detail. He brought it up spontaneously. It surprised me."</p>	<p>Degalan indicated that was not a publicized matter... Aside from the homicide investigators and Evidence Technician Babcock, the only other person who would have know that was the killer, Mr. Lloyd."</p>	
Lowery, Eddie	KN		<ul style="list-style-type: none"> ● The victim's house was on the corner of the street ● The house was white ● Entry took place in the rear of the home ● The screen door was torn and the latch flipped for entry. ● A kitchen knife was used; the victim was struck with a knife handle. ● The victim's gown was pulled off. ● The victim's face was covered with a pillow. <p>BUT Stated that the knife was thrown down after the rape, when although a knife was found at the victim's home, it was determined not to have been the murder weapon.</p>	<p>"Q: You just simply asked him, what happened and he provided all the information without any knowledge of what might be the correct answer from you and Officer Malugani? A (Officer Johnson): He provided the answers to us that no one else could have known. Q: And you had not provided those answers to him prior to making those admissions? A: No, sir, I did not."</p> <p>"Q: Then throughout this admission portion that Eddie Lowery made you're saying that he (Officer Johnson) or you at no time volunteered any information where all he had to do was finally say, yes, that's right. A: This is correct"</p>	N/A	
McCray, Antron	NY	J	<ul style="list-style-type: none"> ● Described female jogger ● Described her clothes ripped off ● Described jogger being hit with a pipe ● Described location of attack as "by the reservoir" ● Described rape ● Described in detail other attacks in the park that night, including of a male jogger 	<p>Q: And after you asked Antron McCray to tell you what happened with the female jogger, did he make statement to you? A: Yes, he did. Q: And what if anything did he say to you? A: He described exactly how the female jogger was, who attacked her, who hit her.... How he kicked her. How her clothes were ripped off and how different individuals, including himself, being number three, jumped on top, followed by two other individuals. Q: How long did Antron McCray speak when he described to you what he and others had done to the female</p>	<p>"You heard in that video Antron McCray was asked about what she was wearing and he describes she was wearing a white shirt. This is the shirt that Patricia Meili was wearing. You saw the photograph of what that shirt looked like. There is no way that he knew that that shirt was white unless he saw it before it became soaked with blood and mud. I submit to you that Antron McCray describes details and describes them in a way that makes you know beyond any doubt beyond reasonable doubt that he was present, that he helped other</p>	V

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				<p>jogger? A: Again it took about half an hour. He was very quiet and took his time describing what happened.</p>	<p>people rape her, and that he helped other people beat her and that he left her there to die.”</p> <p>“If the detectives made that up... why doesn't the statement have more details in it? . . . Look at the information that is contained in that statement. It's not the information that would be a signed, sealed and delivered statement, that the police gave to Antron McCray to say, okay, this is what you're saying... Look at the details that are in there. Those details corroborate all of the evidence that you have heard in this case. They corroborate the photographs. They corroborate the testimony you heard from other people.”</p>	
Miller, Robert	OK		<ul style="list-style-type: none"> ● Victim was attacked in her kitchen ● Victim was wearing a nightgown and robe ● Described victim's bedroom accurately, including location in the house, that it included a night stand with a lamp, and a religious picture over the bed ● Second victim killed in front bedroom ● Second victim's electricity had been cut off ● Second victim wearing a nightgown ● Perpetrator tore his clothes during the attack and left a piece of his underwear behind. ● Second victim raped more than once on bed, covered with sheets ● Second victim's hair was pulled. ● Perpetrator wiped his bloody hands on her bed sheets. ● Described the positions in which the bodies were found. 	<p>“When we arrived at the front of [second victim's] residence, and specifically we were standing at the northeast corner of [her] house, he pointed to the windows on the east side of the residence at the front of the house and he said that that was the bedroom in which [she] was at the time she was killed. And this was interesting to me at the time because the fact that these windows, all of [her] windows were totally covered and that you could not see into these windows or see out, either one. It was interesting that he knew that that was the particular room since no one could obviously see into those windows.”</p> <p>A detective denied showing Miller crime scene photos or photographs of the victims.</p>	<p>“There's only one way that Robert Miller knows what's in Anna Fowler's bedroom and that is because he was there the night he killed her.”</p> <p>“He described the details . . . details that only the killer could have known.”</p> <p>“He knew the intricate details. How did he know them? Now, sure, like he said, he threw in some other stuff. And if you listened carefully, these detectives never once suggested an answer to him. They might have repeated questions over and over. Never once – they didn't suggest he [left] his underwear. As a recall, well, he may have left a shoe, he may have left a glove, and then he said, no, he may have left his underwear. They didn't suggest that to him. “</p>	V

Name of Exoneree	State	J / M / R / MI ¹	Examples of Non-Public or Corroborated Facts and Inconsistencies	Quotes from law enforcement testimony	Quotes from prosecution arguments	Record ²
			BUT, among other inconsistencies, he described stabbing both victims, and neither was stabbed.			
