

Antonio Williams conviction Overturned When The Victim Recants

Antonio Williams was released on August 23, 2011 after more than 4-1/2 years imprisonment for the rape of a child he didn't commit in Birmingham, Alabama. *The Birmingham News* published [a feature article](#) about Williams' case in its Sunday paper for October 23.

In 2003 a 7-year-old girl that Williams was acquainted with through his daughter was discovered to have a sexually transmitted disease. Two years later, in 2005, Williams was arrested when the girl said he was the man who raped her several times during the years 1999 to 2002, when the girl was between 3 and 6.

Williams was indicted and during his trial in April 2007 the only evidence against him was the girl's testimony. The jury convicted the 39-year-old Williams of two counts of child rape. The next month he was sentenced to life in prison and ordered to enter the prison's sex offender program.

The girl was 15 when on April 14, 2011 she was interviewed by the police about an unrelated issue. She told them Williams had never abused or raped her. She named another man as the person who actually com-



Antonio Williams in October 2011 (Tamika Moore, *Birmingham News*)

mitted the crimes, and that he had also abused her older half-sister. When the police interviewed her half-sister she corroborated that the man had abused her.

The Jefferson County DA reopened Williams case. Williams was appointed a lawyer who filed a motion for a new trial based on the new evidence of the girl's recantation corroborated by her half-sister. During a hearing held in May 2011 the girl repeatedly stated under oath that Williams never touched her and that she only named him as her rapist because the man who actually raped threatened to harm her if she ever told anyone what he did to her. She named the actual rapist. Her testimony was corroborated by the testimony of her half-sister, who named the same man as her abuser. It was also disclosed during the hearing that the girl told her stepmother that Williams did not abuse or rape her, but the stepmother did not tell that to the police or prosecutors. After the hearing the judge set aside Williams' convictions and ordered a new trial. The judge described some of the testimony allowed against Williams' during his trial as "appalling."

Jefferson County D.A. Brandon Falls decided not to retry Williams and when the charges were dismissed on August 23, 2011, Williams was released after 4 years 6 months and 26 days of wrongful incarceration.

DA Falls told *The Birmingham News* after Williams' release that the man who the girl testified was her rapist, and who her step-sister testified sexually abused her, will not be charged with those crimes unless additional evidence is discovered. [He said](#), "We would have to make sure we had extensive corroborating, independent evidence" in addition to the girl's testimony.

[Click here to read](#) *The Birmingham News'* article, "Birmingham man, wrongly convicted of rape, is now free and starting his life over." In response to the article's description of the difficulties Williams is having in starting his life over, several dozen people contacted the newspaper with [offers to help Williams](#) with clothing, furniture and some job possibilities.

Sources:

[Birmingham man, wrongly convicted of rape](#), is now free and starting his life over, *Birmingham News*, October 23, 2011

[Birmingham News readers come to aid](#) of man who lost everything after wrongly convicted of rape, staff writers, *Birmingham News*, October 24, 2011



Beach cont. from p. 17

The State appealed Judge Phillips ruling to the Montana Supreme Court. To prevail in their appeal the State will have to overcome the judge's detailed explanation of why he found the witnesses credible and why their new evidence supports a new trial for Beach.

In December 2011 [Beach was released](#) on his own recognizance after 29 years of imprisonment. In July 2012 Judge Phillips [lifted Beach's restrictions](#) and allowed him to live on his own unsupervised. Barry Beach's website with extensive information about his case is, <http://montanansforjustice.com>.

Sources:

[Barry Allan Beach v. State of Montana](#), No. 1068-C, MT 15th Judicial Dist Roosevelt County, November 23, 2011 (Granting Barry Beach a new trial.)

[Judge: Witnesses credible in Barry Beach hearing](#), *Great Falls Tribune*, November 24, 2011

[Barry Beach freed on own recognizance](#) after 29 years behind bars, *Great Falls Gazette*, December 8, 2011

[Judge lifts housing restrictions on Barry Beach](#), *Billings Gazette*, July 12, 2012

Five Men Freed Because Prosecution Failed To Disclose Star Murder Witness Was Unreliable

Five men — Levi Walker, Adam Joof, Antonio Christie, Michael Osbourne and Owen Crooks — were freed when the UK's Court of Appeals [quashed their convictions](#) as unsafe on March 8, 2012, based on the prosecutions failure to disclose evidence their star witness was unreliable.

The five men were convicted in 2008 of the



Owen Crook, Levi Walker and Michael Osbourne (top row). Antonio Christie and Adam Joof (bottom row).

2002 murder of Kevin Nunes in Staffordshire -- 160 miles northeast of London. The prosecution claimed the 20-year-old Nunes was taken to a country lane where he was shot to death during a drug feud. Their convictions were based on the testimony of an alleged eyewitness. The men were sentenced to life in prison with minimum sentences of between 25 and 28 years before being eligible for early release.

After their convictions were affirmed on appeal the men applied to The Criminal Case Review Commission to review their case. The CCRC referred the case of the five men to the Court of Appeals after their investigation uncovered misconduct by police officers involved in the murder investigation for concealing material evidence, and the failure of the prosecution to disclose evidence that the eyewitness was not reliable.

The prosecution's case was so flawed after the disclosures that the Crown Prosecution Service [told the appeals court](#) that it did "not seek to uphold the convictions" and would not retry the men.

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Romain Steven Isham Awarded \$25,000 For 20 Years Of Punishment For His Wrongful Conviction

Romain Steven Isham was awarded \$25,000 by the Wisconsin Claims Board on October 27, 2011 as compensation for 10 years of wrongful imprisonment for the sexual assault of an 8-year-old boy that he didn't commit. He also registered as a sex offender for 10 years after his release from prison.

