



The Media's Role in Wrongful Convictions

How 'mob journalism' and media 'tunnel vision' turn journalists into tools of the prosecution

Three Case Studies

By David J. Krajicek

February 2014

Introduction

On a summer night in 1949, a young couple reported to authorities that they had been set upon by four men after their car broke down on a country road in Lake County, Fla., an hour west of Orlando. Willie Padgett said the men beat him, then drove off with his wife, Norma, 17, who said the men raped her at gunpoint.

The victims, who were white, identified their assailants as young black men from Groveland, Fla. Within hours, three of the four had been arrested. As word of the alleged rape spread, hundreds of white men, some of them Ku Klux Klan members, converged on the county jail, demanding vigilante justice. Turned away there, they torched the homes of several black residents, including the parents of one of those arrested, Samuel Shepherd.

Lake County desperately needed rational leadership to calm the fever. They didn't get it from the press, which instead threw gasoline on the fire. It was mob journalism at its most incendiary, and the worst offender was the biggest newspaper in the region, the *Orlando Sentinel*. Three days after the rape allegation, Martin Andersen, the *Sentinel's* bullying owner, printed a front-page editorial cartoon that has become an iconic image in the now-notorious Groveland case. The illustration showed four electric chairs. The caption below read, "The Lake County Tragedy...No Compromise – The Supreme Penalty."

The media has won deserved credit for its role in righting wrongful convictions—from Paul Henderson, who won a Pulitzer Prize for the *Seattle Times* in 1982 for revealing a false conviction in a rape case, to student journalists at Northwestern University, to the dozens of reporters who have been willing to listen to the Innocence Project and other advocates, particularly since the age of DNA exonerations began.

But less attention has been paid to the media's compliant coverage of any number of criminal prosecutions that have led to wrongful convictions. Like law enforcers, the media fall victim to tunnel vision—a myopic focus on a particular suspect or crime narrative. The story line often is sketched out by paternalistic "authorities," typically male prosecutors and police officials—sources that reporters must rely on in the future.

Experts say there are eight primary reasons for wrongful convictions: mistaken eyewitness identifications; false confessions; tunnel vision; perjured informant testimony; forensic errors; police errors; prosecutorial errors, and inadequate defense representation.

The media is rarely blamed.

“The media plays a role in these cases, but I would not go so far as to say it causes the wrongful conviction,” says Jon Gould, an American University law professor who has done extensive research on bad convictions.

“There’s a dynamic involving the public, the press and the pressure placed on police and prosecutors to solve the case. But it might be a chicken-and-egg thing: Does the media drive the interest and demand a quick resolution, or does it reflect the pressure that comes from elsewhere in that particular community?”

But an analysis of news coverage of several highly publicized criminal convictions that were later discredited finds troubling patterns. In each case, the defendants were sentenced to die before errors were corrected. In general, journalists eagerly bought into the tunnel vision that led to the railroaded convictions.

We’ll explore the media’s culpability in three case studies: the messy example of Florida’s Groveland Four; the conviction of Kirk Bloodsworth in the 1985 rape and murder of a 9-year-old girl near Baltimore; and the conviction of Walter McMillian for the 1986 murder of a clerk in Monroeville, Ala.

1. The Groveland Boys

The Groveland Four quickly became three.

Samuel Shepherd, Walter Irwin, and Charles Greenlee found themselves in the custody of Lake County Sheriff Willis McCall soon after the crime was alleged. The fourth, Ernest Thomas, fled Groveland and was tracked by a posse 200 miles north to Madison County, Fla., near the Georgia border. Found hiding in the woods, he was cut down with a dozen posse bullets, including three or four to the head.

Thomas “was belligerent as the devil,” Sheriff McCall told the press. “He had a loaded pistol in his hand when he was killed and he had his finger around the trigger.”

Ernest Thomas was not able to give his side of the pursuit, but press reports noted that as many as 1,000 men were involved in the posse. The shooters were never publicly identified, and there was no official inquiry into Thomas’s death.

Back in Groveland, many in the black community cowered in fear. The *Orlando Sentinel* seemed gleeful over the torching of the black homes. The arsonists were called “nightriders,” evoking the KKK. Martin Andersen, a conservative crusader who owned and edited the *Sentinel*, warned in an editorial (run on the same day as the electric chair editorial cartoon) that blacks ought to keep their complaints to themselves.