Ochoa, Christopher	TX		<ul style="list-style-type: none"> • Victim was shot one time in the “back of the left side of her head” • Victim was shot while kneeling on her knees • Victim’s hands were tied behind her back with her bra and her ankles tied together with her blouse, her mouth gagged with her scarf. • The water from the sink in the women’s bathroom was left running • That sink was clogged with aprons. • The restaurant had been wiped down to prevent leaving any fingerprint evidence. <p>BUT he incorrectly described the gun used and how he gained entry to the restaurant.</p>	<p>Guilty plea – no trial. But testified in trial of Richard Danziger.</p> <p>Ochoa described his own interrogation and stated: “Q. Did anyone in the Police Department tell you the facts of this crime so that you could make these statements? A. No, they did not.”</p>		A
Ollins, Calvin	IL	J, MR	<ul style="list-style-type: none"> • The victim was raped. • The victim was killed by being smashed in the head with a piece of concrete • The victim was kicked repeatedly. 	Transcript could not be obtained (confession statement was obtained)	Transcript could not be obtained	S
Peacock, Freddie	NY	MR	• None	<p>All he could say to the police about the crime was “I did it. I did it. I raped the girl. I did it.”</p> <p>The detective admitted that though he made efforts to provide Peacock with details concerning the case, Peacock “couldn’t recall the details.”</p>		
Richardson, Kevin	NY	J	<ul style="list-style-type: none"> • Description of height, weight, build of victim. • Description of color of victim’s pants and top • Description of crime scene • Description of other attacks in the Park • Victim was hit with a pipe covered with black tape 	<p>“Q: In your questioning of Kevin Richardson did you ask him what the female jogger looked like? A: Yes I did. Q: And did he give you a description of what she looked like? A: Yes he did Q: Do you recall what he told you? A: Again I have to look at the notes.</p>	“Remember the description that Kevin Richardson gives about the pipe that was used? Think about what he told you about the pipe. He said there was black tape all over it. Well, if you only saw a person holding that pipe and if you only saw it for brief moment when it was	V

Name of Exoneree	State	J / M R / MI 1	Examples of Non-Public or Corroborated Facts and Inconsistencies	Quotes from law enforcement testimony	Quotes from prosecution arguments	Record 2
				<p>He described the subject as female white in her twenties, short hair, gray jogging pants with bike tights and white tank top.”</p> <p>“Q: And during the course of this statement you didn’t suggest to him the words to use? A: Pardon me? Q: You didn’t suggest the words to use? A: I didn’t suggest anything, no.”</p>	<p>being used on somebody how would you know there was tape all over it? How would you know it went from end to end? And even more important how would you know as Kevin Richardson does that that pipe is heavy? You only know that if you yourself held it if you yourself wielded it on that night.”</p> <p>“If you take the time to look at the evidence in this case, if you look at what the defendants said, the evidence in this case again and again corroborates for you what the defendants describe and admit that they did in the park on that night.”</p>	
Rollins, Lafonso	IL	J, MR	<ul style="list-style-type: none"> Identified victim from series of photographs and signed photo Stated date of crime and address for crime at senior citizens home Described method of attack, as victim entered apartment, pulled a knife, told victim not to yell, and was given \$60. Described ordering victim to take off clothes, masturbating on victim, and wiping self with pillow case before leaving. Serologist identified semen on victim’s pillow case. 	<p>“Q. Now, Officer, after Lafonso Rollins told you that he did not have any involvement with that particular offense, isn't it a fact that you told him the actions of that offender? A. No, sir, it is not. Q. You never told Mr. Rollins what you believed to have happened to [the victim]? A. No, sir, I did not.”</p> <p>“He had stated that it was an old lady. There were a number of Polaroid photographs. I had him look through the photographs. When he got to the victim... he said, that’s the woman that I was talking about on January 9, 1993, the one that I robbed with a knife and then ejaculated on.”</p>	N/A	S
