

<http://www.victimsofthestate.org/NY/indexNYC.html>

New York County, NY	Central Park Five	Apr 19, 1989
<p>Harlem teens Yusef Salaam, Kevin Richardson, Antron McCray, Raymond Santana, and Kharey Wise, ages 14 to 16, were accused of bludgeoning, raping, and leaving to die a 28-year-old female jogger in New York's Central Park. The jogger was later learned to be Trish Meili, an investment banker at Salomon Brothers. The media referred to the assault as a brutal “wilding” by out of control youth.</p>		
<p>The teens had been picked up in a police sweep of the park and conveniently were already in custody when the victim was found. All the teens except Salaam confessed to the crime on videotape. The prosecution would admit 13 years later that the confessions “differed from one another on the specific details of virtually every major aspect of the crime – who initiated the attack, who knocked the victim down, who undressed her, who struck her, who raped her, what weapons were used in the course of the assault and when the sequence of the events in the assault took place.” The victim was knocked unconscious and was not able to identify any assailant. All five were convicted at trial solely because of the confessions.</p>		
<p>In 1990, following the convictions, DNA tests on semen found inside and on the victim, showed that it did match any of the Central Park Five. The test results received little publicity and the recovered semen was attributed to a sixth “mystery” member of the gang. In Jan. 2002, Matias Reyes, 31, a serial rapist, confessed to committing the crime alone. DNA test results matched Reyes and the convictions of the five were vacated. The five had already served their seven to thirteen year juvenile sentences. At least three were denied parole for maintaining their innocence in the crime. (<a href="#">American Justice</a>) (<a href="#">IP1</a>) (<a href="#">IP2</a>) (<a href="#">IP3</a>) (<a href="#">IP4</a>) (<a href="#">IP5</a>) (<a href="#">CWC</a>)</p>		

<http://www.freerepublic.com/focus/f-news/865487/posts>

Five Freed in New York Jogger Rape Seek Damages  
Reuters ^ | March 14, 2003 | Jeanne King

Posted on Saturday, March 15, 2003 1:14:34 PM by Movemout

NEW YORK (Reuters) - Five men whose convictions were overturned in the highly publicized 1989 rape of a jogger in Central Park launched a \$250 million legal claim on Friday against New York, arguing the city should pay for their "false arrest" and "malicious prosecution."

The five, convicted as teen-agers of beating and sexually assaulting the 28-year-old investment banker, say they were coerced by police and prosecutors into confessing to one of the city's most wrenching criminal cases.

A judge last year overturned the convictions of the five, who spent between seven and 12 years in prison, after a confession by a serial rapist, backed up by DNA tests, that he alone attacked the woman.

Yusef Salaam, the only one of the five to appear at a news conference by attorneys announcing their legal plans, said he hoped "by filing the lawsuit it will be justice for all of us."

"I never thought I would be falsely accused," he said.

The five were convicted largely on the basis of confessions made to police after the April 19, 1989 attack. Their ages ranged from 14 to 16 at the time.

The collapse of the racially charged case -- the jogger is white, the five men black or Hispanic -- began last year when convicted rapist Matias Reyes told authorities he raped the woman, an investment banker who worked at Salomon Bros.

Not only did new DNA evidence link Reyes to the crime, but his was the only DNA found at the scene.

Police have stood by the investigation. In January, the New York Police Department issued a report concluding that all of them -- the five men and Reyes -- were involved in the attack.

The victim, found unconscious, raped and beaten, spent two weeks in a coma and never fully recovered. She has permanent neurological damage, including balance problems, headaches and double vision, and no memory of the attack.

Salaam, Kharey Wise, Antron McCray, Kevin Richardson and Raymond Santana were convicted of rape, assault, robbery and riot for attacking the jogger as well as attacking a couple on a tandem bicycle, two male joggers and a homeless man.

At the time, the teens used the term "wilding" to describe their nighttime crime spree in the park.

Well-known civil rights attorney Jonathan Moore, who is working on the case, said he "intends to have their good name restored and that they be compensated for the true suffering they endured."

Specifically, the lawsuit claims "false arrest," "false imprisonment" and "malicious prosecution."

"These children were set upon in the park. That is the central issue. The question is whether they were falsely accused. And they (police and prosecutors) will have to pay for it," attorney Michael Warren said.