Author Gary Corsair, who unearthed many of the details of the case for his 2004 book, "[The Groveland Four: The Sad Saga of a Legal Lynching](#)," says Andersen likely had heard that the NAACP was making inquiries.

So the *Sentinel* publisher wrote, "A few smart lawyers who are agents of different organizations seek to hamper justice through the employment of legal technicalities. They may bring suffering to many innocent Negroes."

As publisher of the region's dominant daily paper, Andersen was an unseen hand behind the Groveland prosecution. An eighth-grade dropout from Greenwood, Miss., he ruled the *Sentinel* from 1931 until 1965. His old paper offered this portrait when he died in 1986:

"Tough, savvy, blunt, down-to-earth, controversial, at times strident and hot-tempered, at times generous and compassionate, he was one of the last two-fisted publishers of the old roughhouse school of one-man newspapering...A tall, domineering man, Andersen elected U.S. senators, despised liberals, wangled roads out of Tallahassee, gave fortunes to the needy, pioneered newspaper innovations, grew citrus and orchids, raised horses, beautified the city, and preached the virtues of Christianity and patriotism."

It is safe to assume that Andersen, a white man brought up at the edge of the Mississippi Delta in Greenwood, "the Cotton Capitol of the World," wasn't necessarily enlightened when it came to race relations. Author Corsair, a longtime central Florida journalist, says Andersen set a tone that filtered down to Ormond Powers, the young reporter in the paper's Lake County bureau.

"Every reporter just concluded it was an open-and-shut case," Corsair says. They feared challenging Sheriff McCall, an intimidating figure—and a law enforcement authority they would need as a source of future stories. When questions came up about McCall's treatment of the suspects and the evidence against them, reporters like Powers kept silent. (Much later, the *Sentinel* would describe McCall as "a caricature of a white racist Southern sheriff." He lost his job in 1972 after he told *Life* Magazine, "I don't think there is any question about it that the white race is superior to the black race. I believe that's a proven fact.")

"I'm still disturbed that reporters knew about questionable issues in the case but did nothing," Corsair says. "They sold their souls as soon as they knew they were printing stuff that wasn't right."

Sheriff McCall told the press that Shepherd, Irwin and Greenlee had confessed and that Norma Padgett, the alleged victim, had identified them as her attackers. Those comments were repeatedly echoed in the press as unimpeachable facts.

Yet they were not true, it turned out.

W.V. Morrow, the editor of small newspapers in Groveland and nearby Clermont, was later asked how the confession error had proliferated. He explained:

“The information is based on articles in the various daily papers, and personal conversations I had with people generally...If articles appear in those papers that had stood the test two or three days without denial or correction, based on my previous experience as an editor, I assume them to be true. The article you called my attention to appeared to the best of my recollection in a number of daily papers and was not denied for a period of three days. I don’t think they were ever denied.”

In other words, anything not promptly denied is assumed to be true.

The Media Dichotomy

For all the faults in local and regional news coverage of the case, credit is due to the northern press for drawing national attention to the story. The first was Ramona Love of the *Chicago Defender*, and she was soon followed by Ted Poston, a groundbreaking black journalist for the *New York Post*.

“Without this outside intervention, the Groveland Boys would never have had a day in court because they all would have been killed before any trial would have happened,” says Corsair. “Without the press, we wouldn’t even be having this conversation because we would never even have known those guys existed.”

The local press put up a fierce fight against these outside agitators.

Mabel Norris Reese, editor of a Lake County weekly, the *Mount Dora Topic*, wrote an editorial pining for the opening of the trial so the “unpretty details” of the crime would be aired. As quoted in Corsair’s book, Norris Reese wrote, “However, it must be told so that the jury can get at the actual crime, too long submerged by the Northern press because a Negro bolito king’s home and a Negro fortune teller’s home were burned in reprisal by angry white men. That jury must be reminded that a young woman was violated, horribly, and that justice is due her.”

The first Florida reporter to challenge the conventional wisdom on Groveland was Norman Bunin, a copy editor from the *St. Petersburg Times*. A full year after the crime was reported, Bunin began investigating the Groveland story on his own time and eventually wrote a series of articles that challenged the validity of the rape allegation and questioned Sheriff McCall’s account.

