

Thank you for the book The Central Park Five- by Sarah Burns. I received it last night and am up to page 60 so far. Amazing, gut wrenching story that sounds very familiar. It is very clear that Sarah Burns "Gets it." We need to somehow convince her to get involved because we need her help with our campaign for justice. The similarities between my case and their's regarding emotions, police procedure, and quick rush to judgment is shocking.

Preface xi – ***"The media coverage was certainly not the only reason these teenagers were wrongly convicted. The police, the prosecutors, and the defense lawyers all played a role. But this was not a case of rogue detectives beating confessions out of suspects, or of the police and prosecutors conspiring to frame individuals they knew to be innocent. If that were so, we could blame it all on those bad seeds and move on. Instead, this case exposes the deeply ingrained racism that still exists in our society. It shows who and what we fear, and how easy it is for us to believe the sensational stories we hear from the media., who often fail to apply the skepticism their profession demands when competition drives them to sell newspapers or attract more viewers."*** [Bold added for emphasis]

This mouthful says everything. This first sentence is priceless. The police, the prosecutors, the defense lawyers, the media, as well as false witnesses, and myself all helped ensured my wrongful conviction. In both cases, the police quickly decided something and then the media ran with it. Relying on the public's emotions and fear to drive the case forward even when evidence to the contrary should have slowed the runaway train. In the boys cases, it was the descriptions of the rape, clothing, etc. In my case it was the stories the police were being fed, "didn't check out"

Page 38- [Great for online quote section] *"The goal of any interrogation by definition, is to elicit a confession from a guilty party, not to investigate the truth of a denial."*

I became so frustrated during my interrogation with the police who I felt would not listen, no matter how many times I denied killing Cassidy. When I tried to explain a point it fell on deaf ears. The only "facts" they wanted to hear were the ones they were sure of; that I was guilty.

Page 38- *"Detectives often believe that they are experts at separating truth from lies, but studies have shown that this is a false confidence."*

Amen. They were super confident I was lying even when I was telling them truths that could have been verified. I wonder if we could find those studies.

Page 46-47 *"Detectives often believe that a bluff of this sort is a perfect tactic, because they are not going so far as to tell the suspect that evidence they fabricated points to him specifically, only that there might very soon be evidence against him. In theory, only a guilty person would worry; an innocent person would remain confident that any tests would exonerate him. But herein lies a problem; innocent people have been known to confess especially because they believe that a scientific test will soon exonerate them, invalidating their confession."*

What is not mentioned here is false confessions. We know that Amanda said certain things that were not true to try and end the interviews and get out of there, thinking she could fix it later. Was she also confident that it wouldn't matter what she said because they would find physical proof that it was not me that killed Cassidy? Also, these bluffs remind me of what the police tried to do with me, *"We have talk to the doctor alright. We know that these injuries that killed Cassidy could have only happened when you were with her."* The truth as we now know is, at the time the police were telling me this during my interrogation, they hadn't even spoken to the medical examiner yet as Cassidy's body was just arriving in Augusta.

Page 49- *“Antron delivered the answers he thought they wanted to hear, while rocking slightly back and forth, as if in a trance.”*

God knows I recall the feeling when all hope of understanding leaves your body. You are mentally drained from the entire ordeal and are just now, hours after Cassidy’s death feeling the full weight of it as if it is sitting on your chest. I recall when doing the recap of my interview in 2010, recognizing certain things that I said that were not true in an attempt to get them to leave me alone. Unfortunately, instead of my “giving them what they wanted” having the affect I was hoping for, it seemed to strengthen their resolve. I don’t believe I ever considered confessing but at points they did have me questioning my sanity during parts of that interrogation. *“Is it possible that I did something that I have no memory of?”* On top of all this, we have talked about the phenomenon of people wanting to appear helpful to the police and the studies that have shown how witnesses can tailor their answers depending on the cops body language, etc. There is no doubt that some of this went on in my case as well as for the boys in the Central Park rape case.