Isham was 32 when he was prosecuted in 1990 for allegedly sexually assaulting the 8-year-old son of his live-in girlfriend in Douglas County, Wisconsin. Isham denied the accusation and there was no physical evidence he committed the crime. The prosecution's key evidence was the boy's testimony, which the jury believed in convicting Isham. After Isham was released in 2000 after serving 10 years in prison, he had to register as a sex offender.

In 2009 investigator James Ohm with the Wisconsin Department of Justice was interviewing the mother of the boy Isham had been convicted of assaulting, when the mother told Ohm that the boy had recanted his accusation years earlier. Ohm reported that information to the Douglas County DA's Office, and he was told to conduct an investigation. Ohm discovered that in 1998 the boy recanted his testimony to authorities in Sheboygan County, where he lived at that time. The authorities in Sheboygan County didn't relay the new information to the Douglas County DA. Ohm interviewed the alleged victim, Jeremy Kaseno, who was then 28. Kaseno told him that he first re-



Romain Steven Isham in October 2012 (Belami County, MN)

Based on the new evidence Isham's conviction was vacated in May 2010. During that hearing Douglas County Circuit Court Judge Kelly Thimm [said Isham's case](#) "is probably every citizen's worst nightmare, let alone a judge and a former prosecutor, to see an innocent man convicted wrongfully. Not only was an innocent person convicted but an innocent person spent a substantial time in prison and was required to register as a sex offender. Our government system failed in this case, and I apologize." With his conviction vacated Isham no longer had to register as a sex offender.

In July 2010 Isham filed a claim with the Wisconsin Claim Board for \$3,650,000 -- \$1,000 for each day he was wrongly imprisoned. However, Wisconsin's wrongful conviction compensation statute only provides for compensation of \$5,000 per year for no more than 5 years, or a total payment of \$25,000. On October 27, 2011 [the Board voted](#) to award Isham the maximum payment of \$25,000 based on its determination there was clear and convincing evidence he was innocent of his convicted crime. The Board can recommend that the state Legislature award more money in a special bill and it has done so in several wrongful conviction cases. However, it didn't make that recommendation in Isham's case, and it didn't provide any explanation for why it decided not to do so. The Board's decision can be appealed.

A Wisconsin legislator can independently file a bill to award Isham additional compensation for his 20 years of punishment, 12 of those years after authorities were notified he had committed no crime. After the Board made its announcement [Isham told reporters](#), "I'm looking for somebody to help me out. I expected to get more. I had my own job making about \$2,000 a month when I went in, and that's a quarter million. That's not counting the hardship of being raped and beaten up in prison, and then the years I was made to register as a sex offender."

[Isham describes his](#) time in prison as hell because other prisoners unrelentingly abused the convicted child molesters. He said he was regularly raped and beaten. He saw child sex offenders stabbed and set on fire, not knowing if or when he would be

next. Isham said he suffers from post-traumatic stress syndrome from his years of torment behind bars. He also said that during his 10 years as a registered sex offender he was unable to keep a steady job because as soon as an employer found out "they would tell me to get off their (expletive) property."

Isham can't afford a lawyer so he filed and handled his compensation claim.

Isham refused a plea bargain before his trial and while imprisoned he refused to participate in sex-offender treatment that would have lessened his prison time, because both required he confess to a crime he didn't commit.

Isham, now 53, lives in Duluth, Minnesota.

Sources:

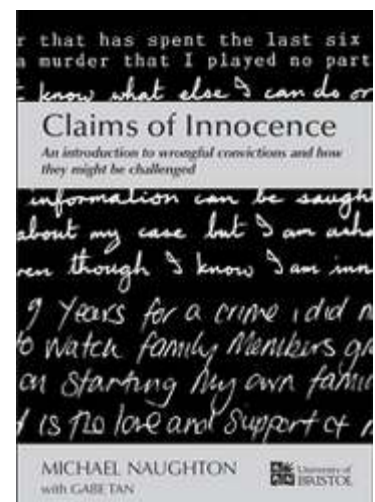
[Man granted \\$25,000 compensation](#) after 20 years of punishment for crime he did not commit, *Wisconsin State Journal*, October 27, 2011

[Duluth man gets \\$25,000](#) after 10 years in Wisconsin prison on wrongful conviction, *Duluth News Tribune*, October 28, 2011

"Claims of Innocence" Now Available For Downloading

Claims of Innocence: An introduction to wrongful convictions and how they might be challenged, is an 80-page booklet by Michael Naughton with Gabe Tan. Published in 2010 by the University of Bristol, Claims of Innocence can now be downloaded for no charge by clicking here.

Michael Naughton is founder and director of the Innocence Network UK, and although Claims of Innocence is specific to the United Kingdom, much of its information, particularly in "Part 3: Proving your innocence," is applicable to the United States and other countries.



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Based on discovery of the concealed evidence, in December 2011 nine police officers [were placed under](#) criminal investigation for misconduct by the UK's Independent Police Complaints Commission (IPCC). Among the nine were four police chiefs, including the national head of ethics in policing.

Sources:

[Five men jailed for murder of Wolverhampton drug dealer Kevin Nunes have convictions overturned](#), *Birmingham Post* (Birmingham, England), March 8, 2012

[Kevin Nunes killing](#): Five cleared at appeal court, BBC News, March 8, 2012

[Police chiefs investigated for misconduct over gang-land killing case](#), *The Guardian* (London), Dec. 22, 2011.