

# New evidence exposes frame-up of youth in New York "Central Park jogger" case

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A new confession in the case of a woman who was raped and nearly beaten to death in New York City's Central Park in 1989 has led to calls to overturn the convictions of five minority teenagers. The youth, aged 13 to 16 at the time of their arrests, maintained their innocence at trial two years later, repudiating the coerced videotaped confessions that four of them had given to police.

The victim, a 28-year-old white investment banker, had memory loss as a result of her injuries and was unable to identify any of her attackers.

At the time of the crime, the media used the case to whip up a racist frenzy against the youth, who were described as "animals" running in a "wolf pack" after their "prey." Police leaked anonymous and unsubstantiated reports about some of the youth boasting in jail about going "wilding" in the park.

The police department conducted what amounted to a dragnet against minority youth believed to have been in the area or to have known the alleged attackers, rounding up scores of suspects, most of whom were soon released.

The brutal nature of the crime was not the only, or even the primary reason for the extraordinary attention it received from the media, the police and New York politicians. The year in which the attack took place saw the rate of violent crime rise to near historic highs in New York City, with some 2,000 murders and thousands of rapes and other forms of violent assault. Most of the victims, however, were themselves poor, residing in impoverished neighborhoods made even more desperate by economic slump and budget cuts. Their stories were for the most part ignored in the tabloid press.

What set apart the Central Park jogger case was the class gulf separating the victim and her alleged

attackers. The victim was drawn from a profession that had recently dubbed itself "masters of the universe," both for the immense power of Wall Street to dictate economic policy worldwide, and for the dizzying rise in compensation for those in the upper echelons of finance houses and investment banks.

Those falsely accused in the attack were all black and Latino youth. While for the most part they came from solid working class homes in one of Harlem's better housing developments, they were viewed by the media and the authorities as denizens of a dark and threatening underclass.

In a city where many of the world's wealthiest live in close proximity to homeless families and millions of working poor, the authorities saw the crime as a disturbing barometer of class relations. They set about to swiftly close the case and make an example of the alleged perpetrators, who were quickly railroaded to prison.

Matias Reyes, who was already serving a 33-year-to-life prison term for four other rapes, confessed last January to the Central Park jogger assault. His confession was confirmed by DNA evidence last May, but did not gain much media attention until September, when the convicted boys' attorneys demanded a court hearing to have their guilty verdicts vacated. Reyes's confession was given further credibility when investigators brought him to the crime scene and he was able to accurately describe how he had carried out his attack.

Nonetheless, representatives of Manhattan District Attorney Robert Morgenthau refused to clear the youths' records, insisting that more time was needed to complete a reinvestigation. Officials have claimed that, contrary to his statement, Reyes might have been a sixth attacker who escaped, or that the boys could have

carried out a separate assault either before or after Reyes.

Neither theory holds water. Reyes had no connection to the five boys—none of whom named him while undergoing interrogation—nor was he named by any of the other 30 or so youth who were rounded up and questioned about their activities in the park that night. Reyes was known to act alone in each of his assaults, both the ones for which he was convicted as well as the several other previously unsolved rapes to which he also confessed last January.

One of these other attacks also took place in Central Park, only two days before the assault on the jogger. Despite the similarity of the circumstances and its proximity in both time and place to the jogger attack, police made no effort to link the two cases. The establishment of such a link was of no interest to the police—even though it might have led to Reyes’s apprehension before his next series of rapes—since it would have cut across their theory of heinous crimes being committed by roving bands of minority youth.

As for the possibility that the boys carried out an independent attack, Reyes’s knowledge of the way the assault began precludes the boys having raped the victim first. Likewise, his testimony about the injuries he inflicted confirms his statement that it would have been impossible for anyone else to have raped her after he left her for dead.

The case against the youth was based almost entirely on the disputed confessions, which are now seen to have been coerced. The government’s ongoing investigation, and its refusal thus far to exonerate the youth, is aimed not at administering justice, but rather at damage control. The authorities are seeking to find some way of justifying the police’s third-degree tactics in this high-profile case.

The only physical evidence introduced at the youths’ trials has also been debunked. Prosecutor Elizabeth Lederer claimed that hair from the victim “matched” hair found on one of the youth’s clothing, even though forensic experts warn that microscopic hair comparison techniques are not capable of determining a match, only similarity. DNA testing was not sufficiently advanced at the time to be conducted on hair samples, but the recent DNA retesting shows conclusively that there is no match between the victim’s hair and any hairs found on the defendants, whereas there is a match between

Reyes’s hair and hair found on the victim’s clothing.

DNA tests were conducted at the time of the original investigation on semen found on the victim, but there was no match with any of the boys. Prosecutors discounted this fact.

At the time, real estate billionaire Donald Trump took out full-page ads in all four New York City dailies, headlined “BRING BACK THE DEATH PENALTY, BRING BACK OUR POLICE.” The ad decried “a world ruled by the law of the streets, as roving bands of wild criminals roam our neighborhoods” and went on to declare, “I want to hate these muggers and murderers. They should be forced to suffer and, when they kill, they should be executed for their crimes.” A few years later, the legislature voted to reinstate the death penalty in New York state.

In the wake of the Reyes confession Trump has rejected demands for an apology and, in the face of all the evidence to the contrary, continues to insist that the coerced confessions are valid.

Meanwhile, the five young men were condemned to grow up in prison, the last having been released in August. For continuing to maintain their innocence, and for refusing to participate in rehabilitation programs for sex offenders, they were denied parole and served out their full terms.

As long as their convictions stand, they are required to register as sex offenders wherever they live, making it nearly impossible for them to get decent jobs. As Sharonne Salaam said of her son Yusef, “Every time he shows up someplace, he goes and he applies for a job, people can look on this list and see he’s a felon and a sexual predator. Would you hire someone like that?”

The unraveling of the Central Park jogger case is an indictment of the US criminal justice system. It has exposed once again the reality of “justice” and “equality under the law” in a society deeply divided along class lines. It should serve as a cautionary lesson to be recalled every time the media, police, prosecutors and politicians unite to foment law-and-order hysteria and railroad the poor and powerless to prison.



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