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Rape suspect's parents picket for his release Inmate, 16, contests police account of July 5 incident

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By JOHN WHARTON

Staff writer

The family of a St. Mary's teenager protested Thursday against his continued custody in the county jail without bond after an original rape charge against him was replaced with a summons, leaving him in legal limbo.

In a phone call from the jailhouse that morning, 16-year-old John K. Edison Jr. asserted his innocence to the charges from the alleged incident early last month at his Great Mills home. Initial charging papers alleged he disrobed a 12-year-old girl and had intercourse with her despite her efforts to push him away.

Edison's lawyer requested an emergency bond hearing for his client Thursday morning as the family gathered outside the county courthouse in Leonardtown.

The motion states that new evidence released by prosecutors would have gotten the case thrown out at a preliminary hearing last month, and that the facts in the case were "misstated" in police accounts.

"People don't pay attention to the paperwork. People don't look at the evidence," Edison said Thursday morning. "They have the paperwork sitting in front of them the whole time to get me out of jail."

The girl alleged that Edison engaged in additional sexual activity with her, and later struck her with a belt, St. Mary's detective William Raddatz wrote in a statement of probable cause.

The suspect initially said he had not been with the girl, but the charging papers allege he eventually said they may have had sexual contact when she backed into him, and that he unlawfully fondled her.

"All they tried to do was put words in my mouth," Edison said, disputing the accuracy of the charging papers' account of his statement.

About a dozen people took part Thursday in holding signs outside the courthouse, generally directed at getting the teenager released from pretrial custody.

"Enough is enough," Alice Gaskin, Edison's aunt, said. "We have to do something."

The request for the bond hearing had not been granted by midday Thursday.

Edison had been scheduled for a bond hearing in the case on Wednesday afternoon in St. Mary's District Court, where St. Mary's Assistant State's Attorney Joseph Staloni said the original charges had been replaced by new ones filed downtown in circuit court.

"We no longer have any jurisdiction," District Judge John F. Slade III said. "Any pretrial release will have to be addressed by the circuit court."

The charges filed by Staloni that morning in circuit court from the July 5 incident include second-degree rape and a second-degree sexual offense.

The charges were filed with a summons, as opposed to an arrest warrant, and call for Edison to appear in circuit court on Sept. 26 for an arraignment.

Defendants served with a summons are usually not jailed before their court appearance.

Defense lawyer Kevin J. McDevitt wrote in his motion filed Thursday morning that Edison is now being held in custody on a summons, in a case where juvenile services authorities have missed a deadline to file a report on his request to move the matter into juvenile court.

Edison's parents earlier said in an interview that their son had been scheduled to start a new job and a summer school program shortly after his arrest on the day of the incident, and that they have only been able to see him once a week for 10 minutes at the county jail ever since.

"Thirty-seven days is a long time to hold somebody with nothing," Doris Milburn said of the allegations against her son. "The real issue is, where is the evidence?"

John Edison Sr. said, "Let him out, so he can get an education. Let him out, and let them continue to do their investigation."

Gaskin, the teenager's aunt, also questioned the reliability of his alleged statements included in the original charging documents.

"They had that boy in there for three hours before they came out and told us what he said. [After] three hours, ... eventually I might get upset and say anything, too," Gaskin said. "This boy is innocent. He did not rape this young lady."

St. Mary's State's Attorney Richard Fritz said this week that detectives with the local Bureau of Criminal Investigations comply with the law in their interrogations.

"I've reviewed hundreds of cases through BCI, and they play it very close with any kind of statements that are made, to make sure the individual ... understands his or her rights," Fritz said. "Even if one is in [detectives' custody] for a lengthy period of time, that doesn't mean they're being interrogated for the full period of time."

The prosecutor added, "If any issues are raised, they will be resolved through the courts."



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Staff photo by JOHN WHARTON

John K. Edison Sr. and Doris Milburn hold signs outside the St. Mary's courthouse on Thursday to protest their son's continued pretrial detention on a rape charge that they contend is unjustified.

