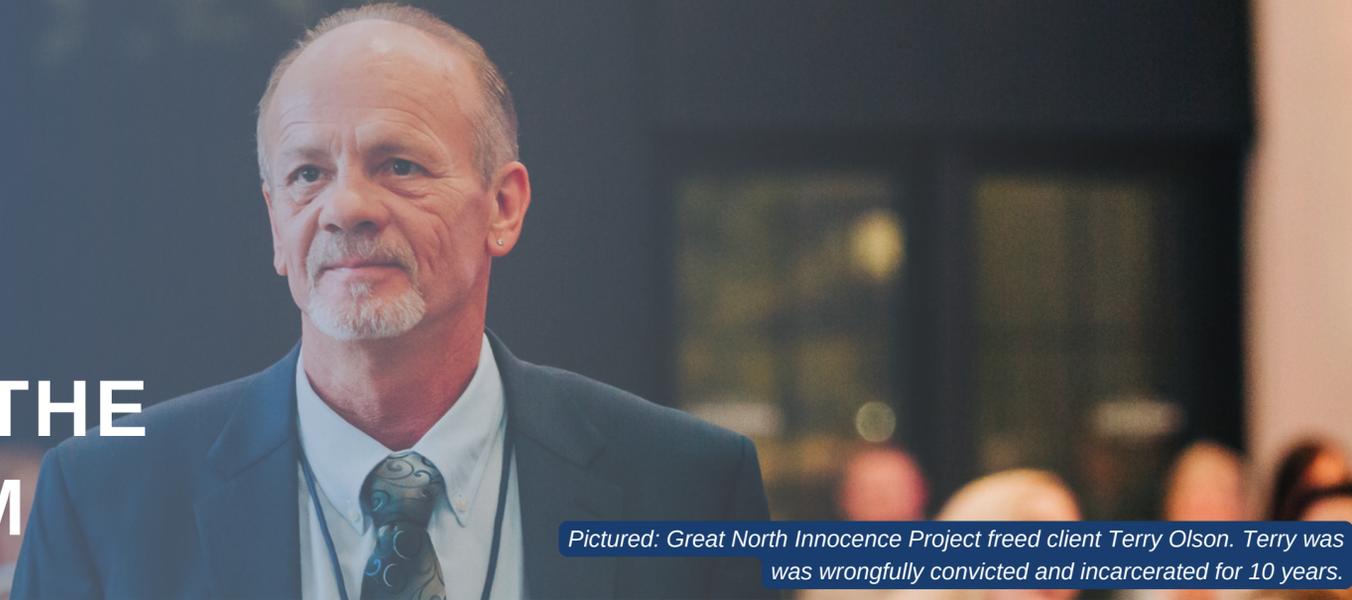


# SUPPORT MN INTERROGATION REFORM: TAKE DECEIT OUT OF THE JUSTICE SYSTEM



*Pictured: Great North Innocence Project freed client Terry Olson. Terry was wrongfully convicted and incarcerated for 10 years.*

**UNNECESSARY INTERROGATION TACTICS CONTINUE TO COST INNOCENT PEOPLE THEIR FREEDOM, VICTIMS THEIR JUSTICE, AND THE STATE MONEY**

## END DECEPTIVE INTERROGATIONS

**MINNESOTA MUST END THE USE OF DECEPTIVE INTERROGATION TACTICS.**

HF 2319 (Rep. Hollins) / SF 2495 (Sen. Oumou Verbeten) would protect innocent people from false confessions by preventing law enforcement from lying about evidence or promised leniency. Use of deception by police diminishes trust in law enforcement at a time when trust is often lacking. And it has been proven to elicit false confessions from suspects. There have been nearly 400 known wrongful convictions involving false confessions nationwide. The use of deceptive interrogation practices is a major driver of these false confessions.

Other states have already taken action to protect against the use of deceptive tactics with the support of law enforcement, and many more states are currently considering legislation. These unnecessary tactics undermine legitimate convictions, and interrogation experts have already abandoned them in favor of more reliable methods that do not have these risks.

## HOW WOULD THIS BILL HELP?

HF 2319/SF 2495 creates a judicial check on practices known to generate false confessions by keeping out of court statements obtained through interrogators' **KNOWING** use of deception concerning the facts and evidence or unauthorized promises of leniency.



### Case Example: Terry Olson

*10 years wrongfully incarcerated*

Terry Olson was convicted in 2007 for the 1979 death of Jeff Hammill. Jeff had been found dead by the side of the road just outside of Buffalo, MN. At the time, law enforcement investigated the case as a possible roadside accident or homicide, and the case was closed with no charges being filed.

In 2003, police reopened the case and secured a confession from a mentally ill man, Dale Todd. They told him that in 1979 they had taken and kept evidence from his car that contained biological evidence that proved he was involved in a murder. This was not true, but Dale was so frightened and unstable that he confessed and implicated Terry and another man, Ron Michaels.

