

Not guilty?



Knox (above) was jailed for 26 years last Friday; Sollecito (below) received 25 years
Photographs: Max Rossi/Reuters; Getty Images



Italy, I learned important information about the case, some of which never appeared in the press. In my view, much of the press, British and American, has misunderstood the dynamics of this case.

When Mignini was in charge of a branch of the Monster of Florence investigation, allegations about his conduct were made. As a result, in 2006 he was indicted for abuse of office, illegally wiretapping journalists, threatening and harassing news organisations that criticised him, and obstruction of justice. The Florentine prosecutor assigned to his case, Luca Turco, said in court that Mignini had fallen “prey to a sort of delirium” and was “a person ready to go to any extreme defending himself from those who would criticise his investigation”. These were serious crimes and prosecutors asked for a 10-month prison sentence. For his part, Mignini has steadfastly denied the charges. Nevertheless, his trial proceeded in the usual slow Italian fashion; the verdict has not yet been announced.

When the murder of Kercher occurred in November 2007, Mignini, under the shadow of the charges against him, was nevertheless assigned to the case as the chief prosecutor. He accepted the responsibility with great vigour.

Knox’s role in this story begins in a pizzeria a few days after Kercher’s murder. Knox had attracted the attention of investigators with her odd behaviour following the murder, especially when they saw her kissing and cuddling with her boyfriend at the scene of the crime. The clincher came when a senior police officer saw Knox nonchalantly eating pizza a few days later. He told the American investigator Paul Ciolino: “I knew she was guilty when I saw she was eating pizza . . . If it were me, I’d still be in bed crying.”

Knox was asked to come to the police station for questioning. While waiting to be questioned, her odd behaviour continued – the Italian press reported that she did cartwheels. (She says she was doing yoga.) By the time the interrogation began, her behaviour had led police to suspect she had been involved

in the murder. The Italians are expert interrogators; they have many psychological tricks; they routinely break down mafia bosses. She was interrogated all night. According to Knox, the police told her they had proof she was at the scene of the crime; they screamed at her; they said her boyfriend (who was being interrogated at the same time) had implicated her; they struck her on the back of the head when she didn’t remember a fact; and they suggested to her the name of the killer (Patrick Lumumba). They repeatedly asked her to close her eyes and imagine how the murder might have occurred. After many hours of this, she had a “vision” of being in the apartment at the time of the murder, covering her ears to block out the victim’s screams. She signed two statements to that effect.

What really happened in that interrogation? Did the police strike her, pressure her, scream at her, lie to her, coerce and threaten her? The police and prosecutors have consistently denied that any of this occurred. The police, however, have never produced

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a video tape, audio tape or a transcript of the interrogation, despite many demands from the defence. At first they said they had lost the tape; later they said there was no tape; they had failed to record the interrogation. Nor did they have a transcript. Indeed, no record of this interrogation apparently exists in any form. (Knox and her parents are being prosecuted for libelling the police by claiming she was struck.)

What we do have are the two statements she signed. I have read those statements. They are written in perfect, idiomatic, bureaucratic, “police jargon” Italian. It is difficult to imagine that a foreign student, who had been in Italy for just two months, would have understood what those statements said, let alone made them herself.

The morning following the interrogation, a huge press conference was held. The chief of police, Arturo De Felice, announced to great fanfare that the killers had been identified. He declared the case “substantially closed”. They were Knox, her boyfriend, and the man she implicated, >>>

US crime writer **Douglas Preston** believes that Amanda Knox and Raffaele Sollecito played no part in the murder of Meredith Kercher. Here he explains why

One fine day in 2006, as I was strolling down the streets of Florence, my mobile rang. “This is the police,” a voice said in Italian. “Where are you? We are coming to get you.”

Thus began my little adventure with the Italian criminal justice system. I had been living in Italy and working on a book with the Italian journalist Mario Spezi, about a serial killer known as the “Monster of Florence”. Over a period of 11 years, the Monster had ritually murdered 14 young people making love in the hills of Florence. The investigation had become one of the longest and most expensive in Italian history, with more than 100,000 men investigated. The real Monster had never been caught, although many innocent people were jailed along the way. In our book, Spezi and I criticised a powerful prosecutor in the Monster case named Giuliano Mignini.

