

# July bond hearing set for youth in sex case

ATLANTA (AP) - Genarlow Wilson's long-awaited moment of joy was a short-lived one.

One minute, a judge ordered him released from prison, saying the young man's 10-year sentence for consensual sex between teens was a "grave miscarriage of justice." Ninety minutes later, Georgia's attorney general said Wilson wasn't going anywhere — the state had appealed.

On Tuesday, Wilson's attorney was fighting to at least get him released on bond during the appeal process. He is now 21 and has been behind bars for more than 28 months.

"Yesterday, they did not consent to a bond," attorney B.J. Bernstein said Tuesday on CNN. "We are hopeful to hurry up and get in front of a judge — one, to get him out pending an appeal," she added with emphasis, "but even more importantly, to get this madness over with."

Bernstein sought a hearing Tuesday in Douglas County court, where Wilson was convicted, even though the district attorney there opposes his release. Douglas County Superior Court Judge David Emerson set the bond hearing for July 5, another three weeks away.

Wilson became a symbol for extreme cases of getting tough on sex offenders when he was sentenced to the mandatory 10-year sentence for having consensual oral sex with a 15-year-old girl in 2003, when Wilson was 17.

If he had instead had sexual intercourse with the teen, he would have fallen under Georgia's "Romeo and Juliet" exception. But under the law in 2003, oral sex for teens still constituted aggravated child molestation and carried a mandatory sentence, plus listing on the sex offender registry, something he and his family are vehemently fighting.

Lawmakers last year



Georgia Attorney General Thurbert Baker answers questions outside of the courtroom after listening to arguments before the Georgia Supreme Court in Atlanta in this Tuesday, May 6, 2003 file photo. The angry protests that followed Baker's refusal to release an inmate serving a 10-year sentence for a consensual sex act between teens was nothing new for Georgia's attorney general. For Baker, it's simple: The law is the law and it can't be changed.

voted to close that loophole, but the state's top court said the new law could not be applied retroactively to Wilson's case.

"As far as I'm concerned,

this case is a throwback to Southern justice," said state Sen. Vincent Fort, an Atlanta Democrat and one of several prominent supporters who have rallied to Wilson's

cause.

Opponents of Wilson's release said it could lead to similar legal challenges. Georgia prisons currently hold 189 inmates who were sentenced for aggravated child molestation when they were 21 or younger.

In his ruling Monday, Judge Thomas H. Wilson, no relation to Genarlow Wilson, amended that sentence to misdemeanor aggravated child molestation with a 12-month term, plus credit for time served. The habeas corpus hearing was held in his Monroe County court because Genarlow Wilson is imprisoned in Monroe County.

"The fact that Genarlow Wilson has spent two years in prison for what is now classified as a misdemeanor, and without assistance from this Court, will spend eight more years in prison, is a grave miscarriage of justice," the judge wrote.

"If this court or any court cannot recognize the injustice of what has occurred here, then our court system has lost sight of the goal our judicial system has always strived to accomplish ... justice being served in a fair and equal manner."

In his notice of appeal, Attorney General Thurbert Baker argued that Georgia law does not give a judge authority to reduce or modify the sentence imposed by the trial court.

He said he would seek an expedited ruling from the Georgia Supreme Court. And he noted that a plea deal is on the table that would spring Wilson in a maximum of five

years and also remove him from the sex offender registry.

That isn't good enough, Bernstein says.

"It is really ridiculous when you consider that we had a judge that just said it is a misdemeanor that carries no sex offender registration," she said. "It is extremely, extremely disturbing that the attorney general would take this action now."

A jury in 2005 found Wilson guilty of aggravated child molestation for having oral sex with a 15-year-old girl during a 2003 New Year's Eve party involving alcohol and marijuana. Although the sex act was consensual, it was illegal under Georgia law.

Wilson also was charged with rape for being one of several male partygoers at the Douglas County hotel to have sex with another 17-year-old girl, but was acquitted. The party was captured on a videotape that was played for the jury. Five other male partygoers took plea deals in the case. One has been released from prison and is now in college.