TOPICS: Crime/Corruption; Extended News; Government; News/Current Events

KEYWORDS:

This is one hinkey case. I guess the taxpayer gets another starring role in "Patsy."

1 posted on Saturday, March 15, 2003 1:14:34 PM by Movemout

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To: Movemout

Do they have to prove they didn't, in fact, do the crime?

2 posted on Saturday, March 15, 2003 3:23:21 PM by nickcarraway

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To: Movemout

They should bill the U.S. Attorney for the Southern Division of New York.

3 posted on Saturday, March 15, 2003 4:05:35 PM by Cicero (Marcus Tullius)

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To: nickcarraway

I think we are dealing with judicial logic here. In spite of videotaped confessions and the perps ratting each other out, the victim did not provide eyewitness testimony because she suffered amnesia as a result of the attack. The forensic evidence did not support the conviction and thus was overturned. Legally speaking, the court has provided all the evidence necessary to prove their case. I don't know the case in NYC but a civil suit in a jury trial requires only a 50%+ vote up or down on the jury determined award. If it is a judge who makes the decision he may have some leeway. I am not a lawyer so this is just an interpretation by me. I am sure some lawyer might chime in with a different, more accurate version.

4 posted on Saturday, March 15, 2003 4:08:00 PM by Movemout

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To: Movemout

This is one hinkey case. I guess the taxpayer gets another starring role in "Patsy."

Nobody has, of course, suggested that the police and prosecutors that exposed taxpayers to this liability get fired, have they?

And what about the rape victim? What does she get for having her case bungled and her rapists presumably having been free all these years?

5 posted on Saturday, March 15, 2003 4:34:32 PM by eno\_  
[ [Post Reply](#) | [Private Reply](#) | [To 1](#) | [View Replies](#)]

To: eno\_

Don't worry, I'm sure Hitlery will come up with a solution. Maybe she could fire the entire prosecuting team and half of the NYPD and fiddle while NYC burns.

6 posted on Saturday, March 15, 2003 4:44:37 PM by Movemout  
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To: Movemout

Kind of like the second OJ trial... the burden of proof is on the plaintiff, the standard is "preponderance of evidence" instead of "beyond a reasonable doubt," and all sorts of stuff that was inadmissable in a criminal prosecution is fair game here.

7 posted on Saturday, March 15, 2003 4:51:00 PM by Norman Conquest  
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To: nickcarraway

These punks have some nerve. They were obviously involved in this crime. Maybe they will meet the same fate of the poor jogger they tried to beat to death.

8 posted on Saturday, March 15, 2003 4:52:42 PM by SwordofTruth  
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To: Norman Conquest

Good point. The threshold of preponderance offers all kinds of loopholes that lawyers love to explore.

9 posted on Saturday, March 15, 2003 5:03:14 PM by Movemout  
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To: Movemout  
A Different Drummer

Race Hustlers Re-Run  
Central Park Jogger Case  
By  
Nicholas Stix

A Different Drummer [November, 2002]

In an increasingly multicultural, urban environment, it becomes more and more difficult to achieve justice, as racial and ethnic activist groups seek not only to impede the prosecution of the apparently guilty, but to undo successful prosecutions, after the fact. The most striking example of this development, is the attempt underway to undo the convictions of five of the attackers in what came to be known as the Central Park Jogger Case. And so, five cold-blooded thugs: Antron McCray, Kevin Richardson, Kharey Wise, Yusuf Salaam and Raymond Santana, have now been nominated for urban sainthood. Central Park was -- and still is -- an urban preserve favored by well-to-do, liberal, white New Yorkers. On April 19, 1989, dozens of black teenagers took the subway to Central Park, for a night of "wilding." The term, never previously heard by whites, had been coined by young blacks to describe group attacks by (often armed) blacks on lone, unarmed whites. A night of wilding promised an orgy of racial violence.

