

Woman Jailed For Two Years For Falsely Accusing Four Men Of Rape

Nineteen-year-old Emma Blunden accused a man of raping her on July 26, 2008 when they were both staying at a hostel in Newbury, about 40 miles east of London, England. Mabey was arrested and jailed for 17 hours before being released on bail. Several weeks later the charges were dismissed when the police investigation determined that Blunden falsely accused the man of rape to conceal from her boyfriend that they had consensual sex.

Blunden was charged with perverting the course of justice and released on bail.

On February 4 2009, while awaiting trial Blunden accused three men of gang raping



Emma Blunden

her at a house in Reading, which is near Newbury and about 25 miles east of London. After an investigation the police determined that Blunden had engaged in consensual sex with the men and fabricated the rape allegation in an effort to conceal her wild behavior. She was charged with perverting the course of justice for filing the false rape report.

Blunden trial was convicted by a jury in December 2010 of both counts of perverting the course of justice for falsely accusing the four men of rape.

During her sentencing hearing in late January 2011 her lawyer argued she shouldn't be jailed because she was suffering from depression and that she needed help because she had "personality defects." Judge John

Reddihough sentenced Blunden to two years in prison because of the severity of her crimes. During the hearing he said:

"False allegations of rape have two particularly serious consequences: firstly the person falsely accused faces the nightmare of being arrested, kept in custody for many hours facing an allegation which he fears may not be successfully refuted and which could lead to him being wrongly convicted and sentenced to a long term of imprisonment; secondly, they have a serious effect on the administration of justice in cases of rape. ... Juries have a difficult decision to make and publicity over cases such as this only serves to increase the plight of those woman who are genuine victims of rape and makes such an offence harder to prove."

Source:

Jail for woman who falsely cried 'rape', *Newbury Weekly News*, January 17 2011.



Thomas Winslow Awarded \$180,000 For 20 Years Imprisonment As 'Beatrice Six' Defendant

Six people between 23 and 31 years-old were convicted in 1989 and 1990 of charges related to the February 1985 rape and murder of 68-year-old Helen Wilson in Beatrice, Nebraska. The media dubbed them the 'Beatrice Six.'

Five of the six confessed after intense interrogations, and they made plea deals in exchange for reduced charges and sentences. Kathy Gonzalez, James Dean, and Debra Shelden pled guilty to aiding and abetting second-degree murder in exchange for a 10 year sentence. Those three served 5-1/2 years before being released in 1994. Thomas Winslow confessed to raping Ms. Wilson and he was sentenced to 10 to 50 years in prison. Ada JoAnn Taylor confessed to smothering Ms. Wilson while Winslow and Joseph White raped her. She was sentenced to 10 to 40 years in prison.

Only Joseph White insisted on his innocence. During his trial in 1989 Dean, Taylor, and Shelden testified that the six were in Ms. Wilson's apartment during her rape and murder. Taylor testified that she smothered Ms. Wilson while White raped her. White was convicted of first-degree murder. He could have been sentenced to death, but the jury recommended a sentence of life in prison.

After losing his direct appeal, White pursued DNA testing of the crime scene bio-



Thomas Winslow
(Lincoln Journal-Star)

logical evidence. For years the State of Nebraska opposed White's efforts to test the evidence, but in 2007 the Nebraska Supreme Court ordered the DNA testing. The testing was finally conducted on some of the evidence in the summer of 2008. All of the 'Beatrice Six' were excluded. Additional testing on the remaining evidence confirmed that none of the six people convicted of the crime — five of whom confessed and pled guilty — had anything to do with Ms. Wilson's rape and murder.

White filed a motion for a new trial based on the new exculpatory DNA evidence. His motion was granted on October 15, 2008, and he was released on a personal recognizance bond later that day. Winslow was immediately scheduled for resentencing and two days later, on October 17, 2008, he was sentenced to time served and released. Taylor was released a few weeks later on November 10. The three had been imprisoned for more than 19-1/2 years.

The Beatrice Six are the largest number of defendants in one case exonerated by DNA testing in the United States. The DNA evidence proves that five of the defendants confessed to crimes they didn't commit, and that to comply with their plea bargains three of them falsely testified during White's trial. After their release the defendants said they falsely confessed and testified to avoid the death penalty. The six defendants were wrongly im-

prisoned for a total of more than 76 years.

In November 2008 Nebraska Attorney General Jon Bruning held a press conference and disclosed that the DNA evidence conclusively linked Bruce Allen Smith to Ms. Wilson's rape and murder. However, Smith died in 1992 of AIDS.

Nebraska's State Board of Pardons unanimously voted on January 26, 2009, to pardon the five defendants who confessed based on their actual innocence of Helen Wilson's rape and murder. AG Bruning said, "They are 100 percent innocent."

Nebraska did not have a wrongful conviction compensation statute, but the publicity about the exoneration of the Beatrice Six resulted in the passage of a law in 2009 that provides for the payment of up to \$500,000 to a wrongly convicted person.

On February 3, 2011 a judge approved settlement of Winslow's claim for \$180,000.

Previously White became the first person to receive compensation under Nebraska's compensation law when he settled his claim for the \$500,000 maximum.

Kathy Gonzalez settled her claim for \$350,000 on November 4, 2010.

Claims under the state law are pending by other Beatrice Six defendants, as well as federal civil rights lawsuits that name Gage County and law enforcement officers involved in the investigation of the case and the

Winslow cont. on p. 7