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Genarlow Wilson rejoices over his release  
Georgia Supreme Court rules his sentence was cruel and unusual

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FORSYTH, Ga. — Two prison guards escorted him from the Burruss Correctional Training Center here. Wilson shook their hands, broke into a wide grin, hugged his mother, Juannessa Bennett, and then picked up his little sister, Jiaya, 9, and held her.

Just hours earlier, the Georgia Supreme Court had ordered his release, calling his 10-year prison sentence "cruel and unusual punishment" under the state and federal constitutions.

With his mother and attorney by his side, Wilson told reporters he harbored no bitterness and still believes in the justice system — especially now that he's been freed.

"I was waiting to see it for myself before I took anyone else's word for it," Wilson, now 21, said of his release. "It felt unreal just to sign the papers to actually let me know I was leaving."

Wilson's four-year legal odyssey has inflamed racial tensions in Georgia while capturing the nation's attention.

Black civil rights leaders alleged race and class have been at play in the case, which sparked protest marches and demonstrations in Douglasville, where Wilson was prosecuted. Douglas County prosecutors, meanwhile, have vehemently denied race played a role, noting all the defendants and victims in the case are black.

The case stems from a drug- and alcohol-fueled New Year's Eve party Wilson attended at a Douglasville hotel in 2003. Wilson was charged with raping a 17-year-old girl at the party, but was acquitted. He was ultimately found guilty of felony aggravated child molestation for receiving oral sex from the 15-year-old girl, a crime that carried a minimum 10-year prison sentence under state law at the time.

Four other male youths at the party pleaded guilty to child molestation of the 15-year-old and sexual battery of the 17-year-old. A fifth pleaded guilty to false imprisonment. Their party was captured on a profanity-laden and sexually graphic video filmed by one of the male youths.

Since Wilson's conviction, the former Republican state lawmaker who authored the state Child Protection Act in 1995 has repeatedly insisted it was never his intent to lock up teenagers involved in consensual sex acts. Last year, the Legislature changed the law to make similar acts a misdemeanor, punishable by up to 12 months in prison.

The Supreme Court noted that legal change in the 48-page opinion it issued in Wilson's case Friday morning: "For the law to punish Wilson as it would an adult, with the extraordinarily harsh punishment of ten years in prison without the possibility of probation or parole, appears to be grossly disproportionate to his crime," wrote Chief Justice Leah Ward Sears, who sided with the majority in the court's 4-3 decision in favor of freeing Wilson.

In ruling Friday, the Supreme Court upheld the June 11 decision of Monroe County Superior Court Judge Thomas Wilson, who ordered Wilson freed from prison. Judge Wilson, no relation to Genarlow Wilson, also ordered his felony conviction reduced to a misdemeanor. But the Supreme Court said the judge erred in resentencing Wilson "for a misdemeanor crime that didn't exist when the conduct in question occurred." The court said Judge Wilson should instead set aside Wilson's sentence altogether. Judge Wilson did not respond to a message left at his office Friday.

Veda Cannon, the mother of the 15-year-old girl in Wilson's case, declined to comment. But in an interview in June, Cannon said Wilson should never have been criminally charged and imprisoned for receiving oral sex from her daughter. Cannon said the sex between her daughter, Wilson and the four other teens was consensual and regrets she didn't ask prosecutors not to charge them. Critics have pointed out, however, that the age of consent in Georgia is 16.

Cannon's daughter, now 19, has declined requests for interviews about the case. She graduated from high school before joining the Navy to pursue a career in nursing, her mother said. She has a 2-year-old son, Cannon said.

Douglas County District Attorney David McDade, whose office prosecuted Wilson, issued a statement Friday, saying "while I respectfully may disagree with the court's decision, I also must respect their authority as the final arbiter in this case."

Attorney General Thurbert Baker, who had appealed Judge Wilson's decision to the Supreme Court, also issued a statement Friday.

"I hope the court's decision will also put an end to this issue as a matter of contention in the hearts and minds of concerned Georgians and others across the country who have taken such a strong interest in this case," read the statement.

Back at the prison, Wilson was asked if he had apologized to the girls from the party. He responded: "No. From Day One, I said — not just me — but all of us, we made decisions that I felt could have been better. But I felt like we have all learned from that experience. All we can do is move forward. You can't step back."

Before this incident, Wilson had never been in trouble with the law and was an A and B student at Douglas County High School, where he played football, ran track and served as homecoming king. Wilson said he now plans to go to college and major in sociology.

A reporter asked him where the welcome-home party was going to be. Wilson paused, then said: "There is not going to be any more parties for a while."

Everybody laughed.

*Staff Writers Jim Galloway and Bill Rankin contributed to this report.*