

The 'Norfolk Four' Convicted of Brutal Rape And Murder Committed By Lone Assailant

By Larry Tice



Danial Williams, Derek Tice and Joseph Dick (left to right) Eric Wilson not shown.

Michelle Moore and William (Billy) Bosko were married on April 4, 1997. Billy was in the Navy stationed in Norfolk, Virginia where they had an apartment. Less than 24-hours before Billy was due back from a Naval cruise, eighteen-year-old Michelle Moore-Bosko was raped, then choked and stabbed to death between the late hours of July 7, 1997, and the early morning hours of July 8, 1997. Over the next twenty months eight suspects were arrested. The five suspects that confessed were prosecuted and convicted of crimes related to her rape and murder. The other three were released and never prosecuted. However, there is compelling evidence that four of the prosecuted men – Danial Williams, Eric C. Wilson, Derek Tice and Joseph J. Dick, Jr. – falsely confessed and were wrongly convicted. Williams, Dick and Tice were sentenced to life without parole, and Wilson to 8-1/2 years imprisonment. The fifth man, Omar Ballard, has confessed at least five separate times, and has not only repeatedly told authorities that he acted alone, but his were the only confessions with details mirroring the crime scene and physical evidence. Three of Ballard's confessions were to police (two orally and one in writing), one was in a letter to an acquaintance, and one was in a March 2005 sworn affidavit. The truthfulness of Ballard's claim of sole responsibility and

his accurate confessions are corroborated by DNA tests of crime scene evidence that excludes the other four defendants, but not him. The following chronology explains how each of the eight men fit into the Moore-Bosko case:

June 24, 1997: Ballard wounds a young woman living in Moore-Bosko's apartment complex by maliciously beating her with a baseball bat. An angry mob chases Ballard to the Bosko's apartment where William Bosko lets him in and refuses to turn him over to the crowd.

July 7, 1997: Between 11:00 pm on July 7, 1997 and 7:30 am on July 8, Moore-Bosko is raped and murdered in her apartment.

July 8, 1997: Moore-Bosko is found dead by her husband in their apartment. She has been stabbed, strangled and raped. He places a blanket over her body before the police arrive.

July 9, 1997: Norfolk police arrest Williams, who lives in the same apartment complex as Moore-Bosko. After an intense interrogation he confesses and is charged with her rape and murder.

July 18, 1997: Ballard rapes a 14-year-old girl near Moore-Bosko's apartment complex.

December 1997: Report provided to Norfolk police that DNA test result excludes Williams.

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Crime Scene Analysis and Reconstruction of the July 8, 1997 Sexual Assault and Murder of Michelle Moore-Bosko

Excerpts of the 60-page Report by Academy Group, Inc.

Executive Summary

Mrs. Michelle Moore-Bosko was sexually assaulted and murdered by Omar Ballard on July 8, 1997, in her Norfolk, Virginia, apartment. Ballard was alone with Moore-Bosko when he killed her. He confessed to this homicide, and solely his DNA was found under her fingernails and in her vagina. Statements made by Ballard to police investigators were consistent with the physical evidence found at the crime scene and found during the victims autopsy.

There was no evidence of any nature linking Danial Williams, Joseph J. Dick Jr., Eric C. Wilson, or Derek Tice to this crime. Statements they made were not consistent with the physical evidence, victim's wounds, or behavioral evidence. They had nothing to do with this matter and were charged only because they confessed to the crimes. (p. 3)

Why the Evidence Does Not Support This as a Multiple-Offender Crime

If eight healthy young men were in a tiny (approximately 700 sq. ft.) apartment taking turns restraining and sexually assaulting a kicking and violently fighting female, it can be presumed that their vigorous activity, anxiety, nervousness and testosterone would lead to a far greater amount of physical, biological, and behavioral evidence being present than was found at this scene.

The greater the number of people present, the greater the chance for leaving fingerprints, hairs, fibers, footwear impressions, and semen, and the greater chance of breaking, stealing, or disturbing something in the small apartment. There was not enough physical evidence present to support this as being a multiple-offender crime. (p. 21)

Physical Evidence

If this were a multiple-offender crime one would expect:

- More fingerprints throughout the apartment
- More fingerprints on the polished surface of bedroom floor

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Norfolk Four — Williams, Tice, Dick and Wilson — Seek Pardons From VA Governor

Petitions requesting executive clemency and pardons were filed with Virginia Governor Mark Warner by lawyers for Derek Tice, Joseph Dick and Danial Williams on November 10, 2005. The three men had been convicted of the rape and murder of Michelle Moore-Bosko in July 1997 based on their confessions. They were sentenced to life in prison. Eric Wilson was also convicted of rape, but not murder, after confessing. Wilson completed his prison sentence in September 2005, and has also filed a pardon petition.