When Mabel Reese had a change of heart and began writing critically about the case, someone poisoned her dog and staked a burning cross on her lawn. McCall declared her a Communist, and advertisers suddenly began abandoning the weekly paper.

“Nobody bucks Willis McCall with impunity,” the St. Pete *Times* later wrote.

A Quick Trial and Conviction

The three Groveland Boys were convicted in a three-day trial held six weeks after the alleged crime. The *Sentinel's* wish for “supreme justice” was granted. Shepherd and Irwin, each about 23 years old, were sentenced to die for the alleged rape of a white woman. Greenlee, 16 when the crime was reported, got life in prison.

Shepherd and Irwin appealed to the U.S. Supreme Court, which voted unanimously to overturn. In a memorable opinion published in April 1951, Justice Robert H. Jackson was flummoxed by the behavior of the central Florida press. A few excerpts:

“But prejudicial influences outside the courtroom, becoming all too typical of a highly publicized trial, were brought to bear on this jury with such force that the conclusion is inescapable that these defendants were prejudged as guilty and the trial was but a legal gesture to register a verdict already dictated by the press and the public opinion which it generated.”

“Newspapers published as a fact, and attributed the information to the sheriff, that these defendants had confessed. No one, including the sheriff, repudiated the story. Witnesses and persons called as jurors said they had read or heard this statement. However, no confession was offered at the trial. The only rational explanations for its nonproduction in court are that the story was false or that the confession was obtained under circumstances which made it inadmissible or its use inexpedient....It is hard to imagine a more prejudicial influence than a press release by the officer of the court charged with the defendants’ custody stating that they had confessed, and here just such a statement, unsworn to, unseen, uncross-examined and uncontradicted, was conveyed by the press to the jury.”

“Newspapers, in the enjoyment of their Constitutional rights, may not deprive accused persons of their right to a fair trial.”

“Of course, such a crime stirred deep feeling and was exploited to the limit by the press...Every detail of these passion-arousing events was reported by the press under headlines such as ‘Night Riders Burn Lake Negro Homes’ and ‘Flames from Negro Homes Light Night Sky in Lake County.’ These and many other articles were highly prejudicial, including a cartoon published at the time of the grand jury, picturing four electric chairs and headed, ‘No Compromise—Supreme Penalty.’”

Another Suspect Killed

The Supreme Court order for a new trial proved to be a Pyrrhic victory for Shepherd and Irwin. Seven months later, on Nov. 6, they were shot by Sheriff McCall on a rural road in Lake County. He said the two men—both in handcuffs while being transferred to another jail—attacked him while trying to escape when he pulled over to check a tire.

Shepherd was killed. Irwin, who played dead and survived, said McCall shot them without provocation. The sheriff was cleared by a state inquiry.

Irwin's second trial attracted national press coverage, prompting prosecutor Jesse Hunter to complain in court that Irwin would get a fair trial "if the outside world would leave us alone," according to a *New York Times* story. He also referred to Norma Padgett, the complainant, as "the honest little cracker girl."

The outcome was the same: Irwin was convicted and was sentenced to electrocution. His sentence was commuted to life in prison when Leroy Collins, a moderate Democrat, was elected governor in 1955. Greenlee was paroled in 1962, Irwin in 1968.

The case was never really forgotten in Lake County, and it bubbles up now and then in the media and in books. Corsair, an editor at The *Villages Daily Sun* in Florida, says he began his book about Groveland when he stumbled on a news clipping in 2001. New York author Gilbert King was [awarded the Pulitzer Prize for nonfiction](#) in 2013 for his retelling of the story, "Devil in the Grove."

Corsair and others are pressing for official state exonerations for the Groveland Boys but so far have been turned away by Florida Gov. Rick Scott. Many believe the rape allegation was an alibi story after Norma Padgett was caught by her husband doing something she shouldn't have.

Whatever happened that night 65 years ago, the stories that followed offer lessons for journalists today, says Corsair.

"The number 1 lesson is obvious: You can't accept anything at face value," he says. "You have to question everything and everyone. You cannot assume that people in positions of authority are necessarily honorable just because it says judge or sheriff or prosecutor in front of their name."

2. Walter McMillian: Direct to Death Row

The investigation of a homicide that had unnerved citizens of Monroeville, Ala., had gone cold, and the local authorities were under pressure to find the killer.

