

The Fall Guy

By Jace Zhang and Curtis Brodner

Police said they approached Amadou Diallo because they suspected he was a serial rapist who had been terrorizing the Bronx and Harlem for six years. A judge later blamed the real rapist, Isaac Jones, for Diallo's death. Was Jones really responsible?

TRANSCRIPT

Cold open

C: It's the day after Valentine's Day in 1999.

MUSIC IN

Isaac Jones throws a bracelet out the window of his car.

J: His fiance had tried to sell it to a pawn shop in the Bronx, but the woman behind the counter wouldn't buy it. She says it's a fake.

That piece of jewelry had been stolen during a rape. A rape that fit a pattern of serial attacks on women in the Bronx and Harlem.

C: When cops came by the store to ask if the clerk had seen the jewelry, she told them about the fake she saw, and police set up surveillance.

The rapes had been happening for almost six years, but that valentines day, the cops had a renewed sense of urgency. They needed to solve this case.

MUSIC OUT

Just 11 days earlier, four white police officers shot an unarmed Black man to death.

ABC: Amadou Diallo was unarmed, shot to death by four new york city police officers. The men are all members of the elite street crimes unit.

J: The police officers who killed Amadou Diallo say they stopped the man because they suspected *he* was the serial rapist.

ACCUSED SERIAL RAPIST ARRAIGNED (4/8/1999): Police say the four street crime unit officers were looking for the Bronx rapist.

Two months after Amadou was shot and killed, Isaac Jones was back outside the pawn shop. His fiancée was selling another piece of jewelry. But this time, the cops were waiting for them.

ACCUSED SERIAL RAPIST ARRAIGNED (4/8/1999): Police say the man they believe is the Bronx rapist was brought out of the station house in handcuffs. Police say he is 38-year-old Isaac Jones of the Bronx and he is responsible for 51 attacks on women in the Bronx, upper Manhattan and Westchester county since 1993.

C: Police had finally caught the Bronx rapist.

For years the rapist had eluded them. But just two months after Amadou's death – cops arrested him.

J: Isaac Jones was convicted of robbery and rape, he was sentenced to almost 500 years in prison. When the judge read his sentence, he asked: Would Amadou Diallo be alive today if not for your activities here in the Bronx?

Jones told reporters that he was just the fall guy.

Was Jones really responsible for Amadou's death? Why was he arrested so quickly after the Amadou killing? And were police telling the truth when they said they mistook Amadou for Jones?

J: This is Shoe Leather, an investigative podcast that digs up stories from New York City's past to find out how yesterday's news affects us today.

C: This season, we're going back to 1999 to tell the story of Amadou Diallo, an unarmed Black man who was killed by four white police officers. They fired 41 shots into the doorway where he stood. 19 hit him – the first one likely killed him.

THEME MUSIC IN

C: We listened to hours of court testimony and obtained hundreds of pages of court records related to Isaac Jones in order to better understand a man who was able to get away with attacking more than 50 women – terrorizing the Bronx for nearly six years. And to understand what the cops tried to do about it – before AND after Amadou Diallo's death.

J: I'm Jace Zhang

C: And I'm Curtis Brodner

This is Shoe Leather, season five, After Amadou. You're listening to The Fall Guy.

THEME MUSIC OUT

SCENE ONE: – ISAAC JONES TERRORIZES THE BRONX

J: It's October, 1994. Two women are leaving a nightclub in the Bronx and making their way home. They see a man on the sidewalk. He's wearing a black hooded sweatshirt and a scarf around his face.

He walks towards them and pulls out a gun.

He waves it at them – tells them to do what he says.

C: The two women take off their jewelry and hand it to the man.

But that's not the end.

He grabs one by the arm. Tells them both to go down a driveway and face a wall in someone's backyard.

He rapes one of them at gunpoint, even after she tells him she is five months pregnant.

J: This isn't the first time this man has committed such a crime. And it won't be the last. News of the Bronx rapist starts to circulate in the community.

Reporter: Did you know that there was a Bronx rapist out there?

Interviewee: Yes, I've known it. One time we stop and they gave us a little flyer to pass out for the Bronx rapist. I've known it.