All four men have retracted their confessions as being coerced under intense pressure by Norfolk, Virginia detectives and claimed their innocence.

The petitions for Tice, Dick and Williams incorporate the crime scene reconstruction analysis conducted by Academy Group,

Inc., a Virginia based forensic consulting firm. AGI released its a 60-page report on

November 3, 2005. The report examines the condition of the crime scene, the physical and DNA evidence recovered, and the consistency of the men's confessions with the crime scene and evidence. AGI's summarizes its report as conclusively establishing that none of the four men was involved in Moore-Bosko's rape and murder.

The Norfolk Four's pardon requests have attracted national attention to their case, including a feature article in *Time* magazine (Dec. 12, 2005) and a segment on ABC's *Nightline* program (Dec. 29, 2005).

Governor Warner has granted a pardon to three wrongly convicted men, Marvin L. Anderson, Julius Earl Ruffin and Troy D. Hopkins, and he has announced he will pardon two others. It is unknown when he will make a decision about the Norfolk Four's applications.

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painted black, and that it is unlikely a painted hammer even exists. He speculated as to what the murder weapon was, because it was not found. [JD Note: JD examined the hammers for sale at a Home Depot and a Loews Home Center on October 24, 2005. None of those hammers had a head painted black.]

The prosecution relied upon connecting some disconnected things to hide that there was no proper investigation and the detectives failed to follow leads, and that tests had not been conducted on physical evidence such as the rope found around my husband's neck. The prosecution built the case against me backwards. They began with the conclusion that I was guilty and then excluded everything that did not fit their theory, including ignoring the three eyewitnesses who saw the small black pickup truck the afternoon of Bob's murder.

My Lawyer's "Trial Strategy" Was To Accuse Our Daughter!!!

The plain and simple truth is that I am innocent of my husband's brutal murder.

Unfortunately, my lawyer failed to conduct even a cursory investigation to undermine the prosecution's case or expose the absurdity of the prosecution's theory. My lawyer didn't even challenge the prosecution's contention that our bedroom was the crime scene! Instead he presented the absurd theory that our daughter was the murderer!

That idea is beyond ridiculous because late on the Saturday morning before Bob's disappearance our twenty-four year-old daughter, who was temporarily living with us, had left to spend the weekend with my sister in Long Beach. My sister has the credit card receipt from their dinner on Saturday night at the Queen Mary, and our daughter didn't leave to return to Valley Center until after 7 p.m. on Sunday night. When I protested my lawyer's strategy of accusing our obviously innocent daughter of killing her father, he said it would force the prosecution to defend her and they would undermine their case against me when they did that. I reluctantly, and in retrospect foolishly, allowed myself

to be browbeaten into believing his strategy was my best hope to win an acquittal.

The weakness and inconsistencies in the prosecution case is reflected in the jury's deliberation for four days before finding me guilty. My conviction was upheld on direct appeal. I have exhausted my financial resources, and so I prepared and filed a *pro se* state habeas petition. On August 1, 2005 my petition was denied by my trial judge, and I have appealed to the state Court of Appeals.

If you have any information about my husband's murder, or investigative or legal expertise that can help me in my quest to overturn my conviction and gain my freedom, I can be contacted at:

Jane Dorotik W90870
CCWF 506-26-3L
PO Box 1508
Chowchilla, CA 93610

My outside contact is my sister:
Bonnie Long
#2 - 36th Place, Apt. C
Long Beach, CA 90803
Email: Bonnie8888@aol.com



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He remains in custody based on his confession.

January 12, 1998: Norfolk police arrest Williams' housemate Dick as a second suspect in the case. Dick is in the Navy, and he tells detectives he was on duty the night Moore-Bosko was murdered. Dick confesses under intense pressure from detectives. (*Time* magazine verified Dick's alibi while researching a December 12, 2005, article about the Norfolk Four titled, "True Confessions?")

January 15, 1998: Ballard found guilty of raping the 14-year-old girl on July 18, 1997.

February 10, 1998: Ballard pleads guilty and is sentenced to five years in prison for the June 24, 1997, assault on the young girl in Moore-Bosko's apartment complex.

March 1998: Report provided to Norfolk police that DNA test result excludes Dick. He remains in custody based on his confession.

March 23, 1998: Ballard sentenced to 100 years in prison for the July 18, 1997 rape of the 14-year-old girl. Fifty-nine years of the sentence is suspended.

