

A story of the mysterious crime, trial, and tragic aftermath of the Wilson Murder

# Betty Wilson, The State of Alabama & Its Miscarriage of Justice

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# Abstract

In 1992, Betty Wilson was wrongfully convicted of her husband's murder. For 27 years she has been imprisoned for a crime she is innocent of. Some highlights of her case include the testimony of a mentally ill man with a battered criminal and mental history, the account of her intimate lifestyle being put on trial because the prosecution had little evidence, her twin sister's trial for the exact same crime, with the exact same evidence and her acquittal because the forensic evidence didn't corroborate the story being told by those testifying, and lastly, after the conviction the man responsible for the main testimony wrote on a sworn affidavit that Betty Wilson had nothing to do with the crime and that he was doing what he was told to do. After being threatened with the death penalty, under oath, he plead the fifth to save himself and Betty Wilson still sits in prison to this day. Over the past few months I have researched the case thoroughly, the research gathered is to shine a light on the innocence of Betty Wilson.

# Introduction and Statement of the Issue

Several Months ago, I was binge watching *Forensic Files* on HLN and came across a striking case that at first just seemed off. After watching the show, I looked a little more into the case and thought that primary defendant eventually would either have evidence linking her to the murder and remain imprisoned or she would have successfully appealed her decision, and either been freed or granted a new trial. What transpired was months long worth of research and an unbelievable conclusion that the State of Alabama has imprisoned Betty Wilson for a crime she is innocent of the last 27 years and will keep her there until she dies.

In America our justice system has been founded upon beliefs that were not present in this trial. Mainly the right to a fair and speedy trial. In our country we are also taught that defendants for crimes are innocent until proven guilty and guilt should be displayed beyond a reasonable doubt. This case raised many questions that not only determined the outcome of the trial but also the integrity that lies upon the foundation of the justice system we are taught to believe in daily.

# Limitations of Study

This case is unique in the research of the background because of its consistent representation in the media as flawed. Throughout the course of my research I consistently was searching for a smoking gun, something that would make me even have a source of guilt somewhere. Throughout many

media publications it was presented as such whereas scientific evidence clearly stated otherwise. My intent through the thesis is to present as little bias as possible, but with a case like this it is extremely hard to define bias due to the small number of sources that present the truth and scientific facts. There is also a grave amount of misleading testimony and non-credible witnesses which makes determining bias very hard in this case. Also, the strongest factor in raising, presenting a miscarriage of justice, is based on the main sources of research presented in the case.

## Literature Review

The most unfortunate portion of the Literature Review is that I was unable to secure the trial transcripts from either case of Betty Wilson or Peggy Lowe. This would remove bias in many aspects as the cases would have clear cut of testimony from the case. Although I was not able to find the transcripts from either case, two published books included have had excellent research of the trials that brings more information to the case in a stronger setting. Due to the lack of transcripts I have chosen my research's confirmation outcome to be determined by more than one source in this case.

The first book publishing, *By Two and Two* (1995) by Jim Shutze, is a book that studies the crime and the case's bizarre outcome and storyline. The author, Shutze, was present at both trials and was convinced the twins, Betty Wilson and Peggy Lowe, were guilty of the crimes they were charged for. All through Betty's trial what he saw happened seemed straightforward and he had believed that she was guilty. During the case of Peggy Lowe, Shutze realized that both twins were in fact innocent of the crimes and met with Betty Wilson while she was incarcerated to find out about the case and what happened. He cites the media's representation of the case to be a huge factor in the public's opinion to sway the belief that everyone had already led to that the twins were guilty because of the storyline it told.

The second book publishing, *Killer for Hire* (2007), written by Barbara Lunsford, is a book that incorporates the crime and trial, but focuses largely on the aftermath of the case. Lunsford spent 6 years researching the case of Betty Wilson and tried to unearth the unanswered questions. Her book presents many questions of reasonable doubt and includes the puzzle piece needed to close the book on Wilson's innocence and the continuation of Betty's unlucky world of her post-conviction. She also raises the reasonable idea of a whole outside setup of the crime that was never brought to light and the case of everyday citizens doing police work to try and close the case and have Betty's innocence brought forward. A supporting article I have chose to include is an interview with the author of the book by Irene Wilson from AuthorsDen entitled *Interview with Barbara Lunsford, author of Killer-For-Hire* that entails the summary of the book written.

Unrelated to the research, an ironic comment was left on the page at the bottom directly from the investