

Demetrius Smith, Baltimore Exoneree
Favorable: Senate Bill 534

Preventing Wrongful Convictions Involving Jailhouse Witnesses
Senate Judicial Proceedings Committee Hearing
February 19, 2020

Chairman Clippinger and Members of the House Judicial Committee

My name is Demetrius Smith and I was wrongfully incarcerated for five years for a murder in Baltimore that I didn't commit.

In 2008, a jailhouse informant was arrested on a probation violation and made up a story that he saw me kill a man named Robert Long. There were a lot of reasons to doubt the jailhouse informant's story. The guy was a repeat informant in different cases, and he wrote a letter to the judge asking for a deal for cooperating in my case. This information never came out at my trial because the prosecutor broke the law and hid it from my attorney.

While I was in prison for a crime I didn't commit, the actual killers went on to commit other crimes. Jose Morales was Robert Long's boss and paid a member of the Dead Man Inc. gang to kill Long. Morales was under investigation for a series of thefts at construction sites, and ordered the hit when he found out Robert Long was going to testify against him. A couple of months later, Morales was arrested on drug smuggling charges.

While my case was on appeal, the Drug Enforcement Administration was investigating the drug smuggling and found evidence that Morales ordered the killing. With this new evidence, the prosecution dismissed my case in 2012. The next year Morales was convicted of ordering the killing, and in 2017 the hitman was convicted of the murder.

Being behind bars when you're innocent is the worst nightmare you can imagine. I would have been there the rest of my life if the federal prosecutors hadn't found out the truth. It's been hard to go back to a normal life after what I've been through—getting a job and housing after prison was a struggle. I'm working at University of Baltimore hospital in the trauma unit, but I am still dealing with my own trauma.

Jailhouse informants are incentivized to lie to get lighter sentences, and there should be more protections to make sure their lies don't send innocent people like me to prison. House Bill 637 would make the criminal justice system fairer and stronger and I hope you will support it.