

Official Statement from Mrs. Camille O. Cosby
Concerning the Prosecution's Use of Falsified Evidence

The right to a fair trial is of utmost importance in the American justice system. Prosecutors, as administrators of justice, have a responsibility to protect the innocent and are prohibited from offering any evidence that is untrue. We have now learned and will prove that Bill Cosby was denied his right to a fair trial because the DA of Montgomery County, Kevin Steele, used falsified evidence against him.

After being tipped off by a recent online publication that a tape-recording Mr. Steele played during trial was doctored, Mr. Cosby retained a forensic expert to conduct an audio authenticity analysis of the recording. Gianna Constand, the mother of Andrea Constand, had surreptitiously and illegally made the recording of Mr. Cosby in 2005 without his knowledge or consent. That recording was provided to Bruce Castor while he was DA of Montgomery County. Mr. Castor determined that Gianna Constand's surreptitious recording constituted a potential felony under Pennsylvania law, which required Ms. Constand to obtain Mr. Cosby's consent to the recording.

Years later, in 2014, Kevin Steele beat Mr. Castor for DA by unethically attacking him for not prosecuting my husband. He thereafter used the illegal recording in both trials, claiming that it was an authentic recording of the 2005 conversation. Mr. Steele relied heavily on the recording in both trials, ultimately convincing the jury in the second trial to return a guilty verdict.

Earlier this month, on September 12, 2018, an online publication reported that a Montgomery County Court official who requested anonymity had revealed that the original recording made by Gianna Constand was doctored and contained information that would exonerate Mr. Cosby. The defense team immediately sent its copy of the recording to a forensic expert, who, after extensive analysis, has unequivocally concluded: "This is not a true representation of the original content or conversation. Without question this is not an authentic recording."

At no time before or during trial did the DA disclose that the recording was inauthentic, much less that it had been falsified. After the media report surfaced on September 12, Montgomery County detectives acknowledged to the defense team that they could not authenticate the recording and did not know who made the version of the recording played at trial.

Mr. Cosby's defense team will be filing a motion seeking immediate relief for the prosecution's use of this falsified evidence. The DA's use of the falsified audio clip at trial is deeply prejudicial, yet it represents just one of many issues that resulted in the denial of Mr. Cosby's right to a fair trial. These egregious injustices must be corrected.