Reporter: Were you ever concerned?

Interviewee: Yes, I sure was, I'm a woman too I don't want him to attack me.

Police don't know his name yet. And they won't for another five years...

They'll eventually see his pattern – that he wanders the streets early in the morning – sometime around 5 a.m. After he gets off work as a janitor.

He stalks women and then threatens them with a gun and steals their jewelry.

He never lets his victims see his face. He always tells them to cover their eyes and turn around before he rapes them. He threatens to kill them if they talk or resist.

C: The women describe him as an African American man. Light to medium build, between 5 foot 4 and 5 foot 8. Approximately 140 to 160 pounds. He's usually wearing dark clothes.

The people close to him – his coworkers at the General Motors Building in Midtown Manhattan – have no idea about this man's secret life. They will eventually tell police he was well liked. He's friendly, jokes with people.

He is even engaged to a woman with a young daughter.

His fiancée sometimes helps him pawn the stolen jewelry with a fake ID.

MUSIC IN

J: This man attacked more than 50 women over six years mostly in the Bronx and Harlem.

But somehow – he was hardly noticed by the media.

It wasn't until February 1999 that cops would finally find SOMETHING that would lead them to – Isaac Jones.

But Jones' brutalization of women would not be his only crime. At least not according to the judge who sentenced him.

Isaac Jones would be blamed for the death of a young man he never met.

But their paths crossed on a dimly lit doorway in the Bronx in February 1999.

MUSIC OUT

SCENE TWO – POLICE KILL AMADOU DIALLO – SAY THEY THOUGHT HE WAS THE RAPIST

C: Amadou Diallo has just gotten off work

He's 23 – he's been making his living selling video tapes on the sidewalk – sometimes for 10 or 12 hours a day. Six days a week. He's new to this country – an immigrant from Guinea.

He takes the subway from lower Manhattan to his apartment on Wheeler Avenue in the Soundview Section of the Bronx.

Sometime after midnight – Amadou stands in the doorway of his apartment. It's not clear whether he's coming or going – perhaps stepping out to get a late night snack- something he's done before.

J: At around the same time an unmarked police car is patrolling the neighborhood.

There are four officers inside – None of them are in uniform.

They are part of a special NYPD force called the Street Crimes Unit. Their job is to patrol in high crime areas. Stop people who look suspicious before they commit a crime.

C: The four officers turn the corner and enter Wheeler Avenue because one of the officers says, he notices someone standing in front of an apartment building. The officers are still in their car, but that officer would later testify that there's something suspicious about the way a man is acting.

“What made you suspicious, can you tell us please?”

Carroll: he was peering up and down the block and the way he he. It would appear to me that he slinked back into the vestibule. And then, as we were backing up his head, peering out and keeping a vigilant eye on us, looking. And I'm looking backwards and I can see him. He's looking at us

J: The man they see is Amadou Diallo, He is not tall -about 5 foot six. He's got a slight build – about 150 pounds.

He's Black – with black hair neatly shaved to his scalp.

Carroll: First off, I said, well, he definitely resembles the description of the rapist, there's no doubt about it.

It was almost like he's trying to hide from us that he didn't want to be seen.

C: The unmarked police car stops. Two officers get out of the car and approach Amadou.

McMellon: I had my shield out my left hand. Closed the door, and I began walking towards Mr. Diallo.

McMellon: I held my shield up my left hand, which I always do. And I have. I have a phrase that I always use. Police department, city of New York. Can I have a word with you, please?

J: And the two officers think Amadou isn't cooperating.

Carroll: He had his left hand on the door and, his right hand, his left side is to us. His right side is digging. He's frantically opening, trying to get to that door. He's looking at us, looking at us. I'm saying, police, show me your hands. Show me your hands.

McMellon: I was moving towards him. I yelled, please don't move! And I began to, it's, move closer towards him.

C: The two officers are standing about 10 feet away from Amadou and one of them says he sees him reach into his pocket and pull out a gun.

Carroll: At that point? I learned. I just said gun. He's got a gun.

Carroll: At the point. I uh, everything started closing in on the object. Believing, believing that he had just pulled was about to fire a gun at my partner. I fired my weapon.