The teenagers swarmed over the park that night, committing assaults. "The Jogger," a petite, 28-year-old, 105-pound investment banker, tried to outrun the boys, and fought valiantly, but never had a chance. Her worst injury came from a steel pipe, which Yusuf Salaam hit her in the head with. The 14-16-year-old boys dragged the woman 200 yards from the jogging path, ripped her clothes off, and variously fondled, raped, and beat her. By the time a passerby found her, The Jogger had lost seventy percent of her blood. As is typical of massive, blunt trauma wounds, the victim lost all memory of her ordeal. Notwithstanding problems with taste and balance, her survival and recovery have been nothing short of miraculous.

The detailed report of the attack was provided by the boys themselves, who incriminated each other, and who knew things (e.g., the exact articles of the victim's clothing) that only the attackers would know. Kevin Richardson's underwear was soiled with grass stains. Save for Yusuf Salaam, all of the boys videotaped or signed detailed confessions in their parents' presence.

Investigators also got statements from over forty other people incriminating the five, who were ultimately convicted variously of assault and sexual abuse. However, police were always aware that they had not caught all of the attackers. Semen found on one of the victim's socks did not genetically match any of the five arrested attackers.

Enter Matias Reyes. Reyes, now 31, is serving a thirty-three-year-to-life sentence for murder and rape. Once the statute of limitations ran out on the Central Park attack, he "found God," a common jailhouse occurrence. In January, Reyes confessed that he alone had attacked The Jogger. DNA tests showed that it was Reyes' semen on The Jogger's

socks.

Police had never suspected Reyes in the attack, because he had not been mentioned by the other attackers in their confessions; the attack came almost two months before Reyes' rape, robbery, and murder spree began; and the attack on The Jogger did not fit his *modus operandi*. Reyes worked alone, and in seeking, unsuccessfully, to blind his victims, always stabbed them in the eyes. And in 1989, DNA testing was much more primitive than it is today. Reyes most likely came upon the unconscious jogger after her initial attackers had fled, and raped her or masturbated over her.

Although the convicted attackers have all served their sentences, and except for Raymond Santana, who was later convicted of other crimes, been released from jail, they seek -- with their lawyers' help -- to clear their names, rewrite history, and pave the way for a multimillion-dollar lawsuit against the City of New York.

The attackers' leading spokesmen are city Councilman Bill Perkins and NYPD Lt. Eric Adams. In 1989, Perkins, then a Harlem tenant organizer, worked with the attackers' black supremacist supporters, while insisting that the attack was not racially motivated. On September 12, Eric Adams called for a federal investigation: "We believe that because of the demand to bring someone to justice from this crime, we believe that there is a strong possibility that there may have been overzealous policing and overzealous prosecuting."

Eric Adams is the founder of the segregated, counter-police organization of black NYPD officers, 100 Black Men in Law Enforcement Who Care. An open racist, Adams is obsessed with racial purity. According to a former colleague, when Adams discovered that the father of the child of a subordinate, black female officer was white, Adams suddenly forbade the woman from bringing her child to work. And in 1998, ten years after Tawana Brawley had been exposed as having engineered one of the most outrageous race hoaxes in American history, Adams called for a federal investigation on behalf of Brawley, whom Adams still insisted had been raped by white law enforcement officers!

Eric Adams has devoted his life to undermining law enforcement, and supporting black criminals. And for that, he receives fawning treatment from the mainstream media.

Presently, the attackers' biggest supporters are New York's mainstream media.

New York's white-owned, mainstream media did a creditable job of reporting, in 1989, on the criminal investigation of the attack. However, the media ignored the virulent hate campaign that was unleashed by the attackers' supporters, and by the black media, who presented them as the victims of a racist criminal justice system, and who unleashed an orgy of hatred against the victim.

New York's black newspapers, Brooklyn's now-defunct *City Sun*, and Manhattan's *Amsterdam News*, depicted the attackers as contemporary versions of the "Scottsboro Boys," the black, 1930s victims of racist lawmen who were eventually cleared of false rape charges. *City Sun* propagandist Peter Noel (now a star of the popular, far-left weekly, *The Village Voice*, where he has threatened to kill police officers) concocted a story, according to which "wilding" referred to innocent horseplay.

Although the media -- black and white -- usually follow the unofficial rule prohibiting ever naming a rape victim, every *City Sun* or *Amsterdam News* article on the case constantly repeated The Jogger's name. As a result, while white New Yorkers were unaware of her identity, virtually all black, and many Hispanic New Yorkers, knew her

name.

At the attackers' 1990 trial, their supporters showed up every day at the courthouse, screaming "The [jogger's] boyfriend did it!," "She did it herself!," and calling the victim "Slut!," when she limped to court to testify.

Since seizing upon Matias Reyes, the mainstream media has so grossly misrepresented the case, as to all but erase the difference between them and their racist, black counterparts.

A September 11 story by New York Daily News reporter Alice McQuillan, could have been written by the attackers' lawyers. McQuillan omitted all of the evidence that convicted the attackers, and quoted black supremacist attorney Roger Wareham (December 12th Movement), who represents attackers Antron McCray, Raymond Santana, and Kevin Richardson as saying, "They had made up their mind, they had somebody else, they didn't want anything to spoil their neatly tied package of convictions and they used these children as scapegoats."

"Children," indeed.

Meanwhile, Wareham's co-counsel, Michael Warren, insists that the confessions were gotten "through the most abhorrent form of psychological duress."

With few exceptions, the New York media have followed McQuillan's example. But Alice McQuillan is a fearless truth-teller, compared to the Village Voice's Dasun Allah, who fabricated a new history, whereby whites had invented the term "wilding," in order to "brand black youth."

The movement to clear the five Central Park attackers must be seen in the context of movements to free other blacks convicted of heinous crimes. One such movement supported former Black Panther Jamil Abdullah Al-Amin (H. Rap Brown), convicted last year, and sentenced to life, for his 2000 assassination of Fulton County, Georgia Sheriff's Deputy Ricky Kinchen, and for seriously wounding Deputy Aldranon English. The king of such movements seeks the release of former Black Panther Mumia abu Jamal (Wesley Cook), on death row for the 1981 assassination of Philadelphia police Officer Daniel Faulkner. Abu-Jamal/Cook and Al-Amin/Brown's supporters insist that their heroes, too, were railroaded. Note too that Al-Amin's victims were both black. According to black supremacist belief, black law enforcement officers who arrest, rather than aid black criminals, are traitors to the race. Such beliefs owe their influence to their enthusiastic support by white elites in the media, education, and even law enforcement.

Originally published in  
Middle American News.

10 posted on Saturday, March 15, 2003 5:45:53 PM by mrustow  
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To: SwordofTruth

Well, what is it going to do to the ability to impose the death penalty to continue an over-reliance on coerced testimony and snitches?

They might as well put CSI on the SciFi channel for all it has to do with reality.

11 posted on Saturday, March 15, 2003 5:45:58 PM by eno\_  
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To: SwordofTruth  
See #10.

12 posted on Saturday, March 15, 2003 5:46:28 PM by mrustow  
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To: eno\_  
Coerced testimony and snitches have no relevance to this case.

13 posted on Saturday, March 15, 2003 5:47:25 PM by mrustow  
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To: Norman Conquest  
A Different Drummer

Justice Vacated in  
Central Park Jogger Case  
By  
Nicholas Stix

A Different Drummer [January, 2003]

On December 5, Manhattan District Attorney Robert Morgenthau asked Manhattan Supreme Court Justice Charles Tejada to vacate the convictions of five men in the 1989 Central Park Jogger attack, as well as for attacks on other victims the same night. Defendants Antron McCray, Kevin Richardson, Yusef Salaam, Raymond Santana and Kharey Wise have all completed their prison sentences. On December 19, Tejada granted Morgenthau his wish.

The men were convicted variously of rape, sexual assault, attempted murder, and riot in the first degree. They were part of a group of as many as forty predominantly black teenagers (the others were Hispanic) who went to Manhattan's Central Park on April 19,

1989, expressly to engage in "wilding," i.e., to attack whites. The mob carried out at least 12 separate attacks, including the assault and rape of "The Jogger," whom they left for dead. The woman lost 75 percent of her blood, and remained in a coma for 12 days. And yet, only six defendants were ever prosecuted for the crimes of that night. McCray, Richardson, Santana and Wise all were questioned and confessed on videotape in their parents' presence to attacking The Jogger and other parkgoers. Salaam did not sign or videotape a formal confession, but made self-incriminating statements, including admitting to having beaten The Jogger over the head and in the ribs with a metal pipe. (Outside of defendants and their lawyers, the legalism regarding Salaam having admitted, but not "confessed" to the attack, is a distinction without a difference.)

