

## Is “Conviction” Factual, Or A Fictionalized Movie Of Kenneth Waters’ Case?

The movie “Conviction” is about the case of Kenneth Waters, who was released from prison in 2001 after 18 years of wrongful imprisonment for robbery and murder. The movie began showing in theaters in October 2010, and it focuses on the role his sister Betty Anne Waters played in her brother’s exoneration and release. The movie received some good reviews, and there is buzz that Hilary Swank may get another Best Actress Oscar nomination for her role as Betty Anne Waters. The movie is being promoted as factually true.

However, a *Providence Journal* interview of Kenneth Waters’ sister Carolyn Waters and two of her grown children suggests that Betty Anne Waters may be falsely taking credit for work done on Kenneth’s case that was actually done by Carolyn Waters.

The article about the interview states:

“... it was Carolyn Waters? who did the many years of legwork to help her brother.

Beginning in the early 1980s, Carolyn Waters communicated with lawyers and others, took information to national television programs, such as “Geraldo,” and



found out in 1992 about DNA evidence kept in Ayers, Massachusetts, where the murder occurred in 1980.

It was Carolyn, who regularly visited the numerous Massachusetts

prisons where Kenneth Waters spent his 18 years, with other family members going only if Carolyn was driving.”

The interview also suggests that the old adage of ‘follow the money’ may help explain how the role Carolyn Waters played in helping her brother has been written out of the “official” history of Kenneth Waters case. Kenneth died in September 2001 about six months after his release, from injuries suffered in a fall.

In July 2009, the Town of Ayer, Massachusetts and five of its insurers settled a federal civil rights lawsuit filed on behalf of Kenneth Waters, for \$3.4 million. In September 2009 a federal judge ruled that the Ayer’s sixth insurer was liable for an additional \$7.3 million. So the total awarded to Kenneth Waters’ estate is \$10.7 million. That doesn’t even include the money paid to Kenneth Water’s estate or directly to Betty Anne Waters for the movie.

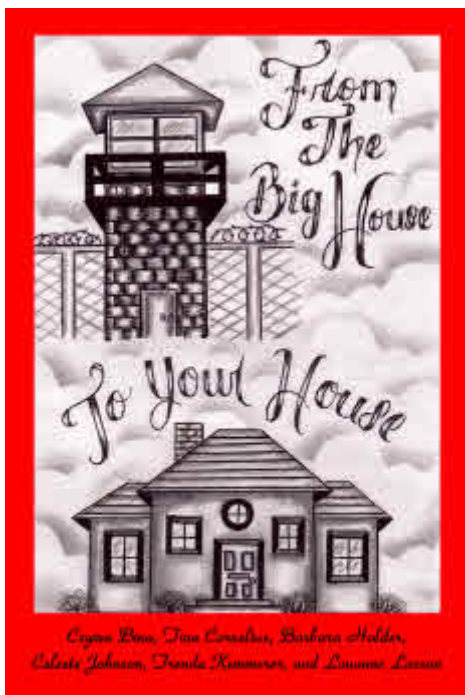
The *Providence Journal* article also states: “Carolyn Waters said Betty Anne Waters had indicated she and [Barry] Scheck would represent all of the family when the suit was filed. But things changed, and it is her sister who has profited, Carolyn Waters said. In the months since the settlement, she and her children contend, her sister shared settlement money with the other family members. Carolyn Waters said her sister had offered her \$30,000 from the settlement, but she turned it down, given all the time she had devoted to her brother’s case. She said she has not received any money and does not want any.”

So Betty Anne Waters is not only getting the public credit for her brother’s exoneration ... she is apparently also getting the money or at least control of how it is spent.

‘Conviction’ is worthwhile to see for its entertainment value, but as a Hollywood movie it is too much to expect for it not to shade or ignore truths that are inconvenient to its story line, and that could reduce its box office value.

Source: Sister disputes Betty Anne Waters’ role in freeing brother, *The Providence Journal*, October 10, 2010.

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