

Questionable Tactics

So what evidence was used to convict Rodney Lincoln of this heinous crime? ONE SINGLE HAIR that DNA has now excluded him as being the source of. AND eyewitness testimony.....

This eyewitness testimony was flawed from the beginning and it only got worse as policy and procedure was either overlooked, altered or ignored at each step along the way.

Original ID

The only eyewitness was a 7-year-old child who had just lost her mother and had been horribly attacked. In addition to the horror, pain, fear and anxiety the child had to be feeling it seems no one took into consideration the environment. The attack happened in the middle of the night. There were no lights on when her uncle and her mother's boyfriend found her the next morning. In fact, even in mid-day the house was so dark that emergency personnel had to open blinds and turn on lights to work on the girls. How in the world was she able to recognize ANYBODY in that dark, horror-filled house during the attack?

Yet she seemed to know exactly who did this. Her first story was that "Bill" did it. She stuck with this story for a month with one exception. The day of the attack her older sister asked her at the hospital if "Gary" did it and she responded, "Yes".

Other than that one time her steady mantra during the first month of the investigation was that "Bill" did it. She never wavered from that and she gave many details about "Bill". He drove a yellow taxi. He lived in Illinois near her father. He had a fat mother. He had many puppies and kittens at his house. He had mean eyes and he was scary. He had been at their house a few days before the attack and worked on her mother's car. He lived across a street from a playground in the middle of a large park that was surrounded by curvy streets and houses everywhere. He looked like a family friend named Dennis Smith but wasn't him.

During this first month the lead detective became her hero. He visited her every day, often bringing candy. he listened to her. He told her he was going to find the man that did this, find justice for her, and for her mom and sister. He brought many photographs for her to look at, always in groups of ten or more. She never found "Bill".

Composite Sketch

Approximately a month after the attack the child was taken to the police station to do a sketch. In a completely unconventional move, the sketch artist did not start with a blank piece of paper. He started with a sketch of Dennis Smith and asked the child what changes to make so the sketch would look more like the killer. When this sketch was released to the media her

aunt and uncle told police it reminded them of someone but they didn't know who. They never did come up with a name. Instead the detective read names from the victim's address book, suggesting names to them. When the detective read the name "Rod" the victim's brother took the suggestion. Well, sort of anyway..... He said it looks kind of like a guy she used to date named Rod. But that the hair should be longer, the eyes more wide set and the face thinner. The detective called the number, spoke with Rodney and found that he had dated Joann briefly the year before. After running a check on Rodney's name and social security number he found that he also had a record. He had served time ten years before this for a 2nd degree murder conviction. GAME OVER!!!!!!!!!!

The Last Photo Spread

The detective took a recent color photo of a cousin of her older sister and the ten-year-old black and white mug shot of Rodney from his previous conviction to the girls and asked them to pick out the bad man. (That's right, two photos after all previous photo arrays had at least ten). Well the 7-year-old picked Rodney's picture. Yes, a mug shot DOES look like a bad man! Yes, she knew his face from somewhere. He had dated her mother the previous year. And yes she knew the other picture was her sister's cousin. The detective did tell her that the man's name was not Bill, it was Rod. The little girl still said he was the bad man.

Line-up

A mere two hours after being shown this photograph these children were taken to the police station to look at a line-up. The line-up consisted of Rodney and three men who were all at least fifteen years younger than him. They were all three taller and heavier than him. None of them had hair similar to his (or to the composite sketch) in color or style. When going into this line-up the seven-year-old victim was told BY HER HERO DETECTIVE that she MUST pick out the bad man, that if she didn't pick out the bad man her attacker may go free. She was NEVER given the option that the bad man was NOT there.

Children are taught to obey police officers. Children want to please the people they respect. This was a scared, traumatized, manipulated child. She picked the only face from the four in the line-up that she knew, the only one that looked remotely like the sketch she had helped create. She picked the ONLY choice she had!!!!

Once this "identification" was made, this case was solved as far as the police were concerned. Rodney's fate was sealed. It no longer mattered that Rodney did NOT drive a yellow taxi, live in Illinois, have any puppies or kittens, have a fat mother, had not been to her home in over eight months and had never scared her or threatened her in any way when he dated her mother. It did not matter that the park that Rodney lived across the street

from was just a small city park surrounded on all four sides by absolutely straight streets, only one having houses on it. It did not matter that she had never called, or heard anyone else call Rodney "Bill" or anything other than Rod.

She had done what she was told to do. She picked a man, the only man she recognized, the only man she had been shown a picture of, the only man who came even remotely close to the man she described.

I am sure her hero detective was very pleased! And I am sure he did not tell her that this man had voluntarily submitted to questioning, fingerprinting, hair, blood, and saliva samples, body search, participation in a line up and a lie detector test.

I am sure he did not tell her this man was INNOCENT!!!!!!

Just a few other key points about the eyewitness "identification"

The detective also testified at trial that the four-year-old victim looked at the line-up and buried her face in his shoulder, afraid to look. Yet, the police report from that day states simply that she did not pick anyone.

The first several times the child was shown the park across the street from Rodney's house she did NOT recognize it as the park across the street from the killer's house.

AFTER Rodney was arrested the lead detective contacted the social worker at the hospital and told him there were problems with the investigation and that they may need him to work with the girls on identifying the picture.

When the child was asked during her deposition if she had ever seen Rodney between the time he dated her mother in the summer of 1981 and the time she identified him at the police station, her response was, "No".

An interesting fact about Rodney that never came up during the identification process or the trial is that he is missing a finger on his left hand. This fact is never mentioned in police reports or trial transcripts. Yet in 2005 when the lead detective from the investigation visited the journalism class at Missouri State University that was investigating the case he told them the following story:

While they were preparing for trial back in 1983 the victim services advocate took the girls out for dinner one evening. After the waiter took the orders the older child became very quiet and withdrawn. When the advocate asked her what was wrong she responded that she was scared of the waiter because he was missing a finger like the "bad man". Now if this were true, WHY would it NOT have been brought up at trial?????