DA Morgenthau now argues that since another man, 31-year-old convicted rapist-murderer Matias Reyes, has confessed to having raped The Jogger alone, and semen found at the scene was a DNA match to Reyes, that had the juries in two trials (of different defendants) known this information, their verdicts would likely have been "more favorable" to the defendants. Once the statute of limitations passed in the Jogger Case, Reyes got religion, and has since confessed to four other rapes for which he can no longer be prosecuted.

Matias Reyes' confession was full of gaps regarding the details of the attack. But he did say that he had not gone as far north as where The Jogger was attacked. The Jogger attack also did not match Reyes' modus operandi. And Reyes, an average-to-smallish-sized 18-year-old at the time of the attack, has insisted incredibly that he was able to drag the Jogger, an extremely fit woman fighting for her life, 200 yards all by himself.

Already in 1989, it was public knowledge that not all of the Jogger's attackers had been caught, and that semen found at the scene had not been tied to the suspects in custody. In their confessions, defendants mentioned an accomplice named "Tony." Only recently did it surface that Reyes' street name was "Tony."

Morgenthau also justified vacating the verdict in the Jogger Case, because prosecutors had failed to come up with "an alternative theory" of the events that night. Morgenthau's theory is that the defendants were too busy attacking other people to have had sufficient time to also attack The Jogger. Morgenthau then violated logic, law, and morality, by demanding that the convictions in the other attacks also be vacated.

(It is defense counsel's job, not the prosecutor's, to provide an "alternative theory.")

Following the 1990 convictions, defense attorney Peter Rivera acknowledged that "We didn't say, 'No, when The Jogger was raped, my client was on 96th Street, mugging someone else.' That would have been self-defeating." Howard Diller, who defended another Jogger defendant, admitted that "They convicted themselves with their own statements. We could not overcome them.")

Morgenthau's decision, outlined in a 58-page report authored by Assistant District Attorney Nancy E. Ryan with ADA Peter Casolaro, outraged the supervising prosecutor, the main detectives on the case, and police officials.

Linda Fairstein, who recently retired after thirty years as a Manhattan prosecutor, told New York newspapers she is certain that Reyes "is lying," and that the five defendants participated in the attack on The Jogger. "Absolutely. They were part of the pack that saw the jogger, attacked her with a pipe and began to physically assault her as well as sexually assault her.... "I find [Reyes'] story about acting alone completely incredible. I think most of them [the five convicted defendants] ran off before the completion of the

attack. My view is that Reyes is the only one who did complete it."

A team of thirty detectives cracked the case. Lead Detective Humberto "Bert" Arroyo told ABC News, "I believe these kids did it. They said they did it. The videotapes [of the defendants' confessions] speak for themselves."

Speaking to the New York Post, several of the detectives "accused Morgenthau of renegeing on his promise to lead 'a fair, impartial and complete' review.

Legendary detective Mike Sheehan, now a TV reporter at local Fox 5 News said, "I'm shocked at Morgenthau. This shows they have no respect for us and no respect for the victims in this case." Retired Det. Capt. Sal Blando recalled, "They were singing and laughing. I'm outraged by this decision. This is a travesty of justice." And Retired Det. Capt. Ken Rowe said, "I visited that woman numerous times in the hospital. I remember her injuries. There's no way one person did that to her. She was on the verge of death." Personal revenge reportedly played a role in the DA's report. ADA Nancy E. Ryan is a longtime adversary of the recently retired Linda Fairstein; in 1989, Ryan was passed over for the Jogger prosecution. Law enforcement sources say that Ryan was simply interested in undermining Fairstein's case. Ryan did not interview Fairstein, lead courtroom prosecutor Elizabeth Lederer, or most of the detectives from the case, and interviewed one detective for only fifteen minutes, forbidding him to check his notes.

Unnamed NYPD officials told New York Newsday crime beat writer Leonard Levitt, that ADA Ryan made it impossible for the NYPD to re-investigate the case. Ryan forbade detectives from administering a polygraph examination to Reyes, interrupted them whenever they asked him questions in jail, and went so far as to telephone the lawyers of Reyes' fellow inmates, telling them to advise their clients to refuse to cooperate with detectives.

