



AFTER A WILD NEW YEAR'S EVE PARTY, SIX DOUGLASVILLE TEENS FOUND THEMSELVES CHARGED WITH **CHILD MOLESTATION** UNDER A LEGAL TECHNICALITY. THE BOY WHO REFUSED TO TAKE A PLEA NOW FACES A DECADE BEHIND BARS.

WHY IS GENARLOW WILSON IN **PRISON?**

BY CHANDRA R. THOMAS
ILLUSTRATION BY PJ LOUGHRAN

***It was New Year's Eve 2003** and there was a party going on. Rap music thumped from a boom-box as teenagers sporting jeans, team jerseys and baseball caps crowded into rooms 135 and 136 at the Days Inn on West Moreland Plaza just off Interstate 20 in Douglasville.

The alcohol flowed freely as just over a dozen young men and women ducked in and out of the rooms, rented for \$55.86 apiece. Everyone was laughing and having a good time. The boys were being, well, boys, talking trash, giving each other “shout outs” into the lens of a camcorder. Most of the kids were Douglas County High School seniors, some were younger and attended other nearby schools, a few had graduated the year before.

Between puffs of blunts—cigars filled with marijuana—and shots of E&J brandy, the vibe turned more risqué. What happened next depends on whom you ask, but some basic facts ring true by all accounts.

At several points during the evening, 17-year-old Michelle Ross* had sexual intercourse with at least six of the boys at the party. Fifteen-year-old Tracy Williams* voluntarily performed oral sex on at least five of the guys. The partyers bounced between rooms 135 and 136 all night, and neither girl is believed to have ever been in the same room at the same time when the sex acts took place.

As the effects of alcohol and late-night partying set in, a handful of partygoers sprawled across the double beds in the rooms while others scurried home in hopes of meeting their extended curfews.

*Names changed to protect identities.

AROUND 3 A.M., Michelle awoke from a drunken daze. She was lying on the floor between two double beds and wearing nothing but socks. In a panic, she called her mother from a cell phone, asking—no, pleading—for her to come now. Michelle managed to find her overnight bag and scrounged up a shirt and underwear to wear outside. Her mother picked her up in front of the hotel.

Once they got in the car, Michelle's mother told her daughter that she reeked of liquor and marijuana and as soon as they got home she needed to take a bath. Michelle got into the tub, but then broke down and told her upset mom, "I think they raped me." She dressed, and mother and daughter headed to the Douglasville Police Department. After they filed a report, investigators ordered Michelle to go to a hospital for an examination.

Later that morning, loud knocks at the doors of rooms 135 and 136 awakened the stragglers still there. Officers announced that they were there to investigate a gang rape that had been reported by Michelle. The youngsters sat around bleary-eyed as detectives questioned them; meantime, after securing a search warrant, officers scoured the rooms for evidence, carefully collecting almost a dozen used condoms and wrappers that were found strewn about the floor and in wastebaskets.

Just as they were wrapping up their search, detective Ed Reece, a crime scene technician, noticed something in the corner of the room: the video camera.

Over the next few days, investigators interviewed about 14 teens who had been at the party. Eventually five young men admitted to detectives that they had engaged in sexual intercourse with Michelle and that Tracy had performed oral sex on them. Officers continued tracking down evidence.

AFTER THE CHRISTMAS holiday break, on the first day of the second semester of his long-awaited senior year, Genarlow Wilson's charmed life came to a screeching halt. The football player and track star, homecoming king and honor-roll student was met by sheriff's deputies in his Douglas County High classroom. Genarlow and his friend Narada Williams, who had also

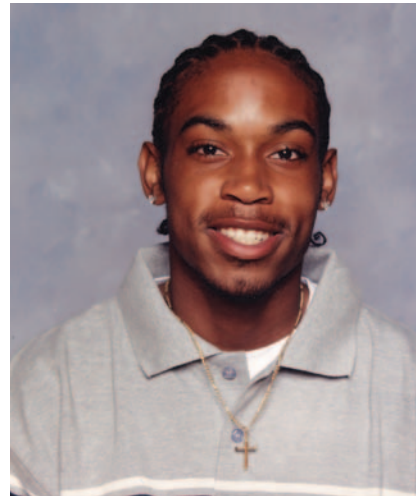
attended the now-notorious party, were marched in handcuffs through the same hallways that had been filled with happy memories. It all seemed surreal, but it didn't take long for Genarlow to realize that this was no dream.