J: The officer empties his WEAPON. the three OTHER OFFICERS FIRE TOO. A TOTAL OF 41 shots.

19 bullets hit THE MAN, killing him.

Officers shot an unarmed man, and they took 41 bullets to do it.

41 bullets at an unarmed man.

41 rounds struck him over and over again.

41 shots that rocked the city and the NYPD.

It was a shooting that shocked the entire city.

MUSIC IN

C: Shortly after the shooting...Amadou Diallo's name will be plastered across newspaper headlines – it will lead the news in New York City and across the country...

The shooting of Amadou Diallo sparks waves of protests.

It was a shooting that rocked the city and the nypd. The shooting of amadou diallo sparked waves of protest.

It was a shooting that shocked the entire city.

In death, Amadou Diallo has become a symbol.”

People chanting: Amadou! Amadou!

People invoke the African immigrants name in the crusade against police brutality.

In the months that follow that night, Amadou Diallo will become a household name. Isaac Jones – the rapist who's been on the street for almost six years – is still on the loose.

MUSIC OUT

SCENE THREE – mistaken identity

J: The day after Amadou Diallo is killed – about an hour before sunrise. Isaac Jones is walking down a Bronx street.

Perhaps he had just gotten off work. He works night shifts as a custodian at a big Manhattan office building. He's wearing a stocking over his face.

MUSIC IN

And he's holding a gun.

C: Meanwhile, a young woman is walking to a subway station. She walks through a quiet neighborhood near a large park. Past the two-story brick townhouses. And then past a church. It's cold. Just above freezing.

Jones bumps into her as she walks past. He stops. And points the gun at her chest. He demands she walk down a dark driveway – it's the same pattern dozens of women have faced in the Bronx for years.

At the end of the driveway, the young woman collapses to the ground in front of an abandoned car. Jones tells her to stand up. But when she starts to lift herself off the ground, he shoves her back down.

Jones gropes the woman and steals her jewelry. Some cash. The MetroCard she was going to use to get to work.

Jones tells the woman to wait on the ground for ten minutes. Then he runs away.

MUSIC OUT

J: By now the NYPD knows the rapes in the Bronx are connected. Police say they identified the pattern in 97.

Dr. Mechtilde Prinz was working for the NYC Chief Medical Examiner's office at the time. She tested DNA samples in rape cases. And she says, there was a concerted effort to find the Bronx rapist.

Prinz: it was definitely the most persons of interest that I had seen back then. It must I guess it must have been 98, 97, 98. So I was at least 40 or 50 suspects

Prinz tested cheek swab samples from each of those suspects. As many as 50 of them over a two year period. None of them matched the semen collected in the rape kits.

But Prinz would eventually find the match. Just two months after Amadou Diallo – the young man standing in the doorway – was killed.

Landing the suspect wouldn't be the result of six years of detective work, though. The DNA evidence Prinz was testing would be important for confirming Jones was the rapist, but it was a simple matter of searching for the stolen jewelry that would land him in cuffs.

SCENE FOUR – ANOTHER ATTACK

C: On Valentine's Day 1999 – less than two weeks after Amadou Diallo is killed – there's another attack.

This time two women at Nicholas Avenue in Uptown Manhattan.

Again, the perpetrator is a man dressed all in black with a black hat wearing a black mask. and HE'S GOT A gun.

He steals the women's jewelry, – chains and bracelets. He then rapes one of them.

MUSIC IN

J: A day later, Isaac Jones asks his fiancée to go to the pawn shop – He wants her to sell a bracelet.

The pawn shop is about a 20-minute drive from their apartment.

Jones drops his fiancée off and waits outside in his green Toyota Camry.

When his fiancée gets back to the car she tells Jones the woman at the pawn shop says the bracelet is a fake.

Jones rolls down the window and throws it out and then drives away.

C: That same day, two police officers enter the pawn shop with a sketch of a bracelet like the one that had been stolen during the Valentine's day rape.

Like the one Isaac Jones' fiancée tried to sell.

The cops finally have a solid lead.

They set up surveillance at the pawn shop.

