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House Bill 637 FAVORABLE
House Judiciary Committee Hearing
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Profile of Prolific Baltimore County Jailhouse Witness Richard Shaffer

On February 5, 2020, a federal court vacated the 2006 murder conviction of Matthew Horner, which was largely based on the testimony of a prolific jailhouse witness named Richard Shaffer. Horner was arrested in Baltimore County after his wife was shot in the head, despite strong evidence that it was a suicide attempt.

Shaffer was placed in Horner's cell and claimed that Horner confessed to him. The state failed to disclose key evidence that would have cast serious doubts on Shaffer's reliability. Shaffer had long history of committing crimes, receiving leniency to testify for the state, and getting out of prison to commit more crimes. His crimes escalating over time, suggesting that he became bolder as he continued to avoid consequences by testifying for the state.

Horner's conviction was vacated based Shaffer's unreliability and key evidence that the state failed to disclose and investigate.

Shaffer's Criminal History

- Between 1993 and 2015, Richard Shaffer faced more than **24 separate felony charges** including: one count of armed robbery, several counts of burglary and robbery, several counts of assault, and two counts of making a false statement to a police officer.
- Shaffer could have been sentenced to hundreds of years in prison; instead, he **served less than five years.**
- Of his 24 charges, 15 were dismissed, and only three resulted in any jail time.
- In 2005, when he was housed with Horner, he was facing multiple charges that could have led to nearly 70 years in prison. Instead, Shaffer received probation.
- **Shaffer likely avoided charges for other crimes he committed.** Shaffer's ex-wife testified under oath that when he was violating protective orders against her and harassing her by phone, Shaffer could call "his guardian angel," a Baltimore County detective, who "would get things wiped away."

Key Evidence Withheld on Shaffer

- **Shaffer's cooperation deal:** Shaffer testified that he had been given a 20-year sentence, with all but four years suspended. That was a lie –he received time served for his cooperation. Prosecutors did not correct his testimony or disclose his actual deal to the defense.
- **History of acting as a jailhouse witness:** Shaffer had offered testimony about three other inmates, and had several charges dismissed for his cooperation. He was also a paid police informant. While he admitted to providing information to law enforcement, he denied receiving any benefit. Prosecutors did not correct this testimony or turn over records about Shaffer's prior cooperation with law enforcement.
- **Record of unreliable statements:** Shaffer initially reported that Horner confessed not only to trying to kill his wife, but also to murdering four other people. The claims were investigated and found to have no merit. His initial statement got key details, such as the number of shots, wrong; detectives later admitted to "correcting" some of those details before Shaffer testified.