

Wrongfully convicted Detroit teenager released after eight years in prison

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On Wednesday, 23-year-old Davontae Sanford was finally released from prison after a Michigan judge vacated his sentence in a quadruple homicide that he did not commit.

Sanford, a mentally handicapped youth who is blind in one eye, was 14 at the time of the shooting in his Detroit neighborhood. He had served eight years in state prison based solely on a false confession coerced out of him by police.

Police took Sanford in for questioning for the murder, which occurred in a drug house in Sanford's neighborhood, and interrogated him over the course of two days without the presence of a lawyer or his parents. Sanford finally agreed to confess to the crime when police told them that he could leave if he would "just tell them something," according to the *Detroit News*.

Sanford's confession contained numerous factual inconsistencies. He was unable to correctly name the type of gun he had allegedly used to carry out the murders, and all of those who he named as accomplices had alibis.

In flagrant violation of protocol, Sanford's confession was not videotaped by the police. A second confession was staged and recorded by police, this time with more accurate details of the crime scene, which were almost entirely fed to him by the interrogating officer.

Based upon this confession, along with incompetent legal representation by a lawyer who told Sanford that the police had an airtight case, Sanford was convicted in 2008 and sentenced to between 37 and 90 years in prison. During the trial, then-deputy police chief James Tolbert perjured himself on the stand, falsely claiming that Sanford had drawn an accurate diagram of the crime scene under questioning.

Only two weeks after Sanford was sentenced, a known hit man, Vincent Smothers, confessed to the murders and provided detailed and accurate information about the crime to police. Smothers, currently serving a 50 to 100 year sentence for eight other murders, has repeatedly stressed Sanford's innocence in sworn affidavits.

For eight years, however, prosecutors insisted against overwhelming contrary evidence, that the right person had been convicted. According to Smothers' attorney, police studiously avoided interviewing him about his role in the Sanford case. "He's been willing to testify Davontae Sanford had nothing to do with the killings," Smothers' lawyer told the press before Sanford was released. "Come on, now: He's a very savvy guy; there's no way he'd bring a 14-year-old disabled kid to help him with a hit."

While in prison, a despondent Sanford attempted to commit suicide but was stopped by guards. While attempting to restrain him, Sanford allegedly "spit on one guard and kicked another," according to a prosecutor. He was convicted of two counts of misdemeanor assault and sentenced to an additional year in prison or a \$2,500 fine. In spite of having his prior conviction thrown out on Tuesday, Sanford would have had to have spent an extra year in prison, but family lawyers found someone to pay the fine.

Tuesday's ruling came after the release of an 11-month review of Sanford's case by Michigan state police. The report concluded that Sanford played no role in the shootings and recommended murder charges be brought against Smothers. It also recommended that Tolbert be charged with perjury.

The day after Sanford's release, Wayne County Prosecutor Kym Worthy gave a press conference in which she refused to apologize to the Sanford family

and whitewashed her office's stonewalling of the case for eight years. She attacked "people who have perpetuated the myth that somehow we found out about evidence in an earlier year and that nothing happened until just recently," and defended the police's conduct during Sanford's interrogation. Incredibly, she claimed that her office had not found Smothers' confession credible, despite his intimate knowledge of the facts of the case and the obvious inconsistencies in Sanford's own confession.

Speaking to the media after the case, Sanford's family attorney Valerie Newman said, "The reality is there is a lot of injustice in the criminal justice system, and this case puts that on full display ... about how a 14-year-old child can be coerced into giving a false confession. Confessions are coerced more often than people think. Confessions are not the be-all and end-all. That's the lesson to learn here."

Speaking to the *Detroit News*, Sanford's mother, Taminko Sanford-Tilmon, expressed her frustration over her family's ordeal. "I know all cops aren't bad. But do I say the system is fair? Mmmm, I'm not going to say yes."

The United States, which has a prison population of over 2.2 million, by far the largest in the world, imprisons tens of thousands of children every year. More than 50,000 children were in detention centers or other forms of "residential placement" in 2013. In Michigan alone, more than 20,000 children were convicted as adults between 2004 and 2014, according to the Michigan Council on Crime and Delinquency.



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