MUSIC OUT

Weeks go by. The four police officers who shot Amadou Diallo are indicted, and charged with second degree murder. Then just two weeks later, The police have a breakthrough in the Bronx rapist case.

SCENE FIVE — THE ARREST AND AMADOU'S TRIAL

J: In April 1999, Jones asks his fiancée to sell some jewelry at the pawn shop again. But this time, the cops are watching.

Four detectives walk into the shop and arrest her in the middle of the transaction. She tells them that she's pawning the jewelry for her boyfriend who's waiting outside.

Then two detectives walk out of the shop. One of them takes out a police sketch. It's a composite drawing of the Bronx rapist.

The detective notices a man sitting in a green Toyota Camry across the street.

The detective says the man sitting in that car has a pencil thin moustache like the one in the sketch. His cheekbones are pronounced too – just like the sketch.

Two detectives then walk towards the Camry and arrest Jones. They bring Jones to the 48th Precinct and start interrogating him.

C: Jones denies everything at first. But he eventually confesses

He tells the cops:

He would become enraged if women turned down his advances.

He usually drives around, searching for women he wants to rob and rape.

He always takes gold jewelry because it's easier to pawn than silver.

Sometimes he used real guns. Other times he'd use fakes.

He would spray paint the fake guns to make them look real.

Jones even consented to give a blood sample.

HIS DNA matched in at least 17 rape cases in the Bronx and Manhattan from over six years.

The NYPD held a news conference to announce, they finally caught the man they believe is the Bronx rapist.

NYPD spokesperson: We're able to collect DNA evidence in 17 cases, again going back, over the six years. Tuesday evening a DNA sample was taken from Mr. Jones, in comparison to the DNA evidence we have collected. This morning we're here to announce that... Each of the 17 DNA samples we've found matched to that of Isaac Jones. In other words, we have 17 positive kits of DNA evidence leading back to Isaac Jones as the rapist.

J: Finally, after six years of terrorizing dozens of women in the Bronx and Harlem – the Bronx Rapist is caught.

The officers who arrested Jones would get awards for their efforts – even though it took the NYPD six years to catch him.

Meanwhile, the four police officers who mistook Amadou Diallo for Isaac Jones are about to go on trial for second degree murder.

COURT CHATTER FADES IN

JUDGE CALLS COURT TO ORDER

C: When the trial begins, the cops' defense partially hinges on a case of mistaken identity – they say they believed they were approaching a serial rapist who was armed with a gun.

Sean Carroll is the officer who first pulled the trigger that night. He has chubby cheeks – as though he's never lost his baby fat. At 36 – it makes him look younger than he is.

He tells the court the rapes were a focus for his unit.

Carroll: The rape pattern was always in our mind, it's why the midnight tour for the street crime unit was formed. It was constantly updated on information.

J: Wanted posters instructed cops to look for a Black male. 5 foot 6 to 5 foot 8. 130 to 150 pounds. It's true Amadou Diallo fit this description. He was 5 foot 6, 150 pounds and Black. But so were a lot of men in the Bronx.

MUSIC IN

Amadou Diallo and Isaac Jones have the same build and skin color. But that's about where the similarities end. Carroll had a poster with a police sketch of the rapist in the front of his police car.

C: We're not sure which sketches Carroll had in his car. There were multiple versions. But one sketch from the time shows a light-skinned Black man with a pencil mustache. His eyes are narrow. He has a long face with prominent cheekbones and dimples that make him look gaunt.

The man in the poster looks nothing like Amadou. Amadou has a round, full face. It contrasts with the man's angular features in the sketch. Also, the two men have different noses, and Amadou has no mustache. It's hard to imagine mistaking the two men.

Here's the prosecutor in the case questioning Carroll on the stand.

Prosecutor: Isn't it fair to say that Mr. Diallo did not look at all like the serial rapist, other than he was a male, Black, approximately 130 to 150 pounds?

Carroll: On this particular photograph of the one that you handed me? There is a minimal resemblance to Mr. Diallo.

MUSIC OUT

J: Not that it mattered whether Amadou and the sketch looked similar. It was dark when the cops approached Amadou Diallo. And when they first spotted him – they were seven or eight car lengths away....