Page 56- *“Legal scholar C.T. McCormick wrote that a confession ‘makes the other aspects of a trial in court superfluous, and the real trial, for all practical purposes, occurs when the confession is obtained.’”*

What happens in the even of the confession being a false confession not by the person being charged but by other witnesses who are telling the police what they want to hear for various reasons? In the Central Park case the boys were doing it against each other. In my case Amanda’s statements were analogues to a false confession that she spent considerable effort for a period trying to fix.

Page 57- [Regarding police interrogation techniques] *In another aspect of maximization, **detectives interrupt any attempts at denial or offers of alibi, hoping to demonstrate that these protestations are falling on deaf ears, are not credible, and will not be investigated.** Indeed, to the teenagers interrogated in the Central Park case, it became clear sometime during the interrogations that repeated denials were getting them nowhere and would be disbelieved or ignored.* [Bold added for emphasis]

This all sounds so familiar from my interviews and as mentioned earlier, was incredibly frustrating. It helped add to the “longest day in the history of time” feelings I had.

Page 58- *“The detective might give the suspect an opportunity to minimize his involvement or the significance of the crime by suggesting that it was an accident...”*

Wow another familiar tactic in my case. I recall Lance McCleish saying things like, *“I believe you cared about Cassidy Chad, I do. You are a big dude, strong, maybe you were playing rough, I’m sure you didn’t mean to kill her. We can help you,”* etc.

Page 59 Top- *“The suggestion that a crime was actually an accident is a common minimization technique among detectives and may well have been used in this case.”*

Page 59 Bottom- *“Most of these techniques, including lying to a suspect about evidence against him or others who have implicated him, are perfectly legal and accepted. In fact, detectives are specifically trained in these methods, and there are few rules limiting what they can do in interrogations.”*

All very familiar and seem to skewer the process of truth from the very beginnings.

Page 60- *“**Young people are especially susceptible to the pressures that can lead to false confessions. One study found that one-third who gave false confessions were juveniles, and half were under the age of twenty-five.**”* [Bold added for emphasis]

I knew Amanda said some things about me that was not true. Amanda had consistently maintained that she felt pressured to do so. I just knew that she said them. I never considered the role her age played in this. I wonder what these studies are that specify the ages of these giving false confessions. They would be great to be able to cite.

Page 61- [Regarding State V. Miranda] *“Though logic would suggest taking advantage of these protections, innocent people or those who have little experience with the justice system are more likely to waive their Miranda rights, believing that their innocence will protect them.”* [Bold added for emphasis].

Holy cow! I wonder why the police do not consider the motives of those of us that voluntarily waive our rights. I know I waived mine with good intentions. I wanted to help Kassidy. I knew I didn't kill her and in the grand scheme of things, didn't feel I had something I needed to hide or protection from. I never asked for a lawyer until it finally became apparent to me after three hours of questioning that I was never going to give the police an answer that was going to satisfy them unless I wanted to admit to something I didn't do.

Page 61 Middle- *“Courts have long upheld the rights of interrogators to lie to suspects with a single exception.”* [Bram v. United States]

Page 61 Bottom- *“Even when an explicit threat or promise is made, it can be difficult for an interrogation suspect to prove that coercive techniques were used, as most interrogations are not recorded in their entirety, and a detective's word can carry more weight with a jury than that of the accused.”* [Bold added for emphasis]

We know in at least the case of Amanda she started an interview in Gray Maine and then was moved in another room and the interview appeared to start over. We also know that Sgt. White paraphrased many interviews while recording others, This leads to a bad, “he said, she said” situation where the detective's word can carry more weight than a regular witness or the suspect. We also know that The police did some “pre interviewing” of multiple witnesses before the recorder was turned on. What was said during these periods. In the case of Nicole and Brandon, it wasn't enough to sway them into believing I was responsible for killing Kassidy. However, what impact did it have with Amanda's friends, many of whom, I had never met or if I had, it was one or two brief periods. These folks knew and loved Kassidy and I am sure wanted to do whatever they could to help her. We know from the taped part of the interviews that it only took the police a few hours to start focusing their questions on me or outright telling witnesses that I was responsible for Kassidy's death. What impact did these claims have on these witnesses that are much less familiar with me or had no personal experience at all?

Page 63- *“Dennis later admitted that it was a lie, and his statement was never used against Kevin, but his experience in the interrogation room was not unlike that of the other teenagers, and it led him to incriminate his friends in hopes of pleasing the detectives.”* [Bold added for emphasis]

Amanda, the chief witness against me later admitted much of what was said was not true.

Page 64- *“The teenagers in the Central Park case all later explained that they had confessed in the hopes of going home and ending their ordeal.”*

Amanda said several times during her initial interviews that she just wanted to get out of there and that she just wanted to see Kassidy. By the time the third and fourth interviews came around, she could hardly go against what she previously had stated, even when she did, she was quickly rebuffed by the advanced interview techniques of the experienced officers. –accusing her, playing on her desire to “help” Kassidy, not wanting to anger them, etc.

Page 81- Ms. Burns wisely asserts- *“Once the narrative about what had happened was laid out [the police convinced the boys had acted together; raping and beating Trisha Meili] within a few days of the rape, there was no turning back”*

Likewise, within several hours of Kassidy's death, the police had made up their minds about who was responsible and there was no turning back. It didn't matter what contradictory evidence came along, convinced that I was a monster the police ignored it. If something didn't seem to fit they found an alternative explanation to fit their theory. They certainly didn't go looking for evidence to disprove their theory. This was a huge jigsaw puzzle and when the pieces didn't fit, they “crammed” them into place.

Page 114- Regarding the semen found on Trisha Meili's sock not matching any of the boys charged with her rape; the prosecution needed a new strategy to explain the discrepancy and convict the boys. ***"Yet there is no evidence that anyone considered looking to other suspects of theories of the crime. Despite a prosecutor's obligation to seek justice, it seems that at that moment, winning the case trumped investigating the evidence. The incriminating statements by these five teenagers were so convincing to the detectives and prosecutors that no one felt the need to question their conclusions, which had been so easy to jump to in the hours and days after the rape. In steadfastly sticking to their initial theory of the case, they ignored the fact that in the summer of 1989 there was a serial rapist on the loose, whose crimes took place near where Trisha Meili had been attacked, and who used strikingly similar methods."*** [Bold added for emphasis]

There is numerous possibilities of what lead to Cassidy's death that do not appear to have been investigated. Likewise, there was at least three other adults who had as much or more access to Cassidy. The police and prosecutors had their theory and pursued from there. The police were very efficient during interviews at informing witnesses who they felt was responsible for Cassidy's death. If that wasn't enough to obtain a favorable statement they lied to, pressured, threatened or implicitly or explicitly made commitments to several key witnesses.

The police had me and Jeff Marshall, the babysitter that spent the last 5 hours of Cassidy's life with her to choose from. We had both made similarly poor choices in the past with our female partners. I had a misdemeanor domestic violence conviction against my former wife and Jeff had at least half a dozen restraining orders by former girlfriends for alleged domestic assaults. Yet, for some reason, it doesn't appear the police looked at Jeff Marshall for more than a "blink of an eye" for possibly being involved with Cassidy's death.

Page 126- Regarding the inability in 1989 to check DNA databanks for comparisons and find a match of DNA to Trisha Meili's actual rapist. ***"Reyes [the actual rapist] might have been connected almost automatically to the Central Park Jogger rape. But even without this type of system, the myriad holes in the detectives' theory of the case and the evidence linking Reye's to the rape in Central Park should have been enough for them to make that connection on their own. yet none did."*** [Bold added for emphasis]

I cannot understand in this case as well as my own in the death of Cassidy how dozens of investigators could be involved yet they all "paved" over holes in their theory that didn't add up. Was not one officer objective enough to say, *"Whoa, perhaps we should slow this train down a bit to make sure all of this fits."* It's as if everyone was part of a "herd" and followed the pack rather than show the capacity for individual thought.

