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[Elizabeth Allen - A Lie In Search of the Truth \(or\) The Fruit of the Poisonous Confession](#)

In a hearing Thursday before 290th District Judge Sharon MacRae, defense lawyer Pat Hancock took a San Antonio Police detective to task for eliciting a confession from Hancock's client, capital murder defendant Ronald Wilson.

Hancock wants the DVD confession suppressed for a couple of reasons, but perhaps the most interesting one is the fake fingerprint document argument.

While Detective Raymond Roberts was interviewing the suspect, he showed him a piece of paper from the Bexar County crime lab that purported to match fingerprints from the scene to Wilson.

Except that no legible fingerprints were found, and Roberts had typed up the document himself. And as Roberts used the document to lean on Wilson - we got you, he told him - Wilson's resolve collapsed, he put his face in his hands, and he began to talk.

"So you fabricated this document to get a confession from this guy, didn't you?" Hancock asked.

Roberts said he was looking for either a confession or confirmation of innocence - either one would have satisfied him.

Detectives are allowed to lie and deceive people in order to get confessions. But this, Hancock said, goes too far.

He carried the [Texas Penal Code](#) to the stand and had Roberts read Section 37.10 Section A2 out loud. It describes presenting a fake government document as real, and states that it is a misdemeanor under most circumstances.

"That's exactly what you did, didn't you?" Hancock asked.

"I think that's stretching it," Roberts replied.

The confession led to the recovery of a weapon, so that evidence should be suppressed as well, Hancock said.

So what you're saying, MacRae told Hancock, is that the located gun "is the fruit of the poisonous confession."

Yes, Hancock said.

"I will let you know next week," the judge said.

And we shall do the same.

Â§ 37.10. TAMPERING WITH GOVERNMENTAL RECORD. (a) A person commits an offense if he:

- (1) knowingly makes a false entry in, or false alteration of, a governmental record;
- (2) makes, presents, or uses any record, document, or thing with knowledge of its falsity and with intent that it be taken as a genuine governmental record;