Along with Genarlow and Narada, Ryan Barnwell, Cortez Robinson, Adrien Willis and Frankie Henry—all 17 years old—were arrested on a host of charges including rape, contributing to the delinquency of a minor, aggravated sodomy and aggravated child molestation.

As lawyers and detectives met with the boys and their families, the impact of the charges began to sink in. Clearly, rape is illegal in all American states, but in Georgia, sex, including oral sex, with anyone under the age of 16 can be classified as aggravated child molestation—even if it occurs between two teens less than three years apart in age, as in the instance of 17-year-old Genarlow and 15-year-old Tracy.

In fact, under Georgia law, the penalty is actually more severe for a person found guilty of engaging in oral sex with a minor than for having intercourse (which is classified as misdemeanor statutory rape), even if the perpetrator is just a few years older than the minor.

COMMUNITY OUTRAGE At a rally, below, friends, family and concerned church and political leaders protested injustice against the "Douglasville Six," including Genarlow, right.



RALLY PHOTOGRAPH BY WALI A. MUHAMMAD

"I JUST COULD NOT LIVE WITH MYSELF HAVING THAT LABEL [OF CHILD MOLESTER] FOR THE REST OF MY LIFE," GENARLOW SAYS. "EVEN AFTER SERVING TIME IN PRISON I WOULD HAVE TO REGISTER AS A SEX OFFENDER WHEREVER I LIVED."

The intricacies of the Georgia law made national news nearly two years ago when aggravated child molestation charges almost sent 18-year-old Marcus Dixon from Rome, Georgia, to prison for a decade. Dixon, a former Pepperell High School football star, who is black, was accused of raping a white classmate who was three months shy of her 16th birthday. When that case broke, even the author of the statute, state Representative Tyrone Brooks, argued that the law was intended to protect children from adult sexual predators, not to police teenage sex.

According to Douglas County District Attorney David McDade, most of the six young men charged in the Douglasville case had been in trouble with the law before, including one now facing similar charges nearly two years after this case. Still, none of them or their families had the faintest notion that their actions that New Year's Eve night would haunt them for the rest of their lives. Initially the young men—dubbed the Douglasville Six by local media—stood united. Their parents hired attorneys, and all of the boys vehemently maintained their innocence. But as the reality of the charges stacked against them began to sink in, the pressure began to mount.

Four of the teens buckled and signed documents—some without even their parents' knowledge—accepting pleas to lesser charges in exchange for lighter prison terms. The pleas varied, but there were some commonalities: None would serve the mandatory 10 years in prison for aggravated child molestation (for having oral sex with 15-year-old Tracy), but

all would be registered sex offenders forever. Cheryl Arnold, Ryan Barnwell's aunt, says prosecutors used scare tactics to pressure the kids into accepting plea deals. "He was scared, they made him think that they would get 30 years in prison if they went to trial," Arnold says of her nephew, who is now at Lee State Prison in Leesburg, Georgia. "He had never even lived away from

home before and now he's in prison. It's just horrible."

So the six became two. Genarlow, the only teen with no prior run-ins with the law, and Frankie decided to stand trial and fight the charges. Surely, they and their families believed, jurors would see that this was just a case of teenagers being teenagers. There was no ill will, no malice, no intent to commit a crime. After all, Michelle had arrived at the party tipsy; she'd been drinking Hennessy cognac that afternoon even before the party began. She voluntarily continued to drink and smoke with them. She had packed a bag, obviously with the intention of spending the night. She had also reportedly flirted relentlessly with the guys, including her old high school track buddy Genarlow. And more importantly, even Michelle's own girlfriend, Natasha*, who'd also been at the party, told investigators that she had never heard Michelle say "no" to the guys.

As for Tracy, she did not drink or smoke that night, but willingly performed oral sex on several of the guys, practically one after the other, as the telltale videotape showed. Tracy had not wanted to press charges and was as surprised as the boys that police showed up at the hotel that New Year's morning. At no point did anyone at the party discuss their ages. They were all peers.

But the morning the trial was to begin, Genarlow learned that his lone ally, Frankie, had also opted to take a plea. Genarlow would have to stand alone in this battle. With the support of his mother, Juannessa Bennett, and his trial attorney, Michael Mann, he embarked upon quite literally the fight for his life.