After that phone call, I was required to appear before Mignini, where he and several policemen interrogated me for almost three hours, in Italian, with no interpreter and no access to a lawyer. During the interrogation, Mignini accused me of several serious crimes, including planting a gun as false evidence to mislead police, obstruction of justice, and being an accessory to murder. He hinted that I might have had doings with a satanic cult. He

demanded I confess to these crimes and said that if I did not, he would indict me for *reticenza*, reticence, a form of perjury. When I refused to confess to these ludicrous and patently false accusations, he removed a tome from his bookshelf and, in a stentorian voice, indicted me on the spot, reading out the charges as a stenographer wrote it all down. He said the indictments would be lifted to allow me to leave the country, but they would be reinstated later. I took the hint and left Italy with my family the next day.

My co-author, Spezi, fared far worse: two months later, Mignini ordered his arrest and accused him of involvement in the Monster of Florence murders. Spezi spent more than three weeks in prison until an international outcry forced his release.

A year later, this same prosecutor arrested Amanda Knox and her boyfriend, Raffaele Sollecito, for the murder of Knox’s flatmate, Meredith Kercher. Because of my previous run-in with Mignini, I took a deep interest in the case; I read many of the original reports and perused the forensic and DNA laboratory results; I reviewed the videos showing the collection of evidence at the crime scene. Through Spezi and other contacts in

« Lumumba. Not long afterwards, it has been reported, a photograph of Knox was mounted on the wall of police headquarters in Rome, next to pictures of famous Italian criminals, Red Brigade terrorists, mafiosi and serial killers.

The “case closed” announcement proved to be embarrassingly premature. The crime scene had not been analysed. When the analyses did start to roll in, it was discovered that an unknown person’s DNA, blood and fingerprints were all over the crime scene, on the victim, inside her vagina, inside her purse, and elsewhere in the house. A handprint, in the victim’s blood, was found underneath the body - a handprint that did not belong to any of the three accused. They soon identified this fourth person as Rudy Guede, a drifter, small-time drug dealer and harasser of girls, who had fled Perugia on the night of the murder. He was captured in Germany and brought back to Italy.

On the other hand, no DNA belonging to Knox or Sollecito was found anywhere in the room or on the body.

Suddenly, it appeared that the authorities might have made a terrible mistake, arresting three innocent people. They freed Lumumba (who had an airtight alibi) and concentrated on proving that Guede, Knox and Sollecito had committed the murder together. They already had Knox’s quasi-confession. Now they needed hard evidence to back it up.

With Knox and Sollecito locked up, the police threw all their resources into retroactively gathering the evidence to prove them guilty. Many months and enormous sums of money were devoted to collecting this evidence, finding witnesses, and searching the crime scene again and again until they found what they needed. They never did find Knox’s DNA anywhere at the crime scene, but almost six weeks later they did recover a bra clasp that they said had Sollecito’s DNA on it. They found a knife in Sollecito’s apartment which they said had Knox’s DNA on the handle and Kercher’s on the blade. And they found a mountain of other apparently



The prosecutor: Giuliano Mignini talks to the press (above); the victim: Meredith Kercher (below)

Photographs: Reuters; PA

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damning evidence against Knox and Sollecito.

The prosecutors presented this mountain of evidence at the trial, which lasted almost a year. Knox’s and Sollecito’s lawyers patiently chipped away at it and, in the end, felt they had utterly demolished it - every pebble of it. Step by step, with sober, expert testimony and documentation, their lawyers sought to destroy the prosecution’s case. Why was so little of this refutation reported in the press? The details were highly complex, involving matters of science, organic chemistry and forensic technique. It did not lend itself to soundbites and dramatic revelations. Nevertheless, in the end, the defence team believed they had successfully shown that no reliable evidence existed - absolutely none - that placed Knox or Sollecito at the scene of the crime.

Despite the defence’s best efforts, the jury found the pair guilty. Why? I posed this question to my most knowledgeable contact in Italy, a highly connected person who knows whereof he speaks. Here is his opinion: “This verdict had nothing to do with the actual evidence. It’s all about *la faccia*, face. They had to convict her. Now, with the conviction, everyone has saved face, the judiciary, the prosecutors and police have been vindicated. There will be an appeal and she will be acquitted, and that will be done to satisfy the Americans. Then everybody will be happy. Of course, Amanda and Raffaele will be in prison for another two years, but that’s a small matter compared to the careers of so many important people.”

i Douglas Preston is a journalist who lived in Italy for many years and is co-author, with Mario Spezi, of *The Monster of Florence* (Virgin Books). He writes occasionally for the *New Yorker*, *Atlantic*, *National Geographic* and other magazines.