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False Confessions by Defendants with Cognitive Limitations

False confessions or admissions to law enforcement officials played a role in wrongful convictions underlying approximately one-fourth of the 177 post-conviction DNA exonerations nationwide. Many of those false confessions or admissions were from defendants with low registered IQs, cognitive limitations, and serious mental health issues. Below are several such cases – wrongful convictions based on confessions from defendants with limited capacity, who were eventually exonerated through DNA testing.

Earl Washington of Virginia, exonerated in 2000

In June 1982, Rebecca Williams was raped and murdered in her Virginia home. Almost a year later, Earl Washington, a mildly retarded black man with an IQ of about 69, was arrested for an unrelated crime. In an effort to close the high-profile Williams case, police officers interrogated Washington for two straight days. Eventually, Washington “confessed” and was charged. At trial, his confession was the sole evidence against him; none of the physical evidence matched him. He was convicted and sentenced to death in 1984. In 1985, Washington came within nine days of electrocution before a group of volunteer attorneys secured a stay of execution.

In 1993, DNA tests were performed by the Virginia state crime lab. Results excluded Washington and Governor Douglas Wilder commuted his sentence to life imprisonment, saying the DNA results were too ambiguous to justify a complete pardon. In 2000, Governor James Gilmore consented to requests for more sophisticated DNA testing. The testing excluded Washington and matched some of the evidence to Kenneth Tinsley, a convicted serial rapist. But lab analysts insisted that some of the swabs from the rape kit matched neither Washington nor Tinsley. Due to the inconsistent results, Governor Gilmore agreed to pardon and release Washington in 2000, but only on the grounds of “reasonable doubt,” not on the grounds of innocence. In 2004, one remaining slide was tested by Forensic Science Associates, a top independent lab. The results conclusively proved that the rape kit evidence, which the Virginia Crime Lab had said didn’t match to Tinsley, in fact did come from him and him alone.

Jerry Frank Townsend of Florida, exonerated in 2001

In 1979, Florida police arrested Jerry Frank Townsend for a rape that took place in Miami. Townsend has severely limited cognitive capabilities and has been determined to have the mental capacity of an eight-year-old. In the course of the rape investigation, Townsend confessed to several crimes, including the murders of two women from Broward County in 1973, the murder of a 13-year-old girl in 1979, two slayings in Miami in the late 1970s, and two 1979 murders in Broward County. Police took Townsend to the murder scenes and recorded his confessions.



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Ultimately, he was convicted of six murders and one rape and sentenced to seven concurrent life sentences.

Townsend's confessions were largely the consequence of his wanting to please authority figures, a common adaptive practice by someone with his mental capacities. Some had lingering doubts about his convictions. In 1998, the mother of the 13-year-old girl asked a Fort Lauderdale detective to review the case. This eventually led to DNA testing of semen found on the girl's shorts in 2000. The results implicated another man. After DNA testing excluded Townsend in two of the six murders and pointed to another perpetrator, prosecutors began to doubt the accuracy of all of his confessions. They asked that Townsend's convictions be thrown out. In April 2001, Townsend was cleared of two Broward killings through further DNA testing, eliminating two of his seven life sentences. Ultimately, he was cleared of all the Broward charges and released on June 15, 2001, at the age of 49. Townsend had remained in prison for 22 years.

Lafonso Rollins of Illinois, exonerated in 2004

In 1993, Chicago police were investigating a series of robberies and rapes that occurred in the same public housing complex. All of the victims were elderly women. After police released a composite sketch of the perpetrator, someone identified Lafonso Rollins as the perpetrator. At the time, Rollins was a 17-year-old special education student in the ninth grade. During the investigation, Rollins signed a written confession that detailed the attacks. His signed confession was the primary evidence against him. In 1993, he was tried, convicted as an adult, and sentenced to 75 years in prison for the rape of one of the victims.

Rollins sought to prove his innocence and was assigned public defenders who sought DNA testing. In June 2004, the test results excluded Rollins and proved that his confession was false. Further testing was performed on the evidence from the other sexual assault (Rollins was charged, but not convicted, in this crime). The results again excluded Rollins and revealed that the same perpetrator had assaulted both victims. Based on these results, conviction was vacated.

Barry Laughman of Pennsylvania, exonerated in 2004

During the summer of 1987, a woman was found dead in her home. She had been raped and suffocated with pills that had been forced down her throat. Neighbors reported seeing a stranger walking through back yards that day, and police began a search for that person. They came to focus instead on Barry Laughman, a 24-year-old man with a recorded IQ of 70 who lived in the area. Laughman was said to function on the level of a 10-year-old. Police noted that Laughman's pinkie finger could not bend properly, and they hypothesized that this injury was sustained during the crime.



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Several weeks later, police told Laughman that they had found his fingerprints at the scene and he then confessed. Police continued to pursue the case against Laughman even though there were critical inconsistencies between his statements and the crime scene evidence. For example, he claimed to have entered the house through a window, but this window was seemingly untouched. Additionally, he said he had killed the victim on August 12, but a neighbor reported seeing her in her yard on the morning of August 13. Based largely on his confession, Laughman was convicted of rape and murder and sentenced to life in prison.

In 1993, Laughman won DNA testing, but the results were inconclusive. In 2003, his attorneys discovered some evidence samples that were thought to have been lost. They were in the possession of a former Penn State professor residing in Germany. Y-STR DNA testing (a more sophisticated test than the one used in 1993) prosecutor still planned to press charges. On August 26, 2004, however, the district attorney decided to drop all charges against Laughman.

David Allen Jones of California, exonerated in 2004

In 1992, four homicides were committed near a school in Los Angeles. All four victims were believed to be prostitutes. There were no eyewitnesses to the murders. In late December, David Allen Jones was arrested for an unrelated crime. A team of detectives interviewed him about the string of murders. The detectives took Jones to each of the four crimes scenes. Jones eventually confessed to all four murders. Jones has an IQ of 62, indicating substantial cognitive limitations.

During the investigation, police submitted all four rape kits for serological testing. Results showed that all the kits contained material from a person with type A blood. Jones has type O blood. Despite the contradiction of this biological evidence to his confessions, Jones was convicted of three of the murders and sentenced to 36 years to life.

In 2002, the Post Conviction Assistance Center (PCAC) was appointed to represent Jones as he pursued post-conviction DNA testing. PCAC learned that the LAPD's Cold Case Unit was investigating a series of other murders from the time. The LAPD had already, through the state's DNA database, identified the actual killer in some of these cases, a man named Chester D. Turner. DNA testing was conducted on the two remaining rape kits in Jones's case (the others had been destroyed). Testing excluded Jones and pointed to Turner, who was already in prison on another rape charge. Although the other rape kits had been destroyed, the signature nature of the homicides and other evidence established that these victims were killed by the same man and not by David Allen Jones. On March 4, 2004, Jones was released from prison and his murder convictions were set aside.