The legal term for such misconduct is "obstruction of justice." The fix was in.

The degeneration of justice in the Jogger Case did not happen overnight. Judge Vito Titone's minority opinion in Yusef Salaam's 1993 appeal of his convictions, anticipated the outrage to come. Salaam argued that because he was a minor when he was questioned, his self-incriminating statements to police should be suppressed, and his convictions vacated.

At his family's apartment, the 15-year-old Salaam told police, in the presence of family and friends, that he was 16, showing officers a school transit pass that said he was 16. However, that strategy backfired. Had Salaam told the truth about his age, detectives could not have questioned him without a parent, adult, or attorney present. But in New York State, 16-year-olds are adults regarding such crimes, and are entitled to no such protections. Salaam's friends and even his own mother initially supported the deception. One of those friends was Salaam's "Big Brother," federal prosecutor David Nocenti. In going along with the fraud regarding Salaam's age, and demanding, as an attorney, to see an adult suspect he was not representing, Nocenti's actions constituted obstruction of justice and professional misconduct, for which he could have been prosecuted and disbarred.

Meanwhile, at the police precinct, the majority decision observed that Salaam "was given complete Miranda warnings. Defendant invoked none of the recited protections and chose instead to give a detailed statement implicating himself in two of the attacks under investigation, including specifically the attack on 'the Central Park jogger.'"

In Judge Vito Titone's dissenting opinion in support of Salaam, he insisted that police

should have ignored the law, and treated Salaam like an "infant," refusing the opportunity to question him. The majority disagreed, ruling that police had acted in good faith, and that Salaam was responsible for his "deception and chicanery."

It was a short path from Titone to Morgenthau. On December 6, the day after DA Morgenthau issued his report, the Rev. Al Sharpton demanded that the detectives who broke the Jogger Case, and the prosecutors who won it, be investigated and prosecuted.

Originally published in  
Middle American News.

14 posted on Saturday, March 15, 2003 5:56:46 PM by mrustow  
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To: eno\_

<< .... case bungled and ..... rapists presumably having been free all these years? >>

Relax.

The case was not "bungled" and the rapists were caught, confessed to the crimes involved were convicted and sentenced to prison terms -- and all served out their sentences.

The opportunistic sub-human who claimed to have acted alone, raped the almost dead body the convicted rapists left to die and then let the other rapists serve out their sentences as he deviously waited until the expiration of the statute of limitations ran out on him before making his "confession."

He should be sent to prison for bloody ever for his false and perjured "confession."

15 posted on Saturday, March 15, 2003 6:31:55 PM by Brian Allen (This above all -- to thine own self be true)  
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<http://www.nytimes.com/1990/08/07/nyregion/defendant-s-mother-ejected-for-outburst-at-jogger-trial.html>

## Defendant's Mother Ejected For Outburst at Jogger Trial

By RONALD SULLIVAN

Published: August 07, 1990

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The mother of a defendant in the Central Park jogger trial was ordered removed from the courtroom yesterday after she shouted "Liar!" at a prosecution witness.

The woman's outburst came before an exchange in which her son's lawyer accused the judge hearing the case, as well as the prosecution witness, of laughing at him.

The incidents occurred on the last day of testimony, when Linda Fairstein, an assistant district attorney and the chief of the sex crimes prosecution unit in Manhattan, said police officers stopped questioning the woman's son, Yusef Salaam, when they learned that he was 15 years old.

Mr. Salaam's mother, Sheronne, and other defense witnesses testified earlier that the police questioned him for hours after being told that Mr. Salaam was only 15. Under state law, people under 16 cannot be questioned unless a parent or guardian is present.

'Why Are You Lying?'

As Ms. Fairstein testified, Mrs. Salaam jumped from her seat and shouted "Liar!" across the court room.

"Why are you lying?" she asked Ms. Fairstein. "My son took a lie detector test."

"I know he's innocent," Mrs. Salaam said before she was removed from the court room.

The trial of Mr. Salaam, now 16, and Antron McCray, 16, and Raymond Santana, 15, resumes today with closing statements. The jury is expected to get the case tomorrow.