Page 134- *"Nearly everyone in the city believed wholeheartedly in the narrative that the NYPD and now the district attorney's office were promoting.*

As with Cassidy's death, these agents of "justice" used the media to share their version of events and society bought it. I didn't receive nearly the amount of coverage that the boys did in their case still it was substantial for New Hampshire. I believe there were over 50 front page stories prior to my trial ever taking place. Hard to get a fair shake when most people already assume your guilty. I recall during jury selection they had to bring in several hundred people more than usual to try and find jurors that hadn't been tainted by the media's reports of Cassidy's death and the suspected abuse she endured. Nothing will grab the emotions of society more than the death of a child, especially when assumed by torture.

Page 140- *“Studies have shown that confessions are a uniquely persuasive form of evidence when presented to a jury, even in the face of contradictory physical evidence. Juries believe confessions because they cannot imagine a situation in which anyone would confess to something they hadn’t done, though the interrogation tactics regularly used by law enforcement can and do lead to false confessions.”*

Fortunately, I had turned 29 years of age by the time of my interrogation and didn’t succumb to the extreme pressures the poor boys accused of Trisha Meili’s rape had endured. There was no false confession for causing Cassidy’s death on my part. However, equally damaging were the false statements made by Cassidy’s mother, Amanda about my interaction and treatment of Cassidy. Almost immediately after and for the past 11 years, Amanda has steadfastly disavowed those original statements to the police. She has maintained that she felt pressured and intimidated by the police who made several promises to pursue Jeff Marshall [after me] and also to allow Amanda to see Cassidy one last time if she helped them. Even now, 11 years after Cassidy’s tragic death, Amanda, who has now moved on with her life and started a family, believes in my innocence and freely admits she *“told the police what they wanted to hear.”* so they would leave her alone.

Page 145- Regarding no detectives admitting yelling, cursing, brow beating, or making promises the boys could go home *“Yet all of the boys had cited a desire to go home and a belief that they could if they gave the police what they wanted. The young men thought that they could be witnesses, even saw themselves as helping the police close to the case. The belief that confessing to a serious crime will lead to being released, however irrational, is commonly cited as a reason for falsely confessing, especially among younger suspects.”*

Wow does this sound familiar. Amanda was an 18 year old, grieving mom who on multiple occasions expressed her desire to the police to leave during the interrogation. Amanda felt she was going to be sick and I suspect desired the comfort of her own home. Who knows how much of what she said was a direct result of her desire to get out of the police station. I remember Amanda telling me after the fact, *“I just wanted to curl up in a ball and die. I figured the sooner I told them what they wanted to hear the sooner they would leave me alone so I could.”* I can certainly see how age could have an effect on these false confessions. As a teenager you don’t always have the ability to see down the road consequences of the things said or done in the present moment. Lack of impulse control is well known among teens.

Page 158- Regarding Antron McCray first hearing his guilty verdict. *“Antron sat stunned at the defense table, realizing for the first time how real it was. Though he understood the gravity of the trial, he’d never truly believed he would be convicted until that moment.”*

Ms. Burns has an uncanny ability to capture and translate feelings into words. Throughout my trial I was physically there but part of me was mentally checked out. I knew I hadn’t killed Cassidy and didn’t believe in a million years that I would be convicted. I thought the jury would easily be able to see through all of the B.S. When that verdict was read I felt like I hit a brick wall going 100 miles per hour on a bicycle.

Page 158 bottom- Regarding Yusef Salaam first hearing guilty verdict *“He, too, had never actually believed that he would be convicted, even during the trial, and the moment the verdict was read, he was more confused than anything else. ‘It was like The Twilight Zone’ he said. Like Antron, he’d believed even up until that moment that could not be convicted of something he hadn’t done.”*

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Page 159- *“Raymond Santana’s father was not in court that day, nor had he sat in the courtroom for any of the trial, except when he was called to testify. Instead, he’d sat on a bench in the hallway just outside the courtroom. he knew that his son had been convicted in the court of public opinion, and he had no interest in attending a trial whose outcome was already assured.”*

I was fortunate as both my parents sat through what must have been torturous weeks for them. However, I understand the sentiment and the feeling that the outcome was already assured. There was no doubt leading up to my trial that the court of public opinion had already convicted me.