Salaam, Yusef	NY	J	<ul style="list-style-type: none"> Described attack on a female jogger in Central Park. Described rape. Victim was hit with a pipe. The pipe was about sixteen inches long, with tape on it. Victim’s clothes were partially removed 	<p>“A: He told me what happened in Central Park. . . He, Yusef, said at approximately eight o’clock he was outside of his building on Fifth Avenue with group of friends and . . . that they all went into Central Park. . . he saw a female jogger coming down the path. Kevin ran out and stopped her. She started to struggle with Corey. He said he stepped up to her and he hit her with the pipe. He said she went down but she was still struggling. So he hit her with the pipe again. He then said he then went</p>	<p>“If you take the time to look at the evidence in this case, if you examine the photographs, if you look at the defendant’s statements, the evidence in this case again and again corroborates for you what the defendants describe, and admit they did in the park on that night.”</p> <p>“No one fed any information to Antron McCray, to Yusef Salaam or to Raymond</p>	

Name of Exoneree	State	J / M R / MI ¹	Examples of Non-Public or Corroborated Facts and Inconsistencies	Quotes from law enforcement testimony	Quotes from prosecution arguments	Record ²
				<p>down on the floor and he was feeling her tits. He said her shirt was on but then Corey took her shirt off and lifted it above her tits and he started to feel her breasts again. He said then somebody took her pants but he doesn't know who took the pants off and Kevin got on top of her and to quote him Kevin started to fuck her. He said Kevin got off and Corey got on and Corey fucked her. He said then Corey got off and two other guys but he doesn't know who they are they got on her and they fucked her. He said then he just he just left."</p> <p>"There must have been some basis. . . for his knowledge of the crime for me to now sit here and tell you, yeah, I think he was there. Yes, I do think he was there..."</p>	<p>Santana. And the reason you know that is because to this day [the victim] can't tell you what happened to her in the park on that night."</p>	
Santana, Raymond	NY	J	<ul style="list-style-type: none"> ● A white female, wearing jogging clothes, was attacked in the Park. ● Described involvement attack on victim ● Victim was hit with a brick. ● Described a series of other attacks, including the radio headset work by male jogger. ● Told detectives during crime scene visit that victim was first struck on roadway and then dragged into the woods. 	<p>Testimony by detective that prior to interviewing Santana he did not know details concerning "other people that had been assaulted during the course of the evening."</p>	<p>"If you take the time to look at the evidence in this case, if you examine the photographs, if you look at the defendant's statements, the evidence in this case again and again corroborates for you what the defendants describe, and admit they did in the park on that night."</p> <p>"No one fed any information to Antron McCray, to Yusef Salaam or to Raymond Santana. And the reason you know that is because to this day [the victim] can't tell you what happened to her in the park on that night."</p> <p>"These defendants know exactly what happened to each victim..."</p>	V
Shelden, Debra	NE		<ul style="list-style-type: none"> ● Described general layout of victim's apartment ● Described involvement of others in a rape ● Described that victim had been found with heard wrapped tightly in a scarf, wearing a blue nightgown, 	<p>Guilty Plea – No trial. But testified in Joseph White trial.</p> <p>Deputy Sheriff testified: "Did you tell her anything about the Helen Wilson homicide on April 14, 1989? A. No. Q. Were you present during the whole period of time of the</p>		V

Name of Exoneree	State	J / M R / MI ₁	Examples of Non-Public or Corroborated Facts and Inconsistencies	Quotes from law enforcement testimony	Quotes from prosecution arguments	Record ²
			<p>with towels wrapped around wrists, and with wrists broken</p> <p>BUT also denied having any independent knowledge of the victim's residence and did not describe victim's hand's having been bound</p>	<p>interviews? A. Yes, sir. Q. Did anyone else tell her anything about the Helen Wilson homicide to your knowledge? A. No, sir."</p>		