THE TRIAL BEGAN the morning of February 21, 2005, at the Douglas County Courthouse, with the words "justice" boldly etched onto the front of the grand stone-and-brick structure. The courtroom was packed daily with members of the community eagerly awaiting the salacious testimony. Genarlow sat at a table with his attorney at his side. Each day his mother arrived alone and sat in the area reserved for the public, without a family member or friend there to lend support.

Genarlow was scared, trembling at times, but he held on to the conviction that no fair-minded juror could look at that videotape, hear the testimony of others who attended that party and, in good conscience, call him a child molester.

He would have seemed to be a model defendant. Attractive, popular and outgoing, Genarlow had been headed for a bright future. He had a 3.2 grade point average and athletic



“UNDER THE LETTER OF THE LAW THESE YOUNG MEN WERE GUILTY, BUT UNDER THE SPIRIT OF THE LAW THEY WERE NOT GUILTY,” SAYS JURY FOREWOMAN MARIE MANIGAULT. “BECAUSE WE WERE IGNORANT WE SENT THIS CHILD TO JAIL.”

abilities that kept college coaches calling to offer football and track scholarships. He was All Conference in football both his junior and senior years. He was voted 11th-grade prom prince and his senior year was capped off with a distinguished honor: He was elected Douglas County High’s first-ever homecoming king.

Normally extroverted and upbeat, Genarlow was sedate and still as he listened to Michelle, the mothers of both girls, his friends and friends of the alleged victims testify at the five-day trial that played out with the intensity of a television drama.

The melodrama heightened with each screening of the by-now-infamous videotape. Labeled “state’s exhibit seven,” it was dubbed onto a Maxell VHS tape bearing the words “for everyday recording” and “frequent re-recording” on the cover. Parts of the tape were played so often that, at one point, even the judge requested that it be shown again only if absolutely necessary. The testimony was explicit and questioning intense, with testy exchanges between Genarlow and prosecutor Eddie Barker. Throughout the trial Genarlow was hammered with specific—and often graphic—queries about the night’s encounters, sometimes exasperating the teen:

Genarlow: . . . I’m pretty sure when you and your wife engage in sexual activity, you do stuff . . . you probably don’t want to discuss . . .

Barker: That’s because my wife is over 16, Mr. Wilson.

At one point, defense attorney Michael Mann elaborated on Genarlow’s point in an attempt to demonstrate the absurdity of policing teen sex:

Mann: Have you ever fooled around with some girl who’s about your age and asked to see her ID before you had sex?

Genarlow: No. I mean, it’s people who go to the same school . . .

Mann: You didn’t ask to see her date of birth or month or hour of birth before she gave this blow job?

Genarlow: No, sir.

Observers said no moments were more dramatic than when the young defendant pleaded in his own defense:

Genarlow: . . . Aggravated child molestation is when like a 60-year—some old man like messing with 10-year-old girls. I’m 17, the girl was 15, sir. You call that child molestation, two years apart?

Barker: I didn’t write the law.

Genarlow: I didn’t write the law, either.

Barker: That’s what the law states is aggravated child

molestation, Mr. Wilson, not me. **Genarlow:** Well, sir, I understand you’re just doing your job. I don’t blame you. . . . But do you think it’s fair? . . . Would you want your son on trial for something like this?

But the courtroom showdowns were no match for the fallout that followed the reading of the verdict. Genarlow’s mother, who had been awaiting word from home, raced

into the courtroom with her young daughter in tow just in time for the announcement. It was standing room only, with people even lining the walls, as jury forewoman Marie Manigault stood up in the jury stand and read, “We, the jury, find the defendant, Genarlow Raevion Wilson, not guilty of rape. . . . We, the jury, find the defendant, Genarlow Raevion Wilson, guilty of aggravated child molestation this 25th day of February 2005.”

The room erupted into a collective gasp and Genarlow, dressed in a plaid button-down and khakis, sunk his face into his hands and began sobbing uncontrollably. His mother clutched her young daughter and cried as two armed guards handcuffed her son and led him out of the courtroom.

The jury filed into the back room where they had deliberated for about five hours earlier that day. It was not until then, says Manigault, that attorney Michael Mann told them that their verdict meant a mandatory 10-year sentence for Genarlow. The room exploded. “People were screaming, crying, beating against the walls,” she recalls. “I just went limp. They had to help me to a chair.”