At Ron's trial, Dale admitted that he had been coerced to falsely confess and implicate Ron and Terry. Ron was acquitted. When Terry was brought to trial, Dale was coerced into reverting to the story he told police in 2003. Terry was convicted and sent to prison for 17 years. Days later, Dale wrote a letter to the trial judge explaining he had lied at Terry's trial. No hearing was held on Dale's recantation.

In 2012, Dale contacted GNIP. For the first time in years, his mental health was stable. He wanted to clear his conscience and again tell the truth – as he had at Ron's trial – that none of them were involved in the death of Jeff and that the police had frightened him into making a false confession.

Although the judge ultimately denied Terry's request for a new trial, the Wright County Attorney's Office realized the unfairness of Terry's situation. Their office agreed that in the interest of justice Terry should be immediately released from prison. He was freed in September 2016.

## THE WORLDWIDE LEADER IN INTERVIEW TRAINING



### WICKLANDER-ZULAWSKI & ASSOCIATES, A WORLD LEADER IN LAW ENFORCEMENT INTERVIEW & INTERROGATION TRAINING ENDED TRAINING IN DECEPTIVE INTERROGATIONS IN 2017

“It’s human nature to deny and defend oneself. Confrontation is not an effective way of getting truthful information,” said WZ President and CEO Shane Sturman, CFI at the time. “Rather than primarily seeking a confession, it’s an important goal for investigators to find the truth ethically through a respectful, non-confrontational approach.” Sturman added, “Because of the possible abuses inherent in the confrontational Reid style, we believe it is time to move away from the practices of the 1970s when it was developed.”

The firm’s training experience includes services for a majority of U.S. police departments and federal agencies such as the U.S. Army, FBI, DHS, ICE, CIS, FLETC, EEOC, TSA, FAM’s, and the U.S. State Department’s Bureau of Diplomatic Security Services.

## DECEPTION IN REAL CASES

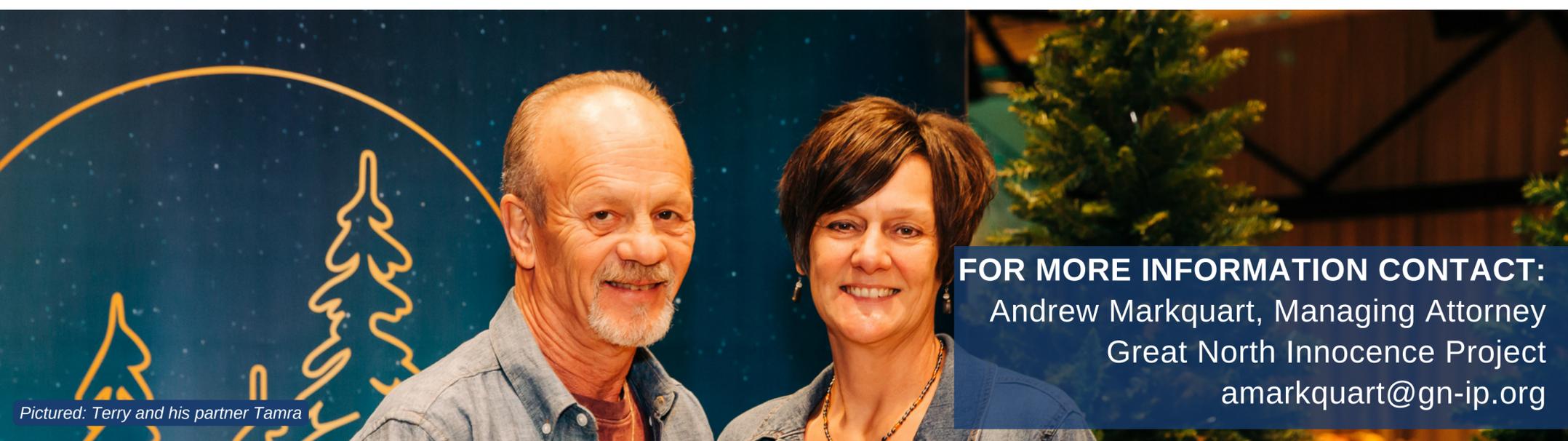
**FALSE FACTS** - *"We have your fingerprints on the gun."* - When law enforcement knows that there has been no determination of whether the person's fingerprints are on the gun.

**LENIENCY** - *"If you confess to the murder, I can guarantee that you will not be charged with murder but, instead of a lesser charge"* - When law enforcement knows that they do not have the authority to guarantee a lesser charge.

## COSTS & CONSEQUENCES

### THESE DECEPTIVE & COERCIVE TACTICS CREATE SEVERE FINANCIAL AND PUBLIC SAFETY COLLATERAL CONSEQUENCES IN MINNESOTA:

- Wrongful convictions have already cost the taxpayers of the State of Minnesota millions in civil settlements and state compensation.
- Costs arise from re-opening cases, identifying the actual offender, and re-prosecuting a case from which there was a false confession.
- Convicting the wrong individual results in actual perpetrators still being in communities with the ability to commit another offense.
- Diminished community trust in law enforcement hampers cooperating with investigations.



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