Ronda Morrison, 18, was shot three times on Nov. 1, 1986, at the dry cleaner where she worked part time. There were no witnesses. Her body was found by customers behind clothing racks in a corner of the store. Rumors ricocheted around town about a serial killer or an escaped convict on the loose.

The story of the murder was published beneath a banner headline atop the front page of the Nov. 6 edition of the weekly *Monroe County Journal*. “No Arrest Made in Murder,” the headline read. The story called it “an apparent robbery attempt.”

The local police chief, Bill Dailey, tried to reassure worried citizens. He said, “Although we cannot release to the public information on leads we are following because it could jeopardize our investigation, we want local citizens to know that we have many law enforcement officials working night and day to solve this case.”

And then nothing happened. Weeks and months passed without an arrest while the town simmered, demanding comeuppance for the killer and justice for the victim.

It was a perfect petri dish to grow a wrongful conviction.

“These are often horrific crimes with sympathetic victims, and they play out in a community that puts a lot of attention on the case and wants resolution quickly,” says Sara Sun Beale, a law professor at Duke University who has researched bad convictions.

“You had a sensational crime,” says Bryan Stevenson, executive director of the Equal Justice Initiative, a legal advocacy nonprofit in Montgomery, Ala. “A young white woman—popular, protected, privileged—was murdered in downtown Monroeville, shocking the community, and the police didn’t make an arrest. The first narrative was, Why can’t these law enforcement people solve a horrific crime like this? What’s the deal? Do we have the right kind of sheriff, do we have the right kind of prosecutor?”

The Arrest and Congratulations

Finally, an arrest was announced the following June. It was a messy narrative with a number of puzzling details.

The key player in the case was Ralph Myers, 30 years old. He had been arrested in connection with an unrelated homicide—the beating death of Vickie Lynn Pittman, 18,

whose body was found in March 1987 in the woods near East Brewton, Ala., 50 miles south of Monroeville.

Facing murder charges, Myers told authorities he could help them solve the Monroeville slaying. He identified the killer as Walter McMillian, 46. Myers also claimed that McMillian had assaulted and sodomized him (for reasons never explained). Authorities said the two homicides were unrelated—another odd detail that the press did not pursue.

Just as in Groveland, the local media proved a compliant partner with the paternalistic law enforcement authorities.

Stevenson says, “You’re completely dependent on them for your information. That’s the way it works. So you can’t really be critical. You can’t really be antagonistic or adversarial, or even ask an edgy question.”

The *Monroe County Journal*, the only paper based in Monroeville, became the default newspaper of record in the case.

“The *Journal* is like a lot of the southern press in the Black Belt where it becomes almost the communications arm of a particular community identity,” Stevenson says. “The news has to be shaped to fit that identity.”

Coverage of the arrests of Myers and McMillian was congratulatory. The *Journal* and the regional daily papers, including the *Mobile Press-Register*, cited the various state and local law enforcement agencies that had a hand in the investigation.

A story from Monroeville in the *Montgomery Advertiser* began, “Residents in Monroe and Escambia counties are breathing easier.”

Reporter Alvin Benn wrote:

“The broad-daylight slaying had shaken this south Alabama community and prompted a surge in gun permits in the weeks that followed. Many were alarmed because they felt it must have taken some nervy people to walk into a business in the daytime and do something like this, (Sheriff Tommy) Tate said. Tate declined to go into specifics about the investigation, but he did say he felt the evidence was enough to gain conviction.”

Sheriff Tate said McMillian was being held at an undisclosed location “for security reasons.” McMillian was described by the prosecutor and sheriff as a drug dealer (he had a couple of minor marijuana arrests) who used an alias, “Johnny D.” Later, there were hints that he was somehow linked to the mysteriously ubiquitous Dixie Mafia.

“When they arrested McMillian, there was the kind of demonizing of the accused that you have to have,” says Stevenson. “It was an extraordinary crime so they had to have an extraordinary criminal.”

In fact, McMillian was a rather ordinary black man—with the exception of one detail: though married to a black woman, he was known to have a white mistress. He worked in a pulp mill and lived in Repton, a poor community east of Monroeville.

