

January 4, 2006

The Honorable Mark R. Warner
Executive Office Building, 3rd Floor
1111 East Broad Street
Richmond, VA 23219

RE: Clemency Petitions concerning Joseph Dick,
Derek Tice, Danial Williams & Eric Wilson

Dear Governor Warner:

We were members of the jury in the case of the *Commonwealth v. Eric Wilson*. We write to urge you to grant clemency to Eric Wilson and to three other young men, Joseph Dick, Derek Tice, and Danial Williams, who were convicted of the brutal 1997 murder of Michelle Bosko.

During Wilson's 1999 trial, we were asked to find that he participated with several other sailors in the rape and murder of Ms. Bosko. The Commonwealth's evidence consisted largely of Wilson's statement to police made after a long interrogation, and the not-always-consistent testimony of co-defendant, Joseph Dick. By far, the most important evidence to the jury was Eric Wilson's confession. After carefully studying all of the evidence, we reached a split verdict. We did not believe there was enough evidence that Wilson murdered or participated in the murder of Ms. Bosko, and we found him not guilty on that charge. But we decided there was enough evidence to show that he participated in her sexual assault.

Recently, we were asked by lawyers for Dick, Tice and Williams to review additional evidence that we did not have before us at the Wilson trial. We have done so, thoroughly and responsibly, and we think that evidence is very important. It fills many of the holes we identified but had no evidence to fill, and places the evidence we did hear in a very different light. Taking this new information into account with the evidence we heard at trial, we now firmly believe that Wilson, Dick, Tice, and Williams are all innocent of this crime. We thus ask that you act promptly to clear the names of these innocent former sailors.

The evidence that we did not hear points in only one direction – that none of these young men had anything to do with Ms. Bosko's assault and murder. When we voted to convict Wilson of rape, we did not know that:

- Detective Ford, the key investigator who got the confessions from the four Navy men, had earlier in his career obtained false confessions from other young men in multiple cases;

- the confessions of these four sailors were significantly inconsistent with each other and conflicted in so many ways with the known evidence of what actually happened to Ms. Bosko;
- an expert in police interrogations and confessions has concluded that the confessions of these four sailors were coerced by the police and are false;
- two additional sailors named by Derek Tice in his confession as being involved in the attack on Michelle Bosko and implicated by Joseph Dick in his testimony at Eric Wilson's trial actually had airtight alibis;
- Joseph Dick's supervisor believed that he was on his ship, and not at Michelle Bosko's apartment complex, on the night that Ms. Bosko was murdered;
- experienced experts (in crime scene reconstruction and in pathology) have concluded that only one person committed this crime. We remember hearing evidence at the time of the trial that the apartment was neat and orderly and did not seem to have been disturbed by a large group of men, and that was a fact that troubled us during our deliberations;
- Omar Ballard violently assaulted another person in the same apartment complex where Michelle Bosko lived just two weeks before he killed Ms. Bosko; and
- Omar Ballard raped and strangled a fourteen-year-old girl ten days after raping Ms. Bosko, just a short distance from Ms. Bosko's apartment complex.

Had we heard this evidence during the trial, we would not have convicted Eric Wilson of rape. Instead, we would have been convinced, as we are now, that Wilson and the other three sailors are innocent.

All the available evidence shows clearly that Omar Ballard raped and killed Michelle Bosko by himself. We thus ask that you grant clemency to Joseph Dick, Derek Tice, Eric Wilson, and Danial Williams. We recognize that we played a key role in putting Eric Wilson in prison, and we understand that you are now the only person who can clear his name and release the other innocent men. We were faced with a difficult decision when we deliberated, and we know that you are now faced with a difficult decision too. But we believe that clearing the names of these four sailors is the only right thing to do and we urge you to act on these clemency petitions promptly.

Sincerely,

Tangela Banks

Georjean Baxter

Patrick Farrell

Liquetta Faulks

Ann Marie McGunnigle (Webb)

Ursula Montgomery

Lauren Moreland

Belva Smith

John Subasavage