Taylor, Joanne	NE		<ul style="list-style-type: none"> ● Described general layout of victim's apartment ● Described involvement of others in a rape ● Described a pink towel used to bind the victim ● Described Sheldon being pushed into the wall <p>BUT had described attack occurring in a "light colored house" not an apartment. She also described that law enforcement helped her to remember much of what she testified to.</p> <p>Taylor had been diagnosed with a "personality disorder" by a police psychologist and described having problems with her memory and a belief she had telepathic abilities, but was not evaluated by a defense expert.</p>	<p>Guilty Plea – No trial. But testified in Joseph White trial.</p>		V
Townsend, Jerry	FL	MR	<ul style="list-style-type: none"> ● Townsend led police to six different crime scenes, confessed at each, and correctly identified location of the body at one crime scene ● He knew one victim was strangled ● He described that one victim was wearing a dress. ● He described that a white house at the crime scene had previously been yellow <p>BUT Townsend gave incorrect information, including the wrong name for a victim, claimed to have cut a victim who suffered no cuts. See Amy Driscoll and Manny</p>	<p>A detective noted, "There is number of inconsistencies in his statements. There is no way of getting around that."</p> <p>As to one victim, "He said he put his hands tight around her neck and he strangled her..."</p> <p>Townsend said "See that white house right there?" I said, 'Yes.' He says, 'It was yellow.' I said, 'Yeah.' He said, '1973.' . . . I didn't know that. Naturally when I got back in I checked and it was – it was yellow."</p>	<p>"And they [the detectives] didn't tell him what to say. You heard what he said. If they had told him what to say, the would have those statements down exactly, but there is not – There is many inconsistencies because there is many crimes and he gets them all confused to a certain extent..."</p>	A

Name of Exoneree	State	J / M R / MI ₁	Examples of Non-Public or Corroborated Facts and Inconsistencies	Quotes from law enforcement testimony	Quotes from prosecution arguments	Record ²
			Garcia, Townsend Confession at Odds with Evidence, Miami Herald, May 27, 2001.			
Vasquez, David	VA	MR	<ul style="list-style-type: none"> ● Venetian blind cords used to hang victim (see next column) <p>BUT – leading apparent from the recording and State acknowledge that “at times his statements were virtually incomprehensible”</p>	<p>Guilt Plea – no trial. Excerpt from recorded interrogation: “Det. 1: Did she tell you to tie her hands behind her back? Vasquez: Ah, if she did, I did. Det. 2: Whatcha use? Vasquez: The ropes? Det. 2: No, not the ropes. Whatcha use? Vasquez: Only my belt. Det. 2: No, not your belt... Remember being out in the sunroom, the room that sits out to the back of the house? ...and what did you cut down? To use? Vasquez: That, uh, clothesline? Det. 2: No, it wasn't a clothesline, it was something like a clothesline. What was it? By the window? Think about the Venetian blinds, David. Remember cutting the Venetian blind cords? Vasquez: Ah, it's the same as rope? Det. 2: Yeah. . . . Det. 2: (slamming his hand on the table and yelling) You hung her! Vasquez: What? Det. 2: You hung her! Vasquez: Okay, so I hung her.</p>	Guilty Plea – no trial.	A
Warney, Douglas	NY	MI	<ul style="list-style-type: none"> ● Victim was wearing a nightshirt ● Victim was cooking chicken ● Victim was missing money from his wallet ● The murder weapon was a knife that was kept in the kitchen, about 12 inches with serrated blade ● The victim was stabbed multiple times ● The victim owned a pink ring and gold cross ● The timeframe of the killing ● There was tissue used as a bandage covered with blood ● There was a pornographic tape in the victim’s television <p>BUT inconsistencies included</p>	Detective was emphatic when asked “did you suggest any answers to him,” that he did not.	“Now, who could possibly know these things if you hadn’t been inside that house, inside the kitchen? You heard the Defendant say that he took money . . . You know the wallet was found upstairs, empty, near the closet. . . You will see photographs of it. . . You heard the Defendant say that he stabbed [the victim] with a knife taken from the kitchen. . . . Where did they keep it? They kept it in a drawer under the crockpot where the chicken was cooking. Now, who would know the chicken was cooking? A person who got that knife and used it against [the victim],	S

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			<p>that there was no evidence of the stabbing or struggle in the kitchen.</p> <p>Defendant had a history of mental illness.</p>		the killer.”	