Monroeville is the hometown of Harper Lee, author of “To Kill a Mockingbird,” the beloved race fable about a black man falsely accused of raping a white woman. The story is set in Maycomb, a stand-in for Monroeville, which is proud of that link. The city of 6,500 bills itself today as the “Literary Capitol of Alabama.”

Stevenson says the *Monroe Journal* serves as “a protector of the community identity.”

“The town’s needs are basically set above the truth in a particular story,” he says. “The local paper is not going to report honestly about something that doesn’t contribute to the identity that they want people to see.”

Convicted and Condemned to Die

Based on the testimony of Myers, McMillian was convicted of Ronda Morrison’s murder in a three-day trial in August 1988, even though a dozen defense witnesses said he was at a fish fry at the hour of the slaying.

McMillian did not take the witness stand, but he got a chance to speak before sentencing. “I didn’t kill that girl,” he said. “Ralph Myers don’t know any more about me than the man in the moon.”

The jury recommended a life sentence. But using a “judicial override” protocol allowed under Alabama law, Judge Robert E. Lee Key rejected that sentence and condemned McMillian to die in the lap of “Yellow Mama,” the state’s electric chair.

McMillian was sent to—or rather returned to—Alabama’s Death Row.

In one of many shocking details of the case unearthed by Stevenson of the Equal Justice Initiative, it was revealed that the undisclosed location where McMillian had been held “for security reasons” since hours after his arrest was in fact a cell on Death Row at Holman State Prison in Atmore, Ala..

Myers, sentenced to life for the murder of the other young woman, had second thoughts and recanted his testimony against McMillian. He also accused investigators of trumping up the sodomy allegation against McMillian so he could be arrested and held while the allegations about the Monroeville murder were investigated.

The case became a wrongful conviction classic, caused by a sobering combination of a perjured informant, tunnel vision and police and prosecutorial errors and misconduct. And it all happened as a compliant local and regional press stood and watched.

It was obvious—then and now—that Ralph Myers, after he was arrested for murder, hoped to cut a deal to save his neck by implicating McMillian in a case he knew nothing about. Fundamental details of the crime, including the position of the body, were wrong in statements he gave to detectives—and they knew it.

'60 Minutes' Intervenes

The McMillian file crossed the desk of Stevenson, whose nonprofit legal advocacy agency used a shallow pool of federal funding to look into the cases of convicted felons sentenced to die.

"This was not a hard case to figure out," says Stevenson. "It was clear from almost day one when I looked into this that Walter had nothing to do with this crime."

While appeals wended their way through court, Stevenson invited "*60 Minutes*," the CBS newsmagazine, to look into the case. It was a risky gambit that could have inflamed the Alabama judiciary whose help he needed. Anchored by Ed Bradley, the 18-minute story that aired Nov. 22, 1992, was a devastating dissection of the injustice done to McMillian. And like the central Florida press in the Groveland case, the south Alabama press reacted spitefully toward the media interlopers.

They wrote stories that focused not on the prejudiced treatment of a man living a nightmare on Death Row but on the alleged prejudice of the TV show toward south Alabama.

"Officials Say '60 Minutes' Account Biased," read a headline in the *Mobile Press-Register*. The story began, "An account of Walter 'Johnny D.' McMillan's (sic) conviction for capital murder on Sunday's CBS news magazine '*60 Minutes*' was a 'disgrace,' according to District Attorney Tommy Chapman."

The *Monroe County Journal* also quoted Chapman, describing the TV piece as "horrible journalism." He said of McMillian, "He's had his day in court. I don't believe there has been any law enforcement misconduct in this case; I don't believe anyone has proved it."

But an Alabama appeals court disagreed, voting 5-0 in February 1993 to vacate the conviction. With Ralph Myers no longer willing to finger McMillian, the indictment was dismissed and he was freed after six years on Death Row. Even then, the sheriff, prosecutor and local press held fast to the discredited narrative that they had created and by and large refused to acknowledge the egregious injustice.

“They never really had a heart to own up to it,” Stevenson says.

“You know,” he adds, “I never got a call from any reporter at the *Monroe Journal* the entire time I was working on that case. Never got a single call. The only time I was asked a question by that paper was on the day that Walter got released. And that question was, ‘Who killed Ronda Morrison if Walter McMillian didn’t?’”