April 8, 1998: Wilson is the third suspect arrested by the Norfolk police. He confesses after intense interrogation.

May 1998: Report provided to Norfolk police that DNA test result excludes Wilson. He remains in custody based on his confession.

June 18, 1998: Tice is arrested as a fourth suspect after Dick implicates him under interrogation pressure.

June 25, 1998: Tice confesses during intense interrogation by Norfolk Detective R.G. Ford, and eventually implicates three additional men: Geoffrey A. Farris, John E. Danser and Richard D. Pauley, Jr.

Late June 1998: Report provided to Norfolk police that DNA test results exclude Tice, Pauley, and Farris. Tice remains in custody based on his confession, and the others because of Tice's statement.

July 1998: One year after Moore-Bosko's rape and murder, seven men had been charged in her death. Pauley, Farris, and Danser were charged based on Tice's information.

January 22, 1999: Williams, admittedly infatuated with Moore-Bosko, pleads guilty to avoid the death penalty.

February 1999: Report provided to Norfolk police that DNA test result excludes Danser. He remains in custody based on Tice's statement.

February 1999: Ballard confesses to Moore-Bosko's murder in letter to an acquaintance named Karen. The letter states in part (with spelling and grammar uncorrected):

"And one last thing *you remember that night I went to mommies house and the next morning Michelle got killed guess who did that, Me HA, HA. It wasn't the first time. Im good aint i. I don't give a f*** about nobody*, if i was out i would have killed that bitch down the

street from you too. Tell the police, tell the FBI, tell anybody who gives a f***, not me. You thought you knew me, you don't Karen, trust me yall don't. Nobody knows me." (emphasis added) Ballard becomes a suspect after the letter is provided to Norfolk police.

March 4, 1999: Ballard confesses to Norfolk police that he alone killed Moore-Bosko. Ballard is already imprisoned for the two violent attacks against young women, one involving a rape, that he committed in the vicinity of Moore-Bosko's apartment within three weeks of her rape and murder.

March 8, 1999: Police charge Ballard, the eighth and final suspect in the case.

March 11, 1999: Ballard makes a second confession to Norfolk police that he alone raped and killed Moore-Bosko.

March 18, 1999: New tests establish that Ballard's DNA is the only one of the eight suspects whose DNA matches crime scene evidence. The Virginia Bureau of Forensic Science determines that Ballard's DNA matches sperm fractions recovered from Moore-Bosko's vaginal swabs and the blanket covering her body. No physical, forensic, or independent eyewitness evidence links any person other than Ballard to the crime.

April 13, 1999: Ballard's third confession to committing the crime, and his claim he committed it alone, is filed in court papers.

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(This is in addition to Ballard's confessional letter to his friend Karen in February 1999.)

April 21, 1999: Dick pleads guilty to Moore-Bosko's rape and murder to avoid the death penalty.

April 28, 1999: Williams sentenced to two life terms without parole based on plea agreement.

May 7, 1999: Tice pleads not guilty to the rape and murder of Moore-Bosko.

May 14, 1999: Prosecutors withdraw charges against Danser, Farris and Pauley. The prosecution's case against the three men crumbles after Tice pled not guilty, since their charges depended on Tice's cooperation and testimony. With no physical evidence, no eyewitness, and no confession implicating the three men in Moore-Bosko's rape and murder, the charges are dropped, they are released, and they are never prosecuted.

June 2, 1999: Charges against Ballard are changed to capital murder, rape and robbery.

June 14, 1999: Wilson's trial begins. Wilson testifies during his trial that he made-up his confession to raping Moore-Bosko in order to stop Detective Ford from aggressively harassing him. "At that point in time, if they told me that I killed JFK, I would have said that I handed Oswald the gun." Wilson testifies Ford was "very aggressive, very threatening, very angry. I thought I better tell him what he wanted to hear. He started hitting me in the forehead with his finger." (emphasis added) Ford's eliciting of confessions from Tice, Williams, Dick and Wilson, and Wilson's testimony, is consistent with Ford's long history of coercing a confession from a suspect during an interrogation. Ford was suspended from the detective force in 1990 for coercing confessions from three teenagers. In 1997, Ford coerced a confession from a mentally disabled person. A court sealed the records of that incident. Wilson is found guilty of rape but acquitted of murder. The jury recommended an 8-1/2 year prison sentence.

September 8, 1999: Wilson sentenced to 8-1/2 years imprisonment.

September 8, 1999: Dick sentenced to two life terms without parole.