Prosecutor: Were you able to make out Mr. Diallo's features from where you were standing and looking in?

Carroll: At that point it only looked like a male. Which I couldn't tell whether it was Hispanic or Black. Wearing dark clothing and some kind of hat. Wool hat.

Prosecutor: Well, I think before you said Mr. Diallo resembled the rapist somewhat.

Carroll: I said because of his height and proximal weight. There was a, somewhere along the lines of the match, the description.

C: Ida Vincent was an ear witness to the shooting. Like an eye witness who only heard the events.

Sitting on the witness stand, she wears her straight, black hair in a bob with a simple, white blouse.

She was sitting by a cracked-open window in her apartment the night of Amadou Diallo's killing. She says she heard the cops open fire on him WITHOUT issuing any commands like "stop" or "freeze." But she also heard a fragment of conversation AFTER the shooting stopped.

Vincent: Oh s-h-i-t. Okay, okay, we're just going to say this.

Vincent claimed she heard the officers getting their story straight after shooting Amadou – though she didn't hear what was said after that. And the prosecutor who called her to stand didn't follow up on that line of questioning.

The department said police were already under pressure to find the rapist by the time they killed Amadou. And they were in an area where Jones had raped people in the past.

J: Sean Carroll testified he had three separate sketches for the rapist in his car at the time of the shooting. But there were hundreds of other stop-and-frisk stops he carried out as well that he testified had nothing to do with the rapes.

Prosecutor: Is it fair to say that of all your arrests, none of the rest of the 100 arrests you've made were motivated by or initiated by this rape pattern?

Carroll: That is correct.

Prosecutor: And is it fair to say that with respect to all your stop and frisks, that none of those were motivated or related to this rape pattern.

Carroll: I believe that's correct, yes.

Carroll says the midnight patrol he was on when he killed Amadou was specifically started to find the rapist.

And Amadou looked suspicious to him.

C: But Amadou was standing in his own doorway. He wasn't doing anything illegal.

Carroll testifies that when they first spotted Amadou, they weren't even close enough to make out his features.

That left only a range of height and weight as reason to identify him as the rapist.

The police were in plain clothes. And they say they identified themselves as cops. But witnesses testified that they didn't hear that identification.

Prosecutor: Could you tell us what you heard?

Eye witness: Loud voices. As far as specific words. No, I didn't hear. I didn't hear any specific words. You didn't hear him? I'm sorry. I'm sorry.

Prosecutor: Did you not hear any police commands? You know the typical police don't move.

Eye witness: No, I, I heard loud voices, borderline yelling and, what was said? What a context. The words, I don't know.

SCENE SIX

J: The trial lasts for almost a year. In fact, it's still going on when Isaac Jones first goes to trial in the Bronx.

The cops connect Jones to 51 rapes. But prosecutors only bring charges against Jones for rape, robbery and sexual abuse in 29 attacks on women.

C: The scale of Jones' crimes is enough to carry the media's attention. But the connection to the Amadou Diallo killing is a constant presence in news coverage as well. The shooting happened less than a year ago, and the officers are still in court when Jones' trial starts.

At the trial, Isaac Jones' lawyers use the Amadou killing to argue police got the wrong guy.

Their argument goes something like this, according to Michael Mannheimer – one of the lawyers who represented Jones on appeal.

Michael Mannheimer: The police were under so much pressure, after the killing of Diallo, that there was so much pressure to capture the Bronx Rapist that they just arrested some guy and framed him, basically.

J: Jones' trial lawyer argues police conspired to frame his client. He says they needed to alleviate the pressure on the cops for shooting an unarmed Black man.

But Jones was a DNA match for evidence collected in 17 rape investigations.

His lawyers raise the idea that the DNA evidence had been tampered with, but failed to provide proof. And frankly, the allegation is a little absurd once you understand how the DNA testing process works.

MUSIC IN

C: In order to frame Jones, the people doing the testing would have needed access to his DNA when they first tested the semen samples from the rapes. The problem with this theory is that the samples were collected and tested years before Jones' arrest. They would have needed to take DNA from this random man, contaminate 17 semen samples over the course of years and fabricate the jewelry sting to arrest Jones. It strains credulity.

