

Texas Appeals Court Acquits Man Convicted Of Videotaping Fully Clothed Women In Public

William Allen Cooper was convicted in July 2010 in separate prosecutions of “improper photography or visual recording” for allegedly videotaping fully clothed women walking on the public sidewalk in front of his house and business in Red River County, Texas. He was sentenced to two separate 2-year prison terms.

On November 18, 2010, the Texas 6th Appellate District Court of Appeals overturned Cooper’s two convictions and acquitted him of the charges. The Court began its opinion with:

“In the 50s, before the advent of video cameras and cell phone videos, a popular song advised us that standing on the corner and watching females pass by was acceptable conduct and that “you can’t go to jail for what you’re thinking.” Watching may still be acceptable conduct, but recording that parade may violate the law in Texas today.” *Cooper v. Texas*, No. 06-10-00083-CR (6th Appellate Dist Ct of Appeals 11-16-2010)

Cooper was acquitted of the videotaping charges, not because they were ridiculous, but because there was no evidence he was the person who videotaped the women. After breaking up with him his ex-girlfriend notified the police that she had seen two videos of women walking on the sidewalk in front of Cooper’s house and business, but she had not seen who made the videotapes.

A number of people had been inside Cooper’s house and business and there was no testimony at his trial who had actually made the video. Consequently the Court ruled there was insufficient evidence and acquitted Cooper.

If there had been proof that Cooper made the videos the court would have upheld his two convictions of violating Texas state law.

Cooper had a separate appeal for his two convictions, and the Court issued an opinion in each case, applying the rationale of the first case to the second. See, *Cooper v. Texas*, No. 06-10-00083-CR (6th Appellate Dist Ct of Appeals 11-16-2010); and, *Cooper v. Texas*, No. 06-10-00084-CR (6th Appellate Dist Ct of Appeals 11-16-2010)

Khmer Rouge Official Appeals Conviction And 30-year Sentence For Thousands Of Murders

Kaing Guek Eav — also known as Duch — was one of the most well-known officials of the communist Khmer Rouge regime that controlled Cambodia from 1975-1979 and was responsible for the deaths of at least 1.7 million people from starvation, disease, overwork and execution. One of the primary ways people were executed was suffocation by placing a plastic “baggie” around their head.

Duch, 67, was the supervisor of the notorious S-21 prison in the capital of Phnom Penh. S-21 was also known as Tuol Sleng — and it was the prison for the Khmer Rouge’s most important political prisoners, many of whom were tortured into making false confessions before being summarily executed.

A United Nations backed war crimes tribunal in Cambodia is trying five Khmer Rouge officials on a variety of charges, including genocide.

Duch was the first defendant to be tried by the tribunal. During his 9-month trial that lasted from February to November 2009, the prosecution argued that Duch was a driving force behind the Khmer Rouge’s execution campaign and that he guided the crimes committed at S-21. Evidence was presented that only 14 people are known to have survived imprisonment at S-21. There was testimony that entire families were imprisoned for the



Kaing Guek Eav on November 24, 2010. (Extraordinary Chambers in the Courts of Cambodia)

alleged crimes of a single member, and on one day in 1977 Duch ordered the executions of 160 children.

A court-ordered psychological assessment of Duch determined he “is meticulous, conscientious, control-oriented, attentive to detail and seeks recognition from his superiors.”

Duch, is a former math teacher, and his defense was he had obediently carried out orders issued by his superiors in order to ensure his own survival. He did admit to overseeing the torture and deaths of as many as 16,000 people at S-21. Several former students testified as character witnesses that Duch was a gentle teacher.

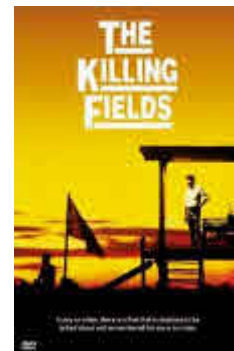
Duch was found guilty on July 26, 2001, of war crimes and crimes against humanity. It was the first time a Khmer Rouge official had been convicted by an internationally recognized court. Duch was sentenced to 30 years in prison and given credit for 11 years he has spent in custody — so he could be released while still in his 80s. If Duch serves the full 30 years he will spend about 16 hours in prison for each person whose murder he oversaw.

Survivors of the Khmer Rouge’s reign of terror was dismayed at the leniency of Duch’s sentence.

Duch’s lawyers appealed his conviction and

requested his acquittal on the ground that the tribunal did not have the jurisdiction to try him.

The prosecution appealed his sentence, seeking that he be resentenced to life in prison that would be commuted to 45 years with no possibility of early release.



The 1984 movie *The Killing Fields* was about Cambodia during years of the Khmer Rouge regime. The film was nominated for seven Academy Awards, including Best Picture, and won three: Best Supporting Actor (for Haing Ngor), Best Editing, and Best Cinematography.

Sources:
Lawyers for Khmer Rouge jailer appeal his conviction, *CTV News*, November 22, 2010.
Duch appeals verdict, *Phnom Penh Post*, November 21, 2010.
“The Killing Fields,” Internet Movie Database, <http://www.imdb.com/title/tt0087553>

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