

False Confessions Are Demystified By *The Confessions*

Review by Hans Sherer

The Confessions is an 84-minute documentary about the 1997 rape and murder of 18-year-old Michelle Moore-Bosko in Norfolk, Virginia, and how four young Navy enlisted men confessed to involvement in the crime. *The Confessions* was produced for the PBS Frontline program and it was broadcast for the first time on November 9, 2010. The documentary can be watched in its entirety on PBS' website.

There was no physical, forensic or eyewitness evidence tying any of the four men to the crime. They were convicted on the basis of their confessions, which they all recanted. One of the men, Danial Williams, was sentenced to 8-1/2 years in prison based on his cooperation, and the other three — Derek Tice, Eric C. Wilson, and Joseph J. Dick Jr. — were sentenced to life in prison.

The four men became known as the Norfolk Four. After their case gained notoriety and was independently investigated, their claims of being coerced into giving false confessions was substantiated. False confession expert Professor Richard Leo co-wrote *The Wrong Men* (2008) about the Norfolk Four case.

The Confessions is the best documentary I've seen on the subject of false confessions.



Michelle Moore-Bosko

Frontline documentaries are not glitzy MTV type productions. They are old fashioned "just the facts, ma'am" programs. *The Confessions* would be just as effective if it was filmed in black and white. Through interviews with the four men, their lawyers at the time of their prosecutions, Professor Leo, and Omar Ballard — the man who all the evidence points to as committing the crime alone — stroke by bone-chilling stroke *The Confessions* paints the picture that not only were the men coerced by intense interrogation sessions that last for many hours into falsely confessing just to make their interrogation stop, but that the police tactics relied on to extract their confessions are standard operating procedure in this country. *The Confessions* brings into sharp focus the shadowy gorilla in the room exposed by the case of the Norfolk Four — false confessions are a very real man made epidemic of unknown proportions that are fueled by law enforcement's reliance on standard interrogation techniques.

Another disturbing aspect of the Norfolk Four's case is that once the police had confessions by the men, even though none of them knew any details of the crime scene, the investigation of Mrs. Moore-Bosko rape and murder ended. Credible evidence and leads that directly led to Ballard as the lone perpetrator were simply ignored.

The Confessions has a couple of particularly remarkable exclusive interviews. One is

with Joseph Dick's lawyer who admitted that he allowed Mr. Dick to be interrogated by the police without him being present, and his reasoning is that if he was present Mr. Dick would have been inhibited from freely talking with his police interrogators. Another is Frontline's telephone interview with Omar Ballard from where he is imprisoned. During the interview Ballard not only repeatedly states that he alone murdered Mrs. Moore-Bosko and that the Norfolk Four had nothing to do with the crime — which all the crime scene physical and forensic evidence supports — but he also explains from his first-hand knowledge of police interrogation techniques how the police were able to wear down and frighten the four innocent men into falsely confessing.

The Confessions demystifies for everyone but the deaf, dumb and blind how and why an innocent person falsely confesses to a crime they didn't commit — even the rape and murder of an 18-year-old woman that three of the Norfolk Four had never met. Every lawyer, law enforcement officer, or concerned person with an interest in police interrogation techniques and the confessions they produce, ought to set aside 84 minutes and watch *The Confessions* — particularly since it can be viewed at no charge from PBS' website, www.pbs.org/wgbh/pages/frontline/the-confessions

For additional information about the Norfolk Four see the article in *Justice Denied* Issue 30, "The 'Norfolk Four' Convicted of Brutal Rape And Murder Committed By Lone Assailant," p. 6.

Man Becomes Rights Activist After Exoneration Of Murdering Man Who Wasn't Dead

Zhao Zuohai was acquitted after a retrial on May 10, 2010, of murdering a man in 1997. Zuohai was arrested in May 1999 for the man's murder, and after his conviction in December 2002 he was sentenced to death. He was later resentenced to 29 years in prison at forced labor.

Zuohai's conviction was based on his confession to the murder, which he recanted, claiming he had falsely confessed to stop his torture by police interrogators. Zuohai's wife also implicated Zuohai in the crime, but she too recanted, claiming that the police locked her in a factory and beat her until she told them what they wanted her to say.



Zhao Zuohai after his release from prison

On April 30, 2010, the man Zuohai was convicted of murdering was discovered to be alive. The local court acted with lightening speed and only ten days later retried and acquitted Zuohai based on the new evidence that he had been convicted of a murder that never happened. Zuohai was immediately released from custody. He was subsequently awarded compensation of about \$96,000 (650,000 yuan) for his wrongful imprisonment. Zuohai's exoneration was widely reported throughout China.

In China individuals who are not legal professionals can represent a person in court and carry out legal duties.

Since his release Zuohai has been using his

notoriety to try and help people who have experienced injustice at the hands of the legal system. In one case he helped persuade an appeals court to reexamine the case of a man convicted of murdering a woman whom the relatives of the woman believe is innocent of the crime.

In an interview Zuohai told the *Global Times* that he "just wants to help those people who are in a similar situation" to him. "I am still a farmer, and the compensation is enough for me. I do not need to make money out of this."

An unanswered question in Zuohai's case is the identify of the body the police thought was that of the man who turned up alive.

Source: "Wrongly convicted 'murderer' becomes rights advocate," *Global Times*, November 12, 2010.