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Wrongful Conviction Case Study

Facts of the Case on Andre Hatchett

Andre was thought to have committed a murder on Neda Mae Carter, on February 18, 1991, in Monroe Street Park in Bedford-Stuyvesant. During the incident of the crime, Andre had special needs and was recovering from severe gunshot wounds to his throat and his leg, as well as his right leg was in a cast, requiring crutches. Andre himself knew the victim and was close to the victim. Andre voluntarily cooperated with the police throughout the investigation, provided a detailed alibi on the night of the crime, and was permitted to leave the precinct on multiple occasions throughout the investigation. A convicted burglar, Gerard “Jerry” Williams, was being arrested after a week of the murder, but states that he had information regarding the murder after being placed under arrest. Williams stated that he and a woman named “Popeye” were in the park, had overhead a scream and saw from 30 to 40 feet away, a man swinging his arm over a body lying on the ground. He initially stated that the man in the park was someone he knew had already spoken to the police, and had a crutch with him, but then told police he did not see a crutch on a later date.

Andre voluntarily came back for the investigation and proceeded into a lineup where he was identified by Williams, however, Andre was not arrested during this time and was permitted to leave the precinct despite the identification done by Williams. Suggesting that the DA’s office had serious doubts about Williams’ credibility, as well as we find out that Williams also identified another man (not Andre) in the precinct as the attacker, but this information was never disclosed to Andre’s attorneys nor Andre himself. We later learn that Williams was released from

police custody despite his arrest for burglary, and that Williams was only allowed to be free as he had come forward as an alleged eyewitness in the murder investigation. Williams and the police worked closely together to locate “Popeye.” They then found Popeye and had her choose a suspect, without further explanations as to what Popeye was being placed under investigation for, nor the proper explanation as to what was going on. At first Popeye was unsure of who it was but later chose Andre as the suspect. During the trial, the prosecution or defense never called Popeye to testify and neither of Andre’s defense lawyers used Popeyes initial identification of the other man in the line-up in Andre’s defense (Innocence Project, 2023).

Outcome

Andre was tried twice for the crime, with Williams being the sole witness to both trials, having claimed to have observed Andre on a dark rainy night from 30 to 40 feet away. The court declared a mistrial of the first trial due to the defense counsel’s ineffective representation of Andre. During the second trial, Andre himself testified in his own defense and presented an alibi witness. Neither attorney presented Andre’s medical records, which show that it would have been virtually impossible for Andre to have committed this crime as Andre was recovering from gunshot wounds to his throat and leg. Throughout the trials, Williams claimed that he never received a deal from the state in exchange for his testimony, even though the burglary charge that Williams was in the precinct for when he first came in was dropped after he claimed to be an alleged eyewitness. During the second trial, Andre was convicted of second-degree murder and sentenced to 25 years to life based almost entirely on a single witness and testimony of Williams (Innocence Project, 2023).

Psychological, Legal Contributions and Factors

Possible psychological or legal factors we see throughout that might have affected Andre Hatchett's trial, is that for Popeyes' hesitance that the Lineup Instructions could have played into the part of suspecting Andre's selection on the murder. How, that the lineup could have provided bias, having Popeye essentially choose Andre even when they were unsure. There was a possible Match to Suspect as well as a Match to Description. By having all the suspects line up simultaneously, Popeye as well as Williams were unsure of who the suspect was. We see Williams choose a different suspect as well as Popeye being unsure of who the suspect was as well. There was also a possibility of confirmation bias, "we think that this is the suspect," or having tunnel vision only for Andre. There is also a possibility of coerced-complaint false confession. How, Popeye was unsure on who the suspect was, but again, only chose Andre as the culprit because of possible bias from the police or from Williams.

Another factor we see is that there were several key witness attributes and motivations. How Williams motivation was being exempt for the burglary that he was being arrested for, when he first came into the police precinct. Another attribute is environmental attributes during the crime. How, during the night of the crime, it was a dark, rainy night. The murder happens at around 10:00PM to 11:00PM at night. The eyewitnesses stating that they were 30 to 40 feet away from the crime as well. So overall, both environmental attributes, and vision (how far they were from the crime) also played a big role in this case. However, we see from these observations that the overall credibility and confidence of the witnesses were extremely low, but seeing as how there were no other eyewitnesses, they still chose to use Williams as credible evidence. Although initially, the DA's office was doubting William's selection on Andre the entire time. We see that throughout the trial, there was obvious ineffective assistance from the counsel. How the first trial

itself was an overall mistrial solely because the defense counsels were that inadequate with their defense, causing/needing a second trial to take place.