Three other youths - Kharey Wise 18, Kevin Richardson, 15, and Steven Lopez, 16 - will be tried later.

Moments after Mrs. Salaam was removed, Robert Burns, the lawyer for Mr. Salaam, exchanged words with Justice Thomas B. Galligan of State Supreme Court in Manhattan, who is hearing the case against Mr. Salaam, Mr. McCray and Mr. Santana, each of whom is charged with rape and attempted murder in an attack on a jogger on April 19, 1989.

'You're Laughing'

The exchange began after Ms. Fairstein, who said she ordered all questioning of Mr. Salaam stopped when she learned he was 15, testified under cross-examination by Mr. Burns yesterday that parents often say their children are minors in hopes of stopping police questioning.

"Objection," Mr. Burns shouted, causing Justice Galligan to admonish him for objecting to his own cross-examination. "Objection," Mr. Burns said again. "Ask the question properly this time, Mr. Burns," the judge said as Ms. Fairstein began smiling.

"Laughing? I am laughed at in this courtroom. This witness has a smirk on her face," he said before walking toward Justice Galligan, jabbing his index finger at the judge.

"You're laughing," Mr. Burns said to Justice Galligan.

"No I'm not," the judge said. "This is a serious matter." "Yes it is," Mr. Burns said. 'No Legal Standing'

When questioning resumed, Ms. Fairstein said that Mrs. Salaam did not reveal her son's

age when she first entered the 20th Precinct station house on West 82d Street.

"When she did tell me he was only 15, I told the detectives to stop questioning him," Ms. Fairstein said.

Ms. Fairstein also said she criticized David Nocenti, an assistant United States attorney in Brooklyn, for coming to the station house in behalf of Mr. Salaam.

Mr. Nocenti testified that he went to the station house as a lawyer and as a "friend of the Salaam family." Ms. Fairstein said yesterday that she told Mr. Nocenti that as a Federal prosecutor, he had "no legal standing" to enter the case. She said she also told him that she would file a complaint with his supervisors.

[http://www.chron.com/CDA/archives/archive.mpl/1990\\_721126/mom-calls-witness-a-liar-at-jogger-trial.html](http://www.chron.com/CDA/archives/archive.mpl/1990_721126/mom-calls-witness-a-liar-at-jogger-trial.html)

Mom calls witness a liar at jogger trial

JEANNE KING Reuters News Service

TUE 08/07/1990 HOUSTON CHRONICLE, Section A, Page 7, 2 STAR Edition

NEW YORK - The mother of a defendant in the beating and rape of a Central Park jogger leaped up Monday and shouted, "You're a liar," at a prosecution witness testifying in her son's case.

Sharonne Salaam was ejected after the outburst. She had been sitting in the spectator section of the courtroom, where her son, Yusef, 16, is one of three youths on trial in the April 19, 1989, attack

"You're a liar! You're a liar!" she screamed at Linda Fairstein, chief of the Sex Crimes Unit in the Manhattan district attorney's office.

Fairstein was testifying about her encounter with Mrs. Salaam at a police station the night of April 20, 1989, as Yusef Salaam was questioned about the attack.

At issue was Mrs. Salaam's claim that detectives knew her son was 15 when they questioned him for about an hour without parental consent.

The law requires that persons 15 years old or younger be questioned with their parents or guardians present. Detectives said Yusef Salaam had a transit pass that gave his age as 16.

The 6-foot, 4-inch teen-ager is the only defendant not to have given a signed or videotaped confession to detectives.

Police said he made a statement confessing to the crime but refused to sign it. His lawyer says that police had no right to question him without his mother present. Mrs. Salaam said police kept her from her son.

"Why are you saying all these lies," Salaam shouted at Fairstein as state Supreme Court Judge Thomas Galligan hammered for order with his gavel.

"Remove that woman," Galligan ordered two court officers.

But before she was thrown out of the Manhattan courtroom, Mrs. Salaam stopped and shouted:

"My son's already passed a lie detector test. He's innocent! He's innocent!"

"That is totally inappropriate, and you will totally disregard that," the judge admonished the jury.

Yusef Salaam's defense attorney, Robert Burns, has said the teen-ager took a lie detector test some months ago, but he never sought to have it admitted as evidence.