Washington, Earl	VA	MR	<ul style="list-style-type: none"> • Victim was a woman who was raped and stabbed • He left his shirt at crime scene • He left it in a back bedroom in a dresser drawer. • He took off the victim's halter top. • He cut himself and bled • The radio was on • Location of attack <p>BUT Numerous inconsistencies, including the race of the victim, described her as short when she was tall, described a few stabbings when there were many, he could not locate the victim's apartment until being brought to it.</p>	<p>“I asked him at this point did he take anything from the apartment or did he leave anything in the apartment. He replied that he left his shirt. At this time Lt. Hart went to his car outside and got a blue long sleeved shirt which we had picked up as evidence in this case. I brought the shirt back. We displayed it to him and asked him if this was his shirt. He stated that that was the shirt that he was wearing on the day this occurred. I questioned him very carefully about the identity of this shirt, as to how he knew it was his. He again stated that that was the shirt he had worn. I asked him at this point what makes it stand out. He said there was a patch missing from the top of the pocket...”</p> <p>“I asked him directly why he left his shirt. He said it had blood on it and he didn't want to wear it outside.”</p>	“Now, how does somebody make all that up, unless they were actually there and actually did it? I would submit to you that there can't be any question in your mind about it, the fact that this happened and the fact that Earl Washington Junior did it.”	S
Williamson, Ronald	OK	MI	<ul style="list-style-type: none"> • Female victim was killed by a cord wrapped around neck to strangler her and stabbing <p>BUT – medical examiner concluded that wounds were not caused by a knife</p> <p>Williamson was mentally ill and actively psychotic at the time of trial.</p>	“[T]he Defendant said, okay, I had a dream about killing Debbie. He said I was on her, had a cord around her neck, stabbed her frequently, pulled the rope tight around her neck”	<p>“Ronald Williamson told him... that he had been hanging out at the Coach Light looking for a pretty girl and thought he would follow her home. That he dreamed about killing [the victim], that he was on her with a cord around her neck, that he stabbed her and pushed – and pulled the rope around her neck tight.”</p> <p>The medical examiner “told you that her cause of death had been determined to have been from asphyxia from both the cord around her neck and from the washcloth that had been stuffed into the back of her throat.”</p>	
Winslow, Thomas	NE		<ul style="list-style-type: none"> • Described how one would reach the victim's apartment • Described general layout of 	Guilty plea – no trial.		V

Name of Exoneree	State	J / M / R / MI ¹	Examples of Non-Public or Corroborated Facts and Inconsistencies	Quotes from law enforcement testimony	Quotes from prosecution arguments	Record ²
			victim's apartment • Described involvement of others in a rape BUT also denied having any independent knowledge of the victim's residence			
Wise, Kharey	NY	J	<ul style="list-style-type: none"> • The jogger's clothing colors • Details about attacks on others in the Park • Description of crime scene, including during visit to scene • Victim was gagged • Male victim was hit with a "bar" 	<p>"A: Again it was Detective Sheehan who spoke, who asked Kharey if that if anything in that area was familiar to him ... and Kharey answered. Q: And what did Kharey say? A: He pointed to the roadway we were standing on and said this is it. And he described it, then he pointed south of the roadway to the ball fields that were there and said that he was running to where the woman was and could see the other kids. He said "snatched her" meaning the woman who had been assaulted on the roadway."</p> <p>"A: Then Detective Sheehan asked him if anything in the area looked familiar to him. Q: What did Kharey say? A: He said yeah He said, that where they took her down. Then he said, we dragged her. Then he said they dragged her down here."</p>	<p>"Kharey Wise also described the beating that he and the others had inflicted on John Loughlin. Kharey Wise described how 'Yusef had his bar. He, we all chased him and grabbed him. Yusef took the bar hit him across the face. Then they all punched him and kicked him and kicked him.' You saw the photographs of John Loughlin's injuries and you heard the testimony from Dr Adams about the cause of those injuries, about the blunt trauma, how the blows to the head are consistent with being struck with pipe, how the injuries to his eyes were consistent with being punched, how the bruises to his torso and to his legs are consistent with being kicked."</p> <p>"Kharey Wise and Kevin Richardson went to the scene of the crime. They went to that roadway and they said this is where we grabbed her. There's blood on the roadway."</p>	V
Yarris, Nicholas	PA		<ul style="list-style-type: none"> • That the victim had been raped • A brown landau roof on the victim's car. 	<p>Q: 'Did you or the C.I.D. ever release any information concerning the rape?' A (Detective Martin): 'No, as a matter of fact a conscious decision was made not to release any such information and to safeguard any such information about rape.' Q: Did anybody form the C.I.D. ever release any information about the Landau roof?' A: 'The same pertains to the Landau roof. This is one of the things we decided to keep confidential in the investigation from the press.'</p>	<p>"These are the two crucial things, the Landau roof and the rape which were not made public and of course when Nick is asked about it, 'I must have guessed"</p>	A