The question—better posed to the local authorities, of course—is still unanswered. No one else was ever charged.

There are whispers around Monroeville that officials had another suspect in mind but were never able to bring charges. Though the detail wasn’t revealed until years later, the shirt and pants of victim Ronda Morrison had been unbuttoned, exposing her bra and underwear. Perhaps it was not “an apparent robbery,” as the *Journal* initially reported, but an attempted sexual assault. Had that detail been publicly reported in November 1986, how might the investigation have played out differently?

After 25 years of observing the dynamic between a compliant media and paternalistic authorities in towns like Monroeville, Stevenson said he is struck by several things.

“You absolutely cannot rely on one side as a source of credible information. You have to assume that things being told to you are not true until you test them enough to believe that they are credible,” he said. “When stories are very comfortable and very convenient, that’s when you need a journalist to start asking tough questions.”

Walter McMillian, who resumed his life in Repton, Ala., after his exoneration, died in September 2013.

3. Kirk Bloodsworth: Nearly Profiled to Death

What does the press owe a criminal defendant?

“To start with, we ought to be accurate and factual,” says Hal Davis, a crime and justice editor with the *St. Paul Pioneer Press*. “We ought to try our best to ascertain the facts of a case as accurately as possible. And that’s not always easy.”

Davis has had a long career as a journalist, with UPI, the *New York Post*, *Bloomberg News*, the *National Law Journal* and the *Dayton Daily News* before the *Pioneer Press*. He is acutely aware of criticisms of press coverage of crime as being skewed toward the prosecution.

“One of the problems is that the criminal complaint usually provides the first detailed narrative about the crime,” Davis says. “If no defense lawyer is willing to talk to media, which happens too often, the narrative is pretty much controlled by the prosecutor, and that can help shape public opinion. That’s a lot of weight on one side of the scale before the defense even starts.”

It’s a Catch-22 of our criminal justice system.

“You do get a one-sided narrative,” says Jon Gould, the American University law professor and wrongful convictions expert. “The prosecution and the police set the narrative. The defense is not going to do that. That’s not its job. Its job is to figure out what the prosecutor has, then make a defense case based on that.”

The press, he says, can try “poking holes” in the prosecutor’s narrative.

“In that sense, journalists can play a similar role to investigators,” Gould says. “But to expect the press to be out in front of the prosecution is not necessarily realistic. Police chiefs and prosecutors don’t want journalists to interview witnesses before they do.”

Gould and Davis agree that journalists too often can follow cops and prosecutors into the trap of tunnel vision.

“It takes an act of strong will to ponder alternative theories when the prosecutor is presenting one that seems generally plausible,” Davis says. “But if we’re doing our job, every so often we’ll find holes in a prosecution and point them out.”

A Frightening Murder

On July 26, 1984, the body of Dawn Hamilton, 9, was found in the woods near her apartment complex in the town of Rosedale in Baltimore County, Md. She had been bludgeoned and raped. Investigators said other children saw her with a tall, thin man.

The *Baltimore Sun* reported the murder on its front page the next day, then followed up with an update a day later: “No solid leads found in girl’s killing,” read the headline. The story said police had received more than 100 tips and that 10 investigators were urgently following them up.

Meanwhile, the paper said, parents in Rosedale were keeping their children indoors.

On Aug. 10, the Hamilton homicide made its way once again to the front page of the *Sun*: “Man arrested in girl’s death in Rosedale.” The man was Kirk Bloodsworth, 24. The story said he “has been living” two miles from the victim’s home and that he was arrested “without incident” at a home across the Chesapeake Bay in Cambridge, Md. He was portrayed as itinerant.

Like the Monroeville, Ala., case, the Bloodsworth arrest story had a mission-accomplished tone. The *Sun* said a police spokesman “credited a police sketch of a man, several anonymous phone tips and a psychological profile of a possible murderer as key ingredients in the arrest.” The story went on to say that a tipster—“a woman who had seen the sketch in a newspaper”—had given police Bloodsworth’s name.

A sidebar story tried to explain the squishy science of the psychological profile, which had been prepared with the help of profiler from the FBI’s Behavioral Sciences Unit.

Authorities would not reveal any details of the profile but said “certain behavioral characteristics” had helped identify Bloodsworth. The story said a profiler relies upon “specific data about a murder, the crime scene and the manner in which a victim was killed to form a psychological study of a possible killer...They analyze photographs of the crime scene and autopsy reports as well as develop their own portrait of the victim.”