"I think he's certainly going to be changed," Bernstein said of her client Tuesday. "But fortunately, Genarlow has been taking this time in prison and reading like crazy."

"He wants to speak out to young people about realizing that when you party and carry on, you've got consequences — sometimes greater than you realize. I think because of his extraordinary personality, he'll be okay, but I don't want this to happen to any other kid. It's crazy."

## Jefferson to fight to clear name

By Susan Crabtree

Special to Sentinel-Voice

WASHINGTON (NNPA) - Rep. William Jefferson, D-La., passionately proclaimed his innocence Friday after pleading not guilty to soliciting \$500,000 in bribes from businessmen with interests in Africa, as well as to racketeering, obstruction of justice and money-laundering charges.

With his wife, Andrea Green Jefferson, at his side, Jefferson told a scrum of reporters gathered outside the U.S. District Court in Alexandria, Va., that he would

"fight his heart out" to clear his name.

"My family and I have determined that I will not sacrifice my honor or cave to political pressure, and that we will sell every stick of furniture in our home and anything else we may own to pursue justice and clear our name," he said.

Jefferson acknowledged, however, that he made mistakes "along the way that I now deeply regret," but insisted that he did not sell or trade official acts for money and did not bribe a foreign official.

"This case involved private business activities and not official acts by me," he said. "After 17 years in the Congress and service on the House Ways and Means Committee, I know what congressmen can do to help someone: passing legislation that would help a certain industry, securing earmarks, and amending tax and trade bills. I did none of that."

Jefferson also said the now-notorious \$90,000 the FBI found in his freezer during a raid of his home did not amount to evidence of a bribe because he never gave it to

the Nigerian vice president, for whom the FBI alleges it was intended.

"The \$90,000 was the FBI's money," he said. "The FBI gave it to me as part of their plan that I would give it to the Nigerian vice president. But I did not do that. When all the facts are understood, I trust I will be vindicated."

He vigorously defended his family — his wife and five daughters, who range in age from 23 to 35, their families and their reputations.

He noted that his wife has (See Jefferson, Page 16)

## Groups set to block Bush nominee

By James Wright

Special to Sentinel-Voice

WASHINGTON (NNPA) - Citing his conservative leanings, civil rights groups say they plan to stop the confirmation of President Bush's nominee to the Fifth U.S. Circuit Court of Appeals.

Leslie Southwick, a former Mississippi Court of Appeals judge, was nominated by Bush in January to succeed Charles Pickering on the New Orleans-based Fifth Circuit. Bush nominated him for a U.S. District judgeship in June 2006 but the nomination died on Dec. 31 of that year without action from the Senate.

The Senate Judiciary

Committee, chaired by U.S. Rep. John Conyers, last week put off voting on whether to send the Southwick nomination to the floor.

Southwick, a graduate of the University of Texas Law School and a former practicing attorney in Jackson, Miss., is considered by civil rights groups to be too conservative to serve on the Fifth Circuit.

"We are asking President Bush to withdraw this nomination," Rep. Al Green, D-Texas, who is acting on behalf of the Congressional Black Caucus on the matter.

"We know of a court case where Southwick sanctioned a Black worker being in-

sulted by the n-word. When the person who issued the insult was fired, the matter reached Southwick. Southwick ordered that the worker be returned to his job and said that the n-word amounted to nothing more than being called a 'teacher's pet,'" he continued.

"That is unacceptable. We do not think that a judge with that type of temperament should be on a circuit that serves a large minority population."

Green was referring to the case of Richmond v. Mississippi Department of Human Services, in which Southwick voted with the 5-4 majority to reinstate the

offending White employee. The Mississippi Supreme Court reversed the ruling of Southwick's court.

Derrick Johnson, president of the Mississippi chapters of the NAACP, supported Green, saying that Southwick is the "wrong person at the wrong time" for the Fifth Circuit judgeship. Johnson's stand has the support of the national NAACP.

"The NAACP is further disturbed by Judge Southwick's ruling on race discrimination in jury selection," Hilary Shelton, the NAACP Washington bureau director, said.

"They demonstrate a clear (See Bush, Page 17)

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