Harmless error is a court term used to explain that the district court made mistakes, but the mistakes did not affect the outcome of the case. These mistakes are further defined as errors or defects which do not affect the substantial rights of the parties. This practice is often employed by our judicial system is relatively unknown to individuals that are not involved with the justice system. As American citizens many of us rest knowing that the myth of the "bad guy" or "Villian" is in prison is fact. Along with this is the confidence that with this being America they were afforded a fair trial. In many cases this is far from the truth.

With the unethical practice of Harmless error on the books a court can admit that ones Constitutional rights both state and or federal has been violated, but rule that the error is harmless. The ruling stops a high court from setting precedence, and or opening the courts to the many men and women who have already had their rights violated and justice denied. Connecticut is regarded as the Constitution state. Yet there are many men and women incarcerated and denied a fair day in court, and post conviction relief due to a harmless error ruling. How is this possible you may ask well the question is not for me as a victim of this to answer but your legislature to fix.

In State of Connecticut v Andrew Dickson (sc 19383) 2016, the claim raised was that the trial court erred in allowing a first time in court identification to take place. This a procedure that places a witness on the stand in open court who previously could not make an identification. Presenting him with the person who the state has accused of committing the crime, and then asking the witness if
he can identify the person who committed the crime. In the previously mentioned case the victim was shown a photo line up with myself present. He was unable to make an identification even after being told "take as much time as you need." Almost 2 years later, at trial over the objection of trial counsel the victim was allowed to make the identification. Now in front of a jury he is able to accomplish what he was previously unable to do. The objection was to the unnecessarily suggestive nature of the identification procedure that was to take place. There were two African American males present in the courtroom a uniformed court marshal, and myself the defendant sitting at the defence table in a suit. Essentially there was a giant arrow pointing out that this is the man arrested for the crime.

The Connecticut Supreme Court agreed that the in court identification was unnecessarily suggestive. They changed a practice that has been taking place for centuries and clearly stated its use at my trial violated my right to due process. On paper I won my post conviction fight, although everyday I still wake up as a prisoner.

The right to due process is every American 5th and 14th amendment rights. Harmless error is a backhanded slap that informs everyone that has had this ruling handed down that their Constitutional rights can be set aside, vacated, or bent. In America a land that prides itself on a Constitution that protects all this should never be the practice. Everyday another American citizen sits in bondage under a ruling of harmless error, they are in fact harmed. Their family and friends denied their presence and suffering the emotional and financial toll of supporting them are harmed. The tax payers who pay the cost of incarceration are harmed. Above all else everyday
We as a nation allow this to stand the Constitution and our nation is harmed.

I ask that anyone reading this research harmless error. Ask questions of and inquire about all of the incarcerated men and women denied their constitutional rights. but still in bondage because the courts ruled that in their opinion it was all harmless.

Written by:

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