Manigault says she feels that prosecutors gave the jury instructions that left them no choice but to convict Genarlow on the aggravated child molestation charge. She says that she and her fellow jurors believed that their verdict had to be unanimous. She says that other options—such as a hung jury—were not thoroughly explained to them.

“It all boils down to the fact that there’s the letter of the law and there’s the spirit of the law,” says Manigault, who claims that she still struggles to make peace with her role in the case and that she could not sleep for months after the verdict. “Under the letter of the law these young men were guilty, but under the spirit of the law they were not guilty,” she says. “Because we were ignorant we sent this child to jail.”

DOUGLASVILLE SIX SENTENCES

NARADA WILLIAMS, 17: 15 years, to serve 5

ADRIEN WILLIS, 17: 15 years, to serve 5

RYAN BARNWELL, 17: 15 years, to serve 5

CORTEZ ROBINSON, 17: 15 years, to serve 6

FRANKIE HENRY, 17: 10 years, to serve 3

GENARLOW WILSON, 17: 10 years and 1 year probation

IT LOOKS LIKE a church revival is going on. People of all ages—from arm babies to gray-haired grandmothers—pack the long dark pews at St. James A.M.E. Church. Wooden ceiling fans spin slowly overhead. The television photographers huddled in the aisles and the many microphones that crowd the podium in the pulpit are a dead giveaway that there’s much more to this gathering. Speakers, including state Representative Roger Bruce, state Senator Vincent Fort, former Atlanta city councilman Derrick Boazman and state Representative Mabel Thomas take turns addressing the crowd at a rally held to increase awareness about the Douglasville Six case and to raise money for Genarlow’s defense fund. The parents and relatives of the six young men are sprinkled about the room; some hold photographs of their sons. In a side pew, Genarlow’s mother cuddles with her young daughter; both are dressed in the same vibrant fuchsia. Marcus Dixon’s mother, Peri Jones, sits nearby in a peach suit, the same one she wore the day her son was released from prison. At one point, the two mothers address the crowd, tearfully holding hands side-by-side.

Other speakers, including Cortez Robinson’s father, Lynn Lindley, elicit amens and thunderous applause. “This law was meant to protect our children and now it’s got our children,” says Lindley, alongside his wife, Lisa.

The gathering ends with a call for support and a pass of the collection plate.

The outcry sparks a sense of déjà vu on the heels of the notorious Dixon case, which caught national media attention when it was featured on *The Oprah Winfrey Show* and *Real Sports With Bryant Gumbel*.

Jurors acquitted Dixon of rape, aggravated assault, false imprisonment and sexual battery, but he was sentenced to 10 years for aggravated child molestation. His lawyers appealed to the Georgia Supreme Court, which overturned the aggravated child molestation charge and charged him only with statutory rape, a misdemeanor, reducing his sentence to the 15 months served. The court did not overturn the controversial state law, but did make a commentary for clarification, noting that in the court’s opinion, the intent of the Georgia General Assembly in drafting the law was to punish Dixon’s conduct as misdemeanor statutory rape rather than felony aggravated child molestation. The court also indicated that “Georgia’s statutory rape and child molestation statutes must be considered together to determine legislative intent.”

Marcus Dixon’s attorney, David Balser, has noted that the



HIGH DRAMA: Sometime soon, the Dixon and Wilson stories may be showing on a screen near you.

HIS REAL LIFE PLAYED OUT LIKE A MINI MELODRAMA, and now Marcus Dixon’s highly publicized ordeal is being made into a movie. Paramount Pictures has purchased rights to an inspirational film centered on the Rome, Georgia, teen’s story. Dixon’s legal guardians, Peri and Ken Jones, who are white, still get misty-eyed when they recall their reunion after Dixon was released from jail. “There was so much media attention that first night we had to get a hotel room,” recalls Ken Jones. “We goofed off and had pizza, Krystal, Burger King—everything he hadn’t had in a long time. It was better than Christmas!”

Dixon, above right, who lost an athletic scholarship to Vanderbilt University after the charges were filed against him, accepted a full athletic scholarship to historically black Hampton University in Virginia. The Joneses say he’s adjusting well to college life, maintaining a 3.6 grade point average and the starting defensive tackle for the Pirates. “His coaches love him, his teachers love him,” says Peri Jones of Dixon, who declined interviews at his coach’s request. “The environment is so supportive, like it’s God’s will for him to be there.”