Salaam, Antron McCray, 16, and Raymond Santana, 14, are charged with attempted murder and the savage beating and rape of a 30-year-old investment banker. If convicted, they face up to 10 years in prison.

Yusef Salaam denied on the witness stand last week that he had any role in the rape that took place when a mob of about 30 youths went rampaging through Central Park. But he admitted being part of the group that invaded the park and to having an iron pipe with him.

He said that soon after entering the park, he became separated from the rest of the group and ran haphazardly through the park alone.

Closing arguments in the trial were to get under way today, with the jury expected to get the case sometime Wednesday.



## Yusef Salaam

On the night of April 19, 1989, a 28-year-old female jogger was brutally attacked and raped in New York's Central Park. She was found unconscious with her skull fractured, her body temperature at 84 degrees, and 75 percent of her blood drained from her body. When she recovered, she had no memory of the assault. Initial police investigations quickly focused on a group of African American and Latino youths who were in police custody for a series of other attacks perpetrated in the park that night.

### The Confessions

After prolonged periods of police interrogation, five teenagers - Yusef Salaam, Kevin Richardson, Antron McCray, Raymond Santana and Korey Wise - confessed to being involved in the attacks. At the time, the defendants were between 14 and 16 years of age. Richardson, McCray, Sanatana, and Wise all gave videotaped confessions.

### The Trials and Convictions

The confessions were presented as evidence though they differed in the time, location, and their descriptions of the participants of the rape. At trial, the prosecutors also presented forensic evidence. A forensic analyst testified that a hair found on the victim was "similar" to Richardson's hair "to a reasonable degree of scientific certainty." Because there is not adequate empirical data on the frequency of various class characteristics in human hair, an analyst's assertion that hairs are similar is inherently prejudicial and lacks probative value. Also presented as evidence was a rock found near the scene of the crime that had blood and hair on it; evidence that was believed to have come from the victim.

The following year, all five teenagers were convicted, in two separate trials, of charges stemming from the attack. Yusef Salaam was tried as a juvenile and convicted of rape and assault. He was sentenced to five to ten years.

In early 2002, Matias Reyes, a convicted murderer and rapist, admitted that he alone was responsible for the attack on the Central Park jogger. Reyes had already committed another rape near Central Park days earlier in 1989, using the same modus operandi. The victim of that rape had described the rapist as having fresh stitches in his chin and an investigator quickly linked Reyes to this description. Although the police had Reyes's name on file, they failed to connect Reyes to the rape and assault of the Central Park jogger.

### The Exonerations

Eventually, the evidence from the crime was subjected to DNA testing. The DNA profile obtained from the spermatozoa found in the rape kit matched the profile of Reyes. Mitochondrial DNA testing on the hairs found on one of the defendants revealed that the hairs were not related to the victim or the crime. Further testing on hairs found on the victim also matched Reyes. Neither blood nor the hair found on the rock matched the victim. The evidence corroborates Reyes's confession to the crime and is consistent with the other crimes committed by Reyes. He is currently serving a life sentence for those crimes.

On December 19, 2002, on the recommendation of the Manhattan District

<b>State:</b>	New York
<b>County:</b>	New York
<b>Most Serious Crime:</b>	Sexual Assault
<b>Additional Convictions:</b>	Sexual Assault, Robbery, Assault
<b>Reported Crime Date:</b>	1989
<b>Convicted:</b>	1990
<b>Exonerated:</b>	2002
<b>Sentence:</b>	5 to 10 years
<b>Race:</b>	Black
<b>Sex:</b>	Male
<b>Age:</b>	14
<b>Contributing Factors:</b>	False Confession, False or Misleading Forensic Evidence
<b>Did DNA evidence contribute to the exoneration?</b>	Yes
<b>:</b>	

Attorney, the convictions of the five men were overturned. Yusef Salaam had served five and a half years for a crime he did not commit.

The investigation of the convictions of these five teenagers has raised questions regarding police coercion and false confessions, as well as, the vulnerability of juveniles during police interrogations.

*Summary courtesy of the Innocence Project,  
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- + [Correct an error or add information about an exoneration on our list](#)
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The National Registry of Exonerations is a joint project of the University of the Michigan Law School and the Center on Wrongful Convictions at Northwestern University School of Law.

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