

Prosecutor's murder case against two Chicago boys collapses

Jerry White
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Prosecutors in Chicago Friday dropped their case against two boys, aged seven and eight, who were charged with the murder of 11-year-old Ryan Harris. The case collapsed following the presentation of a crime laboratory report that showed semen present in the girl's underwear, indicating that she was attacked by an older assailant, not by prepubescent boys.

Shortly after the partially-nude body of the young girl was found July 28 in a weed patch in the Englewood neighborhood of southside Chicago, police and prosecutors accused the two small boys with raping and killing her, allegedly because they wanted to steal her bike.

This was based on a 'confession' which the boys allegedly made to the police, in which they admitted throwing rocks at Harris. Police claimed the boys said they struck her with a stone and knocked her from her bike. Police also reported that the younger boy allegedly told of playing 'softly' with the girl's lifeless body and dragging her with the help from his friend to a wooded area.

The so-called confessions were extracted by teams of five policemen who interrogated each of the youngsters, without the presence of parents or guardians, let alone an attorney.

On Thursday, the boy's defense attorneys charged that they were the innocent victims of a police frame-up. The attorney for the older boy filed an emergency motion in juvenile court charging that a detective lied during a hearing to determine whether there was enough evidence to hold the boys for the crime.

According to a police report, the younger boy said he played with Ryan's body on the afternoon of July 27, until it started to get dark, then went home to sleep. But during a hearing on the case, when prosecutors asked a police officer what the boy said had happened on July

28, the day after, the officer repeated the story about the boys throwing rocks and dragging the body to a wooded area.

The defense attorney said the discrepancy between the dates allowed prosecutors to get around witness statements placing Ryan with a strange man on the night of July 27. Three neighborhood children--aged 12,14 and 15--said they saw Ryan walking with the man around nightfall near the spot where her body was later found. Prosecutors ignored this evidence.

The boys had been required to wear electronic monitoring bracelets and were confined to their homes so court official could keep tabs on them pending a trial. A subsequent ruling removed those bracelets, instead requiring 24-hour adult supervision by the boy's families.

After dropping the case, Cook County State's Attorney Richard Devine said in a statement that his actions were 'in the interest of justice.' He cynically remarked, 'I think we have shown sensitivity. We were all in new territory here with young people in these tender years.' He did not rule out that the boys could be charged again later.

The national news media widely publicized the prosecutor's claims that the children were rapists and cold blooded killers, without the slightest investigation into the flimsy evidence in the case. The sensationalizing of the case served to bolster the campaign by politicians, police and prosecutors nationwide to try ever-younger children as adults.

See Also:

Interview with attorney of 12-year-old charged with murder in Michigan

'This is a test case to try any child as an adult'

[28 August 1998]

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