

WAYNE COUNTY PROSECUTOR'S OFFICE

TO: Richard Padzieski,
Chief of Operations

MEMO ON JAIL INFORMANTS

FROM: Robert Ayacinski,
Deputy Chief, P.R.O.B. *l/h*

DATE: February 8, 1995

SUBJECT: POLICE USE OF PRISONERS TO OBTAIN CONFESSIONS

I have been approached by several attorneys (Mary Ellen O'Connell Dawn Ison, Robert Blanska) who have informed me of the practice of some police investigators to place prisoners on the 9th floor of 1300 Beaubien (the prisoner lock-up) in the expectation that they will overhear confessions of other suspects and testify to these jailhouse confessions in court.

There are three separate issues that should concern us.

First, if the "snitches" initiate the conversations that lead to confessions, Miranda is violated since these prisoners are acting as police agents.

Second, promises of leniency are made to these snitches without our approval - or prior knowledge - which exceeds police authority and violates our policies.

Third, I have been told that the snitches do lie about overhearing confessions and fabricate admissions in order to obtain police favors or obtain the deals promised.

Mary Ellen O'Connell presented me with the case of her client, Johnathan Davis, AKA, John Huat who has three separate robbery cases pending. She said homicide (Squad 7) transferred him to the 9th floor of the police station to obtain confession. She said he reported hearing three--one of which was a fabrication. [Tom Beadle has this last matter and believes Mr. Huat (Davis) indeed is lying about that confession--the sole evidence against that defendant.]

Dawn Ison talked to me last week about a client, Solomon Tolbert, charged with Robbery Armed and promised a sentence of 1-20 years for his cooperation. He has been taken by Royce Alston of the Violent Crimes Task Force to Burger King and other places in order to cooperate with the police. No promises were made to this defendant by our office.

Finally, Bob Blanska introduced me to two men (Joe Twilley and Oliver Cohen--now deceased) who were kept as police prisoners on the 9th floor and obtained confessions in several cases I am aware of, including a case I personally tried last month. Dale Collins and Bill Rice of DPD Homicide asked us to have Mr. Twilley's sentence on a murder conviction reduced. We wouldn't. They personally went to Judge Shano and talked with him in chambers, and then later, Judge Shano granted a "pro per" motion for a new sentence.