Page 198- Regarding Matias Reyes admission that he was actually responsible for the rape and assault on Trisha Meili. The police had “mud” on their face because the DA’s office did an independent investigation and concluded the 5 boys originally charged were not guilty so the police convened an individual panel to do a review of their investigation. The police panel concluded, *“Reyes should not be considered believable, mainly because he was a criminal, but they also highlighted the minor inconsistencies in his statements as evidence that he was lying. This was in strange contrast to their use of the discrepancies in the teenagers’ statements as proof of guilt and the lack of coercion..”*

Why can’t the “games” stop and truth and justice be the ultimate goal? Why can’t grown adults admit when they have made a mistake? Is pride that much more important than people’s lives? The police consider you a liar during an interrogation when your version of events is different than what they have surmised. If you are convicted you automatically are a liar and have no credibility so any admissions are suspect. It’s as if the police want their cake and to eat it too.

Page 201- Unable to entertain the possibility that her office was overzealous and perhaps made a mistake regarding the five boys they believed was responsible for the rape of Trisha Meili, District Attorney Linda Fairstein stated, *“It’s completely outrageous- unbelievable that you’re going to overturn these convictions without a hearing.’ she said, ‘I think that Reyes ran with that pack of kids. He stayed longer when the others moved on. He completed the assault,’ Fairstein explained. ‘I don’t think there’s a question in the minds of anyone present during the interrogation process that these five men were participants... in the attack on the jogger.’”*

Where is there any evidence to support this theory? Again, why is being “right” more important to some people than innocent men’s lives? This refusal of Fairstein to let go of the verdict of these now wrongly convicted men is disheartening.

Page 203- *In her syndicated column Ann Coulter rallied against the liberal media for believing that ‘every criminal is innocent.’ and she criticized the efforts of those who would seek to exonerate anyone already convicted of a crime. ‘The odds of an innocent man being found guilty by an unanimous jury are basically nil. When the media assert a convict was exonerated, they mean his conviction was thrown out on a technicality.’”*

Hopefully Ms. Coulter never finds herself charged with a serious, emotion laden crime, and her life resting in the hands of 12 human beings; all capable of making mistakes.

Page 203 Middle- *“Some who had actually worked on the case did not want to believe that they might have made a mistake, just as when contradictory or nonexistent evidence failed to inspire a fresh look at the time of the original investigation.”*

Sadly, this appears to be a common theme in these wrongful conviction cases.

Page 203 Bottom- *“And though the convictions were vacated, erased in the court system as if they had never existed, the media coverage that told the new story was nowhere near as noisy as the original reporting had been.”*

Don’t I know it. It is as if the media finds very little noteworthy about a positive story.

Page 205- *“Two days after the Central Park Jogger rape, Mayor Ed Koch commented to the media, ‘I think that everybody here- maybe across the nation- will look at this case to see how the criminal justice system works. How will this be handled? This is, I think, putting the criminal justice system on trial.’ he was, like many New Yorkers, enraged by the horrific crime that had occurred, and he hoped to see swift and decisive ‘justice’ meted out to those that he- and nearly everyone else- believed were responsible. the convictions were won, but the verdict for the system that sent Antron McCray, Raymond Santana, Kevin Richardson, Korey Wise, and Yusef Salaam to prison was anything but a success. **If the police and prosecutors working to convict the teenagers in the Central Park case had considered for a moment the possibility that their suspects were innocent and that they should be looking elsewhere,** it would not have been difficult to discover Matias Reyes.”* [Bold added for emphasis]

What more can I add to this true statement?

Page 206- *“These convictions might have been prevented if the police had bothered to consider anything but the narrative of the case they instantly formed and then clung to, or if they had paid enough attention to the glaring inconsistencies in the statements of the young men they had in custody.”*

So true.

Page 206 Bottom- *“Though New York and the country have changed-in many ways for the better-since 1989, who is to say that **a rush to judgment like this one could not happen again?**”*

Indeed. It already has.

I realize that some of the annotations are more important than others but taken as a whole they paint a familiar picture. A picture that all too many cases have been affected by. The tactics seem acceptable when the suspect is guilty but what about when they are not? What about when the police haven't followed the chain of evidence and all other possibilities far enough? What about when the police guess wrong?