Both proud parents often visit him at school and regularly take road trips to his football games, boldly sporting their Hampton sweatshirts.

The untitled film is slated to be shot this summer. It may become a made-for-TV movie, but for now there’s talk that it may make it to the big screen. Due to Dixon’s athletic status and the strict NCAA guides, he and his adoptive parents can’t receive any financial compensation for the film, a tough reality for the family that still struggles to stay afloat financially following their nightmarish legal battle. “Whatever happens is fine with us. We’ll make it,” Ken Jones says matter-of-factly. “It’s truly a blessing just for us to know that after all of this he’s going to be able to make something of his life.”

Wilson (above left) is already part of a documentary being shot by a Georgia State University film student. Ron Emile says he hopes to screen the film, set to be released some time this year, in local schools to educate young people about the state law and spotlight what he considers the grave injustice that was dealt to the young men involved. —C.R.T.

main difference in the two cases is that Genarlow’s involves oral sex, which is classified as aggravated child molestation under Georgia law, while Dixon’s case involved sexual intercourse, which can actually carry lesser charges.

DAVID MCDADE, a Douglas County native who has helped his hometown earn a reputation for being tough on crime, spent 10 years as a prosecutor before he was elected district attorney in 1990. He’s a personable man with an unassuming demeanor. Nothing about his thinning gray [CONTINUED ON PAGE 144]

hair, bushy moustache, cerise complexion, baby blue button-down and brick-red tie lends to the menacing reputation his critics describe. He's a husband and a father of three. His desk, in an office tucked in a corner of the Douglas County Courthouse, is crowded with framed family photos; his wall hangings reveal an affinity for the Georgia Bulldogs.

He's unapologetic about his reputation for being tough on crime. Nobody ever said that going after criminals would be easy. His job is to think about the victims. It's something he does proudly. In fact, he previously served on the Prosecuting Attorneys' Council of Georgia board and currently chairs the Legislative Affairs Committee for the District Attorneys' Association of Georgia. In 2005, McDade was named D.A. of the year by the D.A. Association of Georgia. The same year, the Criminal Justice Coordinating Council presented him with the Eagle Award for outstanding contributions in the field of victim services.

McDade says that he agrees that consensual teenage sex, including oral sex, does not necessarily warrant a decade-long prison sentence, but he insists there were no other options to consider in this case as long as that law remains on the books. He shrugs off his critics' assertions that he could have dropped the aggravated child molestation charges, insisting that there was no way for him to turn a blind eye to a crime that was clearly documented on videotape.

"We don't believe that a 10-year sentence is an appropriate punishment [in this case], but he made that decision to put himself in that predicament," explains McDade, of Genarlow's refusal to cop a plea. "He has decided to become a martyr because people have been whispering in his ear, 'We'll make you famous like Marcus Dixon.'"

The Douglasville Six case, McDade insists, in no way detracts from his long-standing track record. McDade says that critics are merely playing the proverbial race card. "I think there is an attempt to shy away from a focus on the specifics of this case by some who would like to use any case to create

racial disharmony in this community," he says. "I think the members of the black community should stand up and say, 'We don't condone the behavior of these young men.'" Had he not pursued charges against the boys, his critics could have just as easily chastised him for failing to protect the rights of the two black females. "I'm standing up for African-American victims in this case, as I would for any white victim," says McDade, an alum of Douglas County High, where he played baseball. "Calling me a racist denigrates the people who are victims in this case."

Both McDade and prosecutor Eddie Barker shrug off what they call "hype" spawned by the case. "The media has painted these young men as choir boys, sweet and innocent, but that is not the case. The truth is in here," McDade states matter-of-factly, pointing to a folder full of papers listing some of the defendants' previous arrests.

Superior Court Judge David Emerson decided to deny First Offender status to all of the six young men—a distinction that could have automatically lightened their sentences and removed the offenses from their records after they completed probation—because five of the six young men involved in the case had criminal records. McDade says it is "office policy" that no one convicted of child molestation should benefit from First Offender status.

