



Posted on Wed, Jul. 28, 2010

Inmate's case puts focus on a flawed system

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The victim testified at Derrick Williams' kidnapping and rape trial that her assailant pulled his gray T-shirt over her head to keep her from seeing his face.

A few moments later, she managed to escape her attacker, driving away with that telltale T-shirt still in the car.

The gray shirt, identified vaguely by Williams' girlfriend as similar to one he owned, provided prosecutors with their only physical evidence in the 1993 Manatee County trial that sent Williams to prison to serve two consecutive life sentences for kidnapping and sexual battery.

This week, that same gray T-shirt became crucial evidence of another kind. Tests of sweat stains and skin cells from inside the collar of the shirt excluded Williams "as the contributor of this biological material," according to a motion filed by the Innocence Project of Florida in Manatee Circuit Court Tuesday.

"These DNA results transform the evidentiary value of the primary piece of physical evidence the state used to link Williams to the crime," the motion stated. "What at trial was the state's most powerful physical evidence of guilt is now powerful evidence of innocence."

Williams, 47, remains in prison. Twelfth Circuit prosecutors told reporters Tuesday that they intend to fight his motion for an evidentiary hearing.

"We asked for a sit down and try to talk this through," Seth Miller, executive director of the Innocence Project of Florida, said Wednesday. "They said they won't meet with us. Well, we'll have our meeting in court."

Earlier this month, after an embarrassing string of DNA exonerations, the state Supreme Court appointed an innocence commission to examine the procedural flaws that led to so many wrongful convictions in Florida. The case of Derrick Williams, though he's technically still a convicted rapist, featured several recurring themes in those lousy cases.

Other than the gray shirt, Williams' prosecution relied on the victim's identification. Last year a special master appointed by the New Jersey Supreme Court to examine the discomfiting vagaries of eyewitness identification looked into more than 200 scientific studies and articles, which were "voluminous, comprehensive and consistent" in casting doubt on eyewitness reliability.

Seventy five percent of the nation's DNA exonerations can be traced back to witness misidentification. The New Jersey report noted, ``An analysis of the first 239 DNA exonerations found that over 250 witnesses misidentified innocent suspects."

A number of wrongful convictions were rooted in suggestive photo line-ups. The New Jersey report was particularly critical of police procedures that included a suspect in one photo lineup and later placed his face in another line-up. Manatee County sheriff's investigators back in 1992 compounded that error. The original photo lineup included two photos of Williams. And once a bad ID is made, witnesses tend to become ever more adamant.

Shoddy police practices in the case continued with the loss of hair and other biological evidence. The Manatee County Sheriff's Office finally admitted in 2008 that the material had been incinerated after an evidence room flood left it moldy and mildewed.

But the gray T-shirt survived, now evidence of a very different kind. Evidence that needs close scrutiny from the Florida Innocence Commission.

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