

INNOCENCE PROJECT

Innocence Project Testimony Supporting House Bill 315 February 5, 2021

The Innocence Project is a national organization that works to prevent and address wrongful convictions throughout the United States. Our organization requests a favorable report on House Bill 315 because it would provide important protections against wrongful convictions of youth in Maryland.

False confessions contributed to nearly one-third of DNA exonerations since 1989. Of those cases, 49% of the false confessors were 21 years old or younger at the time of arrest.¹ Additionally, coerced statements from juveniles during police questioning have contributed to wrongful convictions, including the “Harlem Park Three” case in Baltimore.

House Bill 315 would protect against false confessions and statements that may lead to a wrongful conviction by requiring that children consult with attorneys and have their parents/guardians contacted prior to a police interrogation.

The Harlem Park Three

Andrew Steward, Ransom Watkins, and Alfred Chestnut (whose case became known as “The Harlem Park Three”) were teenagers when they were convicted of the 1983 killing of a student at Baltimore’s Harlem Park Junior High School.

Arrested on Thanksgiving morning when two of them were 16 and the other 17, the police interrogated the boys for hours without their parents. They maintained their innocence the entire time. One of the officers told Ransom Watkins “You have two things against you--you’re Black and I have a badge.”

The conviction was secured with testimony from four students who claimed to have seen Chestnut, Stewart and Watkins commit the crime. Initially, the witnesses had reported seeing one person shoot the victim, but eventually identified the three boys after being subjected to harsh police questioning.

In 2019, the Harlem Park three were exonerated following a reinvestigation by the Baltimore City State’s Attorney’s Conviction Integrity Unit, the Mid-Atlantic Innocence Project and the University of Baltimore Innocence Clinic. The four teenage witnesses who implicated Chestnut, Stewart and Watkins all recanted, saying they were pressured by police to change their initial, truthful stories — that one person committed the crime — and instead identify the three boys.

Alfred Chestnut said in his own words: “The detectives pressured other kids to say that they saw us commit the crime and hid the statements from witnesses who said they saw a different person do the shooting. This wasn’t the first time the detectives did these things, and it probably wasn’t the last. We were just three poor Black boys who didn’t have the money or power to fight back. The detectives that caused us so much suffering never faced any consequences. I don’t want anyone else to have to go through what we did and that’s why I’m speaking out.”

¹<https://innocenceproject.org/dna-exonerations-in-the-united-states/>

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Juvenile False Confessions

While false confessions are not limited to juveniles, their vulnerability demands better protection under Maryland law. Children do not have the mental maturity to judge the consequences of confessions in the way adults do. They are more likely to focus mainly on immediate potential outcomes of making a false confession, such as going home. Juveniles also may be inclined to please authority and are more susceptible to manipulation, from leading questions to threats.

The Innocence Project supports HB 315 and respectfully requests a favorable report by the House Judiciary Committee because the legislation would provide additional protections required to protect juveniles from wrongful convictions.