November 22, 1999: Tice granted a change of venue to Arlington, Virginia, based on pre-trial publicity.

February 11, 2000: Jury finds Tice guilty of rape and murder. The prosecutions only item of evidence was Tice's signed statement to police.

March 22, 2000: Ballard pleads guilty to the rape and murder of Moore-Bosko and is

immediately sentenced to two terms of life imprisonment.

June 7, 2000: Tice sentenced to two life terms in prison.

July 25, 2000: The Virginia Court of Appeals declined to overturn Williams' conviction and sentence. Williams had attempted to change his guilty plea at his sentencing hearing, but the appeals court affirmed the trial judge's ruling that Williams had entered his guilty plea knowingly and voluntarily.

November 2000: *Justice Denied* publishes article about Tice and the Norfolk Four.

June 7, 2001: Documentary about the Norfolk Four titled "Eight Men Out" is produced by Medstar, and broadcast for the first time on The Learning Channel's series *Medical Detectives*. The program was re-broadcast several times in the United States and in other countries.

May 21, 2002: Tice's conviction reversed by the Court of Appeals and a retrial is ordered. (*Tice v. Commonwealth*, 38 Va.App. 332, 563 S.E.2d 412 (Va.App. 05/21/2002))

January 27, 2003: Tice's retrial begins with Judge Charles Poston again the trial judge. D.J. Hansen, who had been co-prosecutor in Tice's first trial, is the lead prosecutor.

January 31, 2003: Tice convicted by jury, and immediately sentenced to two life terms in prison without parole.

February 2003: *Playboy* magazine publishes an article by Morgan Strong about the Norfolk Four case titled, "Confessions Are Us — Who needs evidence?"

August 8,, 2003: VA Court of Appeals denies Tice's appeal of his conviction.

July 6, 2004: VA Supreme Court denies Tice's appeal of his conviction.

November 2004: A large Washington D.C. law firm agrees to represent Tice on a pro bono basis. Other large law firms agree to represent Williams and Dick pro bono. Those firms hire a forensic consulting firm, Academy Group, Inc. (AGI), to reconstruct the crime scene and analyze how the known physical evidence and confessions by the defendants compare with it.

March 2005: Ballard executes sworn affidavit in which he states in part: "I acted alone when I killed Michelle Moore-Bosko. None of the other individuals who were charged with raping or killing Michelle were there or involved in any way. They are all innocent, and the ones who are in prison are serving long sentences for crimes they did not commit."

September 2005: Wilson released from prison after completing sentence.

November 3, 2005: AGI releases 60-page report titled, "Crime Scene Analysis and Reconstruction of the July 8, 1997 Sexual Assault and Murder of Michelle Moore-Bosko." The report's Executive Summary states:

"Mrs. Michelle Moore-Bosko was sexually assaulted and murdered by Omar Ballard on July 8, 1997, in her Norfolk, Virginia, apartment. Ballard was alone with Moore-Bosko when he killed her. He confessed to this homicide, and solely his DNA was found under her fingernails and in her vagina. Statements made by Ballard to police investigators were consistent with the physical evidence found at the crime scene and found during the victim's autopsy.

There was no evidence of any nature linking Williams, Dick, Wilson, or Tice to this crime. Statements they made were not consistent with the physical evidence, victim's wounds, or behavioral evidence. They had nothing to do with this matter and were charged only because they confessed to the crimes." (The full report is available for free downloading or printing at, <http://www.norfolk4.com>)

November 10, 2005: Petitions are filed with Virginia Governor Mark Warner by lawyers for Tice, Dick and Williams requesting executive clemency and pardons. The petitions rely in part on AGI's report dated November 3, 2005. Wilson filed a separate petition with Governor Warner requesting executive clemency and a pardon.

December 12, 2005: *Time* magazine publishes feature article by Brian Bennett about the Norfolk Four titled, "True Confessions?"

It is noteworthy that Norfolk Circuit Judge Charles Poston presided over all the Moore-Bosko cases. He sentenced Williams, Dick, and Ballard after their guilty pleas, and Wilson and Tice after their trials. Judge Poston also presided over Ballard's 1998 trial and conviction for abducting and raping a fourteen-year-old female, and he suspended 59 years of Ballard's 100 year sentence in that case.

The author, Larry Tice, is Derek Tice's father. He can be contacted at, LTice22433@aol.com.

The Norfolk Four's website is: <http://norfolkfour.com>

Sources: This chronology is comprised of information from a number of sources, including newspaper articles, court records, and personal knowledge of case details by the author.