According to McDade, prior to this incident Frankie Henry had 29 arrests in Douglas County on charges including aggravated assault, criminal trespassing and shoplifting. In fact, as recently as October 2005, he was charged with child molestation and statutory rape for allegedly impregnating a 12-year-old Douglas County girl he was accused of having sex with while the Douglasville Six cases were pending. McDade says DNA testing conducted on the baby and the victim confirmed that Frankie is the father. He reportedly told investigators he had sex with the girl but did not know her age at the time.

Narada Williams, who brought the video camera to the party, had at least four prior arrests—three as a juvenile and one as an adult. Cortez Robinson, who rented one of the hotel rooms, had

12 priors, including simple battery, burglary, criminal trespassing and possession of alcohol as a minor. Ryan Barnwell, who rented the other room, had a 1998 arrest for battery in Bibb County. Adrien had at least one previous arrest in Cobb County.

McDade says he further supported the judge's decision to treat Genarlow—the only one who had not had any run-ins with the law prior to this case—the same as the other boys because he does not believe in offering First Offender status in sex crime cases.

McDade's tough stance on sex crimes seems reasonable, noble even, until a closer look is taken at several recent cases in Douglas County, including one indirectly involving McDade's own teenage son.

At the time that Genarlow's trial was underway, just down the hall in the same courthouse, Douglas County Judge Robert James Baker was hearing the case of Alexander High School English teacher and cheering coach Kari McCarley. The 27-year-old was found guilty of having a sexual relationship with a 17-year-old male student who attended the school where she worked. She was sentenced to three years probation and 90 days in jail.

McDade says he recused himself from that case because his then 17-year-old son, a student at Alexander High, had been interviewed by investigators about the case. The boy had told investigators that McCarley had called his cell phone nearly 30 times. McDade says his son was never romantically involved with McCarley. "I was pissed off as hell about the outcome, but [because the victim was 17] the maximum sentence she could have received by law was three years," explains McDade. "We suggested prison time, but the judge imposed a sentence that he felt was right. She [McCarley] was not having sex with a student directly under her supervision."

But there are also other cases of adults—white adults—prosecuted by the Douglas County District Attorney's office for sex crimes involving minors and received far lighter sentences than any of the teens in the Douglasville Six case.

Case in point: Jack Stewart, a 24-year-old volunteer coach at Heirway Christian Academy in Douglas County, who

received 30 days in jail and 10 years probation for fondling the 15-year-old daughter of a couple whose house he was living at temporarily. McDade notes that he objected in court to the “inappropriately light” sentence.

In the case of 26-year-old George Tsimpides, First Offender status was extended in a sex crime. Tsimpides received 20 days in jail after he pleaded guilty to luring a 15-year-old girl he’d met on the Internet to Arbor Place Mall with the intention of engaging in sex with her. McDade says he publicly objected to that sentence.

The D.A. himself has not been immune to sexual misconduct charges. In 1995, two female employees who worked in his office claimed McDade sexually harassed them, creating a “hostile work environment.” The charges were later dismissed. McDade insists they are irrelevant. “According to the summary judgment, I won completely and they lost completely,” he says.

These cases, according to the Douglas County chapter of the NAACP, point to a pattern of discrimination. The civil rights organization, which has led rallies in support of the Douglasville Six, contends that if the young men involved were white the charges would have been dismissed. “The D.A.’s office is caught up in that good ol’ boy syndrome, misapplying a law that was never meant for teenagers,” says chapter president Kimberly Alexander.

Statistics provided by the Campaign for Juvenile Justice, a nonprofit advocacy group based in Atlanta, suggest that Alexander’s assertions may not be far off the mark, particularly when it comes to trying teens as adults. According to the organization’s analysis of Justice Department statistics, African-American and Latino youth are 45 percent of Georgia’s youth population, but comprise 77 percent of the youth arrested under SB 440, a controversial measure that was passed by the Georgia General Assembly in 1994. SB 440 gives superior courts the power to charge children aged 13–17 as adults for committing the so called “seven deadly sins”: murder, voluntary manslaughter, rape, aggravated sodomy, aggravated child molestation, aggravated sexual battery, and armed robbery

if committed with a firearm. Furthermore, the organization also found that 46 percent of criminal cases involving white youth were transferred back to juvenile court versus 25 percent of cases involving African-American youth.

