

Interrogation Missteps Admitted

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A Prince George's County police homicide detective testified yesterday that he ignored repeated requests by a murder suspect to speak to a lawyer and attempted to extract a confession from the man.

The investigator, Cpl. Bernard Nelson Jr. -- who last year in an unrelated case obtained a false slaying confession from a teenager who was later exonerated -- testified that he tried to obtain a confession from Michael Eugene Shipman although he had not interviewed a single witness in the case and had little knowledge about the slaying.

The unusual admission came during a pretrial hearing in which Circuit Court Judge C. Phillip Nichols Jr. gave defense attorney Douglas J. Wood wide latitude to question detectives about their interrogation methods. Unlike many cases in which county detectives obtain statements from suspects, Nelson and Cpl. Michael Straughan did not obtain a signed waiver of constitutional rights from Shipman, 42.

Nelson testified that he never advised Shipman of his rights to remain silent and to speak to a lawyer, and he and Straughan testified that they ignored Shipman's repeated requests for a lawyer when they questioned him for 13 hours Aug. 8-9.

"Your goal is to get a confession, even if [the suspect] has asked for an attorney?" Wood asked Nelson.

"If he provided one, that would be great," Nelson replied.

Moments before, Nelson had testified: "My strategy when I go into an interview room is to obtain a confession if I believe [the suspect] did the crime. My job is to seek a confession." Nelson acknowledged that his only information that Shipman might have been involved in the slaying of his wife, Luticia Ann Arnold, 27, came from what other detectives had told him.

Shipman is charged with first-degree murder in the Aug. 5, 2000, strangulation of Arnold, who was killed in her Landover home. Shipman had been found guilty of violating a protective order against her, and Arnold had another protective order in place at the time of the slaying, prosecutors said.

Assistant State's Attorney Krystal Alves conceded at the outset of the pretrial hearing, which began Friday, that the detectives had violated Shipman's rights and that his statement could not be used in the prosecution's main case. The U.S. Supreme Court has ruled that police questioning of suspects must end when a suspect invokes his right to a lawyer.

Wood argued that Shipman's statement -- in which he spoke of a stormy relationship with his wife but did not say he killed her -- was obtained improperly and should not be allowed as evidence at trial. Wood also asked the judge to allow him to question Nelson during Shipman's trial about the false confession the detective obtained from Dennis Deonte Green, then 17, two weeks after he questioned Shipman.

Nichols ruled that the prosecution can use Shipman's statement only if he testifies. The judge ruled that Wood cannot question Nelson during the trial about what led to Green's false confession, but he said Wood can question detectives about their methods in general.

Those methods have come under scrutiny in recent weeks after a series of articles in The Washington Post reported that three people who county homicide detectives said had confessed to murder were later exonerated by DNA or other evidence.

In a fourth case, a suspect made a statement, which detectives construed as a confession, and was charged with killing his estranged wife. Charges against him were dropped eight months later when DNA evidence implicated another man, who has since been convicted of that slaying.

In three of the four cases, which occurred since 1994, the people who were cleared of slaying charges allege that detectives ignored their repeated requests for a lawyer.

Unlike at many other large police departments, Prince George's County homicide detectives do not videotape interviews with suspects. Police Chief John S. Farrell wrote in an opinion article in The Washington Post that his department would be moving toward videotaping interrogations in which statements are taken.

"All of this will be eliminated when we start to videotape," Nichols said. "Until then, we'll do it the hard way."

On Aug. 24, Green initially told homicide Detective Troy Harding that he and some friends were attacked and shot at by other teenagers in retaliation for a prank. Green said he did not see who fired the shots in the dark. The attack left one man dead and two others wounded.

Over 16 hours, investigators questioned Green until he confessed to Nelson a crime he did not commit.

"They send you in, and somehow he ends up making a false confession?" Wood asked Nelson.

"That's correct."

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