Here's Dr. Mechtilde Prinz, the woman who did the testing.

Prinz: All those profiles were already reported out prior to his arrest, and all the other people did not match. And he's the only one who matched. So that wasn't all that was. You can't manipulate a case if you don't even have a suspect yet. In which direction are you going to manipulate?

J: The police investigations show Jones had been stealing jewelry during rapes as early as 1994. And his fiance had sold stolen jewelry at the same pawn shop she was arrested at as early as 1995. That's FOUR YEARS before Jones' arrest.

We tried to find eight officers we know were involved in the Jones investigation. Some are dead, some we couldn't track down and some never returned our calls or emails.

We also filed a Freedom of Information request with the NYPD for records from the investigation. But the cops cited a law that allows them to withhold any document that would require redaction. They refused to give us the records.

That means we don't know why police weren't able to reach the pawn shop earlier.

MUSIC OUT

That store was a 30-minute walk from at least one of Jones' attacks. A 20-minute drive from his apartment.

C: In February 2000 – one year after Amadou Diallo was killed, The four officers charged with murdering him are acquitted of all charges.

Months later Jones' is found guilty of most of the charges against him.

In total, he's sentenced to 491 years, three months and six days in prison. During sentencing at his first trial, the judge asks:

"Would Amadou Diallo be alive today were it not for your activities here in the Bronx?"

SCENE SEVEN – Epilogue, Jones correspondence

Voice memo -: Jace: Hey.

Curtis: Hey, Jace. How's it going?

Jace: Doing good. How are you?

Curtis: Good, good. So I just heard back from Isaac Jones. He just sent a message back.

Jace: What?

Curtis: Yeah, right?

Jace: Oh, what? What did he say?

Curtis: Here, I'll read you the. I'll read you the message. And so he says, hello, Curtis or Jace, I must apologize for my reluctant at getting back to you, but it's been a long and hard road for me. Dip audio under and bubble up to line up words with summary.

In the email, Jones maintained his innocence. He said that during the Rudi Giuliani administration, there was pressure on the police department to make arrests.

[bubble: During the Rudy administration, there were a lot of pressure on the NYC Police Department]

He said the cops threatened his fiance and his daughter which is why he confessed.

[bubble: they was going to send the woman that was with me to a long jail time. And they said, it doesn't look like she can handle the time. And they brought up my daughter, and that's when I gave in]

He didn't mention the DNA evidence.

Jace: Oh my god I'm literally sweating right now.

Curtis: Yeah. So, obviously I'm gonna send a message back.

I sent a message back that night. I told Jones that we had just obtained some of his court records from the Bronx, and that we wanted to call him on the phone to ask him about some of the information we found.

J: He said he didn't feel safe talking on the phone.

We wrote back and forth for months. 12 letters between us.

We pushed for an in-person meeting at Attica Prison in Upstate New York. Jones was nervous about the idea of an interview. He said he was consulting with his family members about what he should do.

He questioned our motives.

C: "Let me ask you a question," he wrote. "Why me? And why after all this time, why after all my pain and struggles, what do I get out of all this, besides more sleepless nights?"

J: We explained why we cared. About how understanding his story was important for understanding the killing of Amadou Diallo.

In a follow up message in April, we asked Isaac Jones if he agreed with the judge who sentenced him – that he was responsible for Amadou’s death.

C: Does he feel guilty?

He’s yet to answer back.

THEME MUSIC IN

J: Shoe Leather is a production of the Columbia Graduate School of Journalism. This episode was reported, written and produced by ME – Jace Zhang – C: AND ME – Curtis Brodner.

Joanne Faryon is our executive producer and professor. Rachel Quester and Peter Leonard are our co-professors. Special thanks to Columbia Digital Libraries.

Shoe Leather’s theme music – ‘Squeegees’ – is by Ben Lewis, Doron Zounes and Camille Miller, remixed by Peter Leonard.

J: Other Music by Blue dot sessions. Our Season five graphic was created by Indy Scholtens with help from Serena Balani.

THEME MUSIC OUT