

NEWS RADIO WINA – "Sheriff Chip Harding | Displeased with ABC's 20/20 Program"

Albemarle Sheriff J.E. "Chip" Harding talks with Les Sinclair, February 12, 2018

For a decade, Chip has been a champion for using DNA to solve crimes. In 1997, when he discovered that Virginia's innovative DNA databank was producing few results because it had never been adequately funded by the General Assembly, he founded the group Citizens for DNA. Citizens for DNA lobbied the governor and General Assembly, which ultimately voted with strong bipartisan support to fund the Databank fully.

Since then, the Databank's rate of "hits"-when evidence from a current crime scene is matched with the DNA of a previously convicted criminal-from two or three per year to two or three per day. Furthermore, the Charlottesville-Albemarle area, in particular, has one of the nation's highest per-capita rates of crimes solved by DNA evidence.



Les Sinclair:

Let's talk about what happened on 20/20. 20/20 they're on ABC. There was a show on Friday, we talked about it, in fact I replayed our interview, yours and mine together. Talking about the fact that they actually came to town, 20/20 did, and talked to you about this DNA databank thing. What's your opinion of how 20/20 handled the Jens Soering case?

Sheriff Harding:

Not good. I was very disappointed. The other investigators working on this, the attorneys, and then we've got people in Germany and England who have been working on this for years. We are pretty disappointed in the way it was represented on the show, on 20/20. We didn't feel like it went into enough detail in showing why the evidence --- it's so much that was left out that they had given us the strong impression that they were very impressed with and were going to add to the show. Therefore, it was pretty disheartening. A lot of MY friends that watched it said that they couldn't tell whether he was guilty or innocent. You know, they didn't have an opinion based on the show, but when I talked to them about what the real evidence was and I sent some of them the letter I had sent to the governor. They sat with ME. I mean, they sat with my position, but they said they wouldn't have gotten it from the show at all. The show may have had a wide appeal to the average person watching in America. It had a lot of glitz to it. It almost had a GAME SHOW appeal at the end: 'We'd like to hear from you -- send your vote whether you think he's guilty or innocent.' And I'm going like 'You gotta be kidding me.' You didn't represent a good 75 percent of the evidence that is favourable to Soering. It was not represented on the show.

Les Sinclair:

And the last time you and I talked about that particular show, you had expressed hope that they were going to help educate people about this particular thing.

Sheriff Harding:

Yeah, that was the whole purpose of us agreeing to do it. They came in with just Detective Hudson and myself spending well over 8 hours, setting up all kinds of lights and cameras and went over the evidence piece by piece with us and some of it is pretty outrageous. And they thought so, at least they expressed that to us when we went over it. And then they showed none of that. Zero of that. But elected to show other things that weren't, in my opinion, relevant to his guilt or innocence. It may have been entertaining, but it didn't get to the crux of the matter. And Jens Soering is still sitting in – you know, it's nice for people to have a show like that, but I don't think it helped Jens Soering's case at all to educate the people on the true status of the evidence.

Les Sinclair:

Well, and your contention is really – and we talked about this before – so, your contention really is that if this crime had happened today, he would not even have been charged.

Sheriff Harding:

He could have been charged early on, because he did false confess to it, but aside from that, if you look at the evidence, no. I don't think it would support even a warrant for arrest. Certainly not a conviction. I'm not saying I'm always right and I don't want to sound arrogant, but I investigated hundreds and hundreds of felony cases when I was an investigator and I never lost a case, because the ones I felt like weaker and couldn't really strongly support a conviction, I didn't want to proceed with. And this one, the analysis of it, when we look at it, it wouldn't even be close to a conviction. But that's not the way it was presented on the 20/20 show.

Les Sinclair:

Is there another way for people to get more information about the Jens Soering case in particular? Because, if it's true that 20/20 did a disservice or didn't do a great service educating people, it seems to be there might be some people who are curious now and go 'OK, I saw that show, but what exactly is Sheriff Harding talking about?

Sheriff Harding:

Well, the easiest thing would be to go to our website, the Albemarle Sheriff County's website, which is www.albemarleso.org, but you can just google Albemarle County Sheriff's Office and if you go to the left bar, you see media and press releases and [my 19-page letter](#) and [Richard Hudson's letter](#) to the governor are there. I think I've got downloaded the [DNA letters](#). I know my letter is in there. And they could read that right on the internet or download it and if they got more interested, I'd be glad to send them more material.

Les Sinclair:

What I find interesting is that you really don't have any skin in this game. There is no reason for you to be pressing this forward. Except for it seems like an innocent man is sitting in prison.

Sheriff Harding:

That's right. I think he's guilty of accessory after the fact and should have been given a two-year sentence. I do understand why he was found guilty. When I read the closing arguments of the case verbatim, when I read all that material, I would have convicted him based on that. But when you go back and look at how this was represented and then DNA has changed some of the findings from what they thought serology was showing in the day, it's no way you would convict him, in my opinion. Some people want to invert our system instead of saying guilty beyond a reasonable doubt, they want to show you that – they want it to be shown that someone is innocent beyond a shadow of a doubt. So, they won't even go 'Oh, I think you can easily show he is innocent beyond a reasonable doubt.' But some people want to take the standard so high as to 'No, you have to prove to me who did it.' And then maybe they even have to confess to it before they let him out. And that is crazy. That's not what America is supposed to be about.

Les Sinclair:

That's the anti-Constitution, yes, Sir. Is there anything else that the listening public should know before I let you go?

Sheriff Harding:

I just hope that people, if they have an interest, just go to my website, download the letter and read it and then form their opinion. I think I tried to take the emotion out of my letter and just got factually and give factual representations and give data to back up the conclusions that are FACTS. Not emotion. I hope they take time to do that. [...] I have no skin in the game of Jens Soering's case at all. And I didn't in Michael Hash's case up in Culpepper. I helped Stan Lapekas, a retired FBI Agent, working on that case. [...] No skin in the game.