



Vidale McDowell

In January 2002, Janice Williams was murdered in her Detroit, Michigan home. Williams's friend, Terry Thompson, who was with her at the time, called police when he heard gunshots, and hid in the basement. Williams's 13-year-old son, Antoine, was upstairs asleep at the time. Both Thompson and Antoine were questioned, and said they did not see the shooter, but police later claimed to have lost the records of their initial statements.

Though Thompson failed a polygraph, and gunshot residue was found in his car, police quickly decided that neither he nor William's ex-husband or ex-boyfriend, with whom she had recently fought, were suspects. A month later, Thompson was questioned again, and claimed he had heard someone say "Twan, get the knife." "Twan" was a nickname for Williams's son Antoine. Police questioned Antoine for 11 hours, outside the presence of his father for much of the time. After being threatened with rape in prison if he did not confess, Antoine signed a written confession saying that he and an 18-year-old friend, Vidale McDowell, had killed his mother, in part because Williams would not let the two play video games. Antoine quickly recanted his confession, but both he and McDowell were charged with his mother's murder.

The prosecution offered Antoine a deal. If he pled guilty to being an accessory to the murder after the fact, he would receive probation, and he would not be required to testify at McDowell's trial. Antoine accepted – and refused to testify at McDowell's trial -- invoking his Fifth Amendment privilege against self incrimination. As a result, Antoine's written confession was read to the jury at McDowell's trial in April 2003, and no mention was made of the recantation. The prosecution also presented evidence that gunshot residue was found on McDowell's coat. McDowell's stepfather testified that he had purchased the coat from a stranger several months before, and forensic experts testified that residue can remain on objects for an indefinite period of time, but the jury convicted McDowell of second-degree murder and he was sentenced to life in prison.

In March 2004, the United States Supreme Court ruled that written statements to police by co-defendants, like Antoine's confession, are not admissible in court because they deprive the defendant of his constitutional right to confront and cross-examine the witness. As a result of the ruling, in May 2004, the Wayne County Prosecutor's Office filed a confession of error with the Michigan Court of Appeals requesting a new trial for McDowell. In June 2004, the Michigan Court of Appeals overturned McDowell's conviction and granted him a new trial. Two weeks later, prosecutors dismissed the charges against him. McDowell filed a lawsuit against the city of Detroit, which settled for \$1.5 million.

- *Stephanie Denzel*

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State: Michigan

County: Wayne

Most Serious Crime: Murder

Additional Convictions:

Reported Crime Date: 2002

Convicted: 2003

Exonerated: 2004

Sentence: Life

Race: Black

Sex: Male

Age: 17

Contributing Factors: Perjury or False Accusation

Did DNA evidence contribute to the exoneration?
No
:

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