These enigmatic FBI profiles had become a popular feature-story subject for American newspapers in the 1980s, as local homicide detectives were being flown to Quantico, Va., for seminars with special agent John Douglas, the FBI’s “mind hunter.”

An FBI agent told the *Sun*, “The Hamilton case is probably the most ‘profilable’ case we’ve handled in a long, long time...Some cases are much more profilable than others. It’s not designed for every average homicide that comes down the line. The more bizarre, the more violent the crime...there is a great degree of psychopathy, which leads to profilability.”

The story ended with a seemingly contradictory kicker quote from the same FBI source, Agent Henry Hanburger: “It’s not anything which is scientific fact. It’s really a process of educated guessing that is an art form.”

The Backstory of a Profiler

It may not have been “scientific fact,” but the FBI profile played a key role as Baltimore County police locked in on Bloodsworth as a suspect. And there was a backstory that was not told until many months after the arrest. A year before the Hamilton homicide, a Baltimore County detective, Sam Bowerman, had been selected as the first local police officer to go through profiling training at Quantico.

The *Sun* reported his training in a story under the headline, “County detective learns to use psychological profiles to find murderers.”

In the story, Bowerman talked about the psychology of killers as though he had a Ph.D. in the subject:

“The public perception is of a monster. But it’s not the guy in the dirty trench coat hiding behind a tree. It’s the guy who likes to be in the mainstream...They look like ordinary people, but they internalize their feelings and (their) anger (is) repressed within themselves. They frequently fantasize, but when the opportunity [comes], they take it and kill. Very few insane people commit violent crimes. It is people with personality disorders.”

The Hamilton investigation was used as an example in the story. The *Sun* said Bowerman helped create “a word picture of a man who had been dominated all his life by woman and who had repressed his rage until, as one person familiar with the case said, ‘the pressure cooker boiled over.’”

“And eventually, the police arrested a burly, 24-year-old former waterman from Cambridge named Kirk Noble Bloodsworth and charged him with Dawn’s murder.”

Again, the story did not reveal details of the contents of the profile. But it said the defendant’s “external appearance and reputation for nonviolence belied the suggestion that he could be a vicious killer.” The story continued: “Others familiar with the case said that after Bloodsworth was arrested, the profile was found to give an ‘uncanny’ description of the man, both physically and psychologically.”

The article quoted an FBI official about the value of profiling criminals like Bloodsworth: “There’s a certain kind of killer who’d be the last suspected; he’s calculating, cunning and a human predator. This gives us a chance to outsmart him and play the chess game better with him.”

Prosecution Built on Profile

In March 1985, two months before that story was published, Bloodsworth was convicted of the girl's murder, despite a lack of physical evidence. Seven defense witnesses said Bloodsworth was elsewhere at the hour of the murder. Five prosecution eyewitnesses placed him near the scene of the crime, including two children. Jurors told the *Sun* the testimony of an 11-year-old boy who said he saw Bloodsworth in the woods was "the clincher."

The chief prosecutor, Robert Lazzaro, followed a narrative drawn directly from the mysterious profile. He described the killing as "an act of opportunity, of frustration and bottled up rage that finally boiled over"—a variation on the metaphor used in the *Sun*'s profile of Bowerman.

The *Sun* summarized Lazzaro's trial strategy:

"The prosecutor had contended that while Bloodsworth had no history of violence, he had been dominated by women all his life—his mother, his wife and his mother-in-law, and had always repressed his hostility until the day he 'lured' Dawn into the woods and killed her as a symbol of all females."

The judge sentenced Bloodsworth to die.

In 1986, the Maryland Court of Appeals overturned the conviction and ordered a new trial because prosecutors had withheld evidence about another possible suspect. Bloodsworth was convicted a second time in 1987 and sentenced to life in prison. In 1993, DNA testing on semen evidence ruled out Bloodsworth as the killer. He was freed and pardoned. A decade later, DNA identified the girl's true killer.

The Arrogance of Profiling

Today, Bloodsworth is director of advocacy at [Witness to Innocence](#), a Philadelphia-based nonprofit. He says the media covering his case became enamored with "the new-fangled machine" of FBI profiling.