Such statistics inspired Cathryn Ferrigno last year to create a nonprofit agency that aims to work with the juvenile courts in Georgia to create alternatives to incarceration for youths arrested for crimes. The CROPS (Community Responsibility Opens Possibility and Sustainability) program will work with the courts before youth are sentenced.

“Research has shown that when kids go to prison a first time, they tend to go back,” Ferrigno says. “Kids need to be given the opportunity, with the right support, to prove to themselves and the court that they’re capable of being productive citizens.”

Instead of exclusively pointing fingers at district attorneys’ offices, Ferrigno and many other observers argue that the crux of the Douglasville Six case is rooted in shortcomings within the state legislature. “These mandatory minimums strip judges of the opportunity to exercise discretion and to take into account the specifics of a case,” Ferrigno says. “On the legislative level they’re scared to touch sentencing issues, afraid that it’ll appear like they’re not being tough on crime.”

Prosecutor Eddie Barker, a father of three, admits that he worries about his own children getting trapped by the law, but echoes a similar sentiment to McDade. “I don’t doubt for a second that Genarlow had any idea that what he was doing that night would get him 10 years in prison, but ignorance is not an excuse for breaking the law. When he says he’s not a child molester, what he is saying is that he is not a traditional child molester, but the way the law is written he *is* a child molester. We can’t change the law; that’s up to the folks [legislators] in Atlanta.”

Some observers, including Genarlow’s own appeals attorney, B.J. Bernstein, dismiss any suggestion that this case is about race. “Just as many white kids are caught up in this law as black kids,” says Bernstein, who worked on the defense side of other high-profile cases including The Gold Club and the State of Georgia v. Powell case, which declared Georgia’s

law forbidding sodomy between two consenting adults unconstitutional.

Political pundits like Vincent Fort disagree. “Some whites and Jews were victims of lynchings in the old South, but that does not negate the fact that the overwhelming majority of those lynched were black. Just because something also happens to a white person does not necessarily mean that it is not racially motivated,” he argues. Fort, who continues to raise money for Genarlow’s defense fund, insists that race and class are inextricably tied to the heart of the matter. “If these six young men were not African-American, they would not be facing these kind of sentences. The fact of the matter is that if what they did is a crime, millions of teenagers are committing crimes every day.”

Fort’s sentiments are echoed by civil rights activist Jesse Jackson, who calls the case a “throwback to the lynching period” in America. “Clearly the time and the crime do not correspond,” says Jackson, founder and president of the Rainbow/PUSH Coalition, during a visit to Atlanta. “Yet another example of excessive sentencing for black and brown youth. The prison system is quick to profile them, arrest them and process them.”

In August 2005, Judge Emerson denied Bernstein’s request for a new trial. At press time, Bernstein said that the Georgia Court of Appeals was tentatively scheduled to hear oral arguments in the case in March 2006.

Bernstein hopes Genarlow’s case will ultimately serve as a precedent for the state law to be modified. “We need to change this law so that young people who don’t have a violent bone in their body—just testosterone—aren’t punished in the same way as people who really need to be on that sex offenders’ registry,” says Bernstein, who handles many sex crime cases. “There are plenty of people, here in Georgia, who are being convicted of child molestation and getting far less than 10 years in prison.”

Genarlow’s story has garnered some national media attention, but nothing near the level of the Dixon case. Bernstein and Genarlow’s mother were interviewed about the case last year on Court TV and Fox’s *The O’Reilly Factor*.

Locally, the case drew plenty of reac-

tion on the African-American-targeted news and talk radio station WAOK 1380 AM, but most local media outlets have either ignored the case completely or only covered some of the rallies and vigils held after Genarlow's guilty verdict. While the story was covered in the Douglasville papers, at press time, it had not been picked up by *The Atlanta Journal-Constitution*. A Lexis-Nexis search (the primary resource for legal and news research) for the period January 2003 through October 2005 turned up more than 2,000 mentions of the Dixon case and fewer than half a dozen on Wilson.

While the story hasn't been as high-profile in broadcast and print media as Dixon's, it has created a stir in some Internet chat rooms, with people across the country and as far away as Canada and the United Kingdom sharing their perspectives.

While total strangers engage in spirited debates about the merits of the case on the Web and elsewhere, the harsh reality continues to sink in each day for many people directly and indirectly involved in the case, particularly Genarlow's mother.