Policy Reformation Proposal

Using eyewitnesses today has progressed much farther compared to the way eyewitness testimonies were used in the past. Unfortunately, during Andre Hatchett's trial, there was no proper care, nor the correct information or "way" to do a proper eyewitness examination and interrogation. After doing extensive, the proper way to conduct eyewitness testimonies is to have the victim be informed of these five things: The investigators are to inform the victim that person/culprit might not even be present, the individuals in the lineup should come one at a time rather than at the same time, the investigators or officers should not say anything that might cause a bias towards a certain person or direction, the lineup is composed in a way that the suspects are not standing out, and that the presentation of a single suspect should be emphasized (Clark 2012; Wells 1984). By having proper care for eyewitness testimonies, this allows the assurance that the officers, interrogators, and the witnesses themselves aren't proceeding with their selections with any bias.

By following these five proposals, this limits the possibility of any outside interference with the victims choosing any possible suspects, as well as ensuring that the victim does not choose at random, feeling as if they had to choose someone, when the possibility of the actual culprit was not actually in the lineup as well. During eyewitness testimonies, we have found that the person that they choose is the person that closely resembles the image that they have conjured up in their minds. How during the night of the crime, outside factors could have altered the image of the actual person. How the intensity of the stress during the crime, outside of the crime, anxiety that might have developed after the crime, overall forgetting the person's face

because of how long it might have been, as well as possible personal bias that the victim might have had before the crime could all be factors in their testimonies (O'Neil 2025; Glomb 2022).

Other policy reformation proposals that could have created a different outcome from this case are the mandatory disclosure of evidence, providing proper legal representation and investigation, forensic or DNA evidence, training law enforcement and prosecution officials. By requiring law enforcement to disclose all prior statements, identification history, and suspect information to the defense early in the process, this allows both parties to have a fair and even playing field with the necessary evidence, as well as ensuring that all evidence is looked at and examined. By having defense attorneys or counsels thoroughly investigating the case, including medical records, alibis, and potential alternative suspects or witnesses, this prevents the way on how the first trial was conducted as a mistrial during Andre's case. Continuing on, if they had used Andres medical records during the trial, they would have found that Andre was quite literally physically unwell and incapable of committing this crime, seeing as how Andre was recovering from bullet wounds to his throat, his leg, his right leg being in a cast, and needing the use of crutches to be able to be mobile. Of course, whenever possible, the use of DNA evidence and the support the eyewitness testimony with forensic, DNA, or other scientific evidence to ensure the accuracy of the identification as well as ensuring that there is hard evidence. By having regular training or continuing the training of law enforcement and prosecution officials, this would allow scenarios on what to do for a false eyewitness identification, suggestive police procedures, and recognizing bias during investigations or cases.

Aftermath

Andre Hatchett was thankfully able to work with the innocence project and was able to prove his innocence. He was able to be exonerated and freed on March 10, 2016. After being

exonerated, Andre Hatchett, who was 51 at the time after being freed, sued the city, detectives, and officers in March, stating that police misconduct and overall lack of inadequate defense was what led to his mis-imprisonment. Seven months after Andre filed a lawsuit, city lawyers decided that rather than going to court, they decided to pay Andre for the case. After negotiations, Andre was able to receive \$12.25 million in settlement in principle and as compensation.

Emma Freudenberger (Andre's lawyer during the settlement) stated that during the crime, he had no actual physical capability of committing the crime, as he was recovering from gunshot wounds to his throat and leg at the time. Using evidence that should have been used during the first two trials but is finally using medical records and physical evidence of his physical capabilities during the night of the crime. Unfortunately, while imprisoned, Andre's brother and his son died while he was incarcerated. Impacting Andre's mental health and emotional health, seeing as how he was never able to prove his innocence to his son and brother until after they had passed. With the money that Andre received from the federal court, they stated Andre was ready to put the last 25 years in prison behind, and to use that money to help move on and try to live a better, happier life (Keshner 2018).

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