"I think the media in general portrays a certain aura around these profile cases that have a bias," Bloodsworth says. "Just because (former FBI profiler) John Douglas says something doesn't necessarily make it true. I think the whole profiling thing can make you arrogant because you know so much, or you think you do."

In [a book about his case](#), Bloodsworth and author Tim Junkin quoted from the 7 ½ –page profile of Hamilton's killer:

"Although he fantasizes a great deal about indulging in sexual relationships with mature, physically developed women within his age

group, and has a pornographic-type collection of literature, etc., reflecting same, he is inadequate and lacks confidence in himself and therefore his overt behavior would involve much younger, impressionable females or, perhaps, older women who would be more vulnerable.

“Developmentally, it is quite probable that he was brought up under the auspices of an overbearing mother or some other significant female figure who caused him great anxiety and dictated behavior/conduct to him... We believe that, when he feels safe from detection and his anxiety levels, sex drive, etc., reach such a point that his usual fantasizing/masturbation venting and the reliving of this crime no longer constitute sufficient relief, he will strike again.”

“You might as well go see a fortune-teller,” Bloodsworth says.

“The brush strokes are so broad that you could make it fit me and just about any other 23-year-old man alive. A domineering mother? How many mothers are domineering? Or father, or sister, or brother. I think any one of us could claim that. I could probably take that profile or any profile ever written and match it up to somebody, whether he did it or not. It’s not a crystal ball or a lens into the truth. “

Bloodsworth says the profile, which was more of a sketch than a completed portrait at the time of his arrest, led to law enforcement tunnel vision that caused the authorities to see him not as a suspect but as the presumed killer of the girl. And he said the *Baltimore Sun* and other media outlets followed detectives and prosecutors into the profiler’s myopia. Most stories had a subtext of presumed guilt, he says, and the few biographical details included (separated from his wife, a user of marijuana, a temporary worker) tended to discredit Bloodsworth. Positive biographical facts, such as his military service, were rarely mentioned.

“Things that should have been red flags were ignored,” he said. For example, the killer was described by witnesses as a skinny blond man. Bloodsworth was stocky with pumpkin-colored hair.

“The whole thing was totally biased toward the state,” he says. “They did it perfectly.”

Bloodsworth says he has never heard a reporter acknowledge culpability in his wrongful conviction.

“They wrote what they wrote,” he says. “I don’t hate them. I just think they were trying to sell newspapers and maybe trying to make the public feel better that this crime had been solved and everyone was safe. But I do wish they had asked a few more questions.

“They made it really easy for the prosecutor to get me convicted.”

Author's Note: In the interest of full disclosure, I would like to point out that I worked as police bureau chief of the *New York Daily News* during the late 1980s. In April 1989, I returned from a brief vacation to find myself in the middle of a journalism feeding frenzy, the Central Park Jogger case. My byline appeared on any number of stories that, in effect, presumed the guilt of the black and Latino youths accused of assaulting a woman who was out in the park for exercise.

Some years later, after those false convictions fell apart when the true attacker was identified, a journalism colleague, LynNell Hancock, asked me how and why the news coverage of the case had gone so wrong. Some of my comments appeared in Hancock's 2003 story in the *Columbia Journalism Review*, ["Wolf Pack: The Press and the Central Park Jogger."](#)

She wrote:

"City editors pitched in and drafted a powerful story line on the order of 'Heroic Woman vs. Feral Beast.' David Krajicek, who covered the rape as police bureau chief for the Daily News, recalls that reporters were under tremendous pressure to stay true to the top-down narrative. And in the competitive frenzy surrounding the story, that narrative took on a life of its own, ultimately slashing the city into two angry parts – white and black, Wall Street and Harlem, law-abiding adults and barbaric youths. There was little room for nuance. The image of savage kids rampaging through the city's streets was branded into the national consciousness."

David J. Krajicek is co-editor of Crime & Justice News and a contributing editor of The Crime Report. He writes "The Justice Story" for the Sunday New York Daily News. Krajicek cofounded Criminal Justice Journalists, a national association of reporters and editors. He is a 2014 fellow with the Fund for Investigative Journalism.

The Center on Media, Crime and Justice gratefully acknowledges the support of the Harry Frank Guggenheim Foundation for this case study.