A SINGLE MOTHER of two, Juannessa Bennett is a typical mom. She wears her hair in a ponytail, cooks dinner and picks her young daughter up from Montessori school. She convincingly maintains a strong front, but the adversity she's experienced in this ordeal invades her youthful face, the same coppery color as her son's. What's happened to Genarlow and his friends is far from anything she ever imagined.

"Their whole lives are ruined," she says, in between bites of a garden salad at a Caribbean restaurant in Douglasville. It's just past lunchtime, but only a few diners remain. One seems to recognize her from a distance and discreetly points her out to his companion. Bennett, now all too familiar with being recognized in this small community, is oblivious to what's happening and continues talking. "I'm just praying for the day he'll be out and able to go school," she says, tears welling in her eyes.

Genarlow's 7-year-old baby sister, Jiaya, a shy girl with wide eyes and pig-tails, is oblivious to the unsavory details of her brother's case, but she seems to

share her mother's sorrow. "All she knows is her brother is in trouble and she misses him," explains Bennett. "They were very close. He loves his little sister."

Bennett says that throughout this ordeal, this living nightmare, she has lost and regained about 20 pounds and endured many sleepless nights. She can sleep now, but only after Genarlow's daily calls from jail.

The staff at the Douglas County jail knows Bennett well. They should. She sees them twice a week. She hands over her ID and signs the visitors' log before she's buzzed into the restricted visitors' area. The sound of whining children bounces off the long wooden benches propped in the center of the modest room packed with many others. Her face lights up as Genarlow emerges in the small booth and takes a seat.

A tiny glass window trimmed in dusky brown wood frames his youthful face. He's wearing a tan prison jumpsuit; the sleeves of his cream-colored thermal undershirt cover his coppery arms, exposing only his hands. The hairs of his slight moustache encircle his full lips; the edges of shiny gold eyeglasses peek out of his left shirt pocket.

"I just could not live with myself having that label [of child molester] for the rest of my life," Genarlow says, beaming at the sight of his mother. "Even after serving time in prison I would have to register as a sex offender wherever I lived and if I applied for a job for the rest of my life, all for participating in a consensual sex act with a girl just two years younger than me," he says, his voice trailing off. "It's a lifelong sentence in itself. I AM NOT A CHILD MOLESTER!"

His voice, deep yet still youthful, is slightly muffled by the crackling sound that emanates from the black telephone that he uses to talk to visitors. The antiquated looking device, with the tangled silver cord, is now his only means of communicating with the outside world.

In this conversation, his first interview with a reporter, he speaks with a calmness that belies his predicament. His words are optimistic, hopeful even, but there's an underlying sadness tinged with impatience that lingers in his voice.

"What if I had kids one day," he asks aloud, his intensity drowning out the

buzz of the many other conversations underway in the crowded visitors' room. "I could not even live near their school. If I had accepted that deal, after I got out of prison I still would not have been able to live in my mom's house with my little sister."

He says he's remorseful about the poor choices he and his friends made at that party two years ago, but he's adamant about two points: He did not rape anyone and he had no idea that allowing a girl just two years younger to perform oral sex on him was against the law.

Genarlow had planned to attend the Georgia Military College in Milledgeville or possibly one of the three other schools that had made offers, but now, instead of a college dormitory filled with young freshmen, the long days that spill into even longer nights are mostly spent reading books—including novels from Oprah's Book Club—in a jail dormitory in Douglas County filled with accused criminals.

His promising future, Genarlow contends, was snatched away by a racist judicial system and an overzealous district attorney trying to make an example of him and his friends. "I'm hoping for the best, but expecting the worst," he says candidly. "I hope to get out of here so that I can be a mentor or a counselor to kids and help raise awareness about this law and tell them what I've been through. I wish this would all be over."

Well aware of his place at the center of an ever-brewing controversy, Genarlow says he's bracing himself for two possible outcomes—spending the next nine years behind bars or being rescued by the courts. He's optimistic. "One day I want to have kids of my own," he says. "I'll tell them what happened and I hope that they're proud that I made it out. I'll just look at it as something I had to go through."

He keeps on speaking even as a guard taps him on the shoulder. "I'm sorry. I've got to go," he says, rising from his chair with the telephone receiver still perched on his ear. He glances back and blows a kiss to his mom, then disappears around a corner. ❖

For updates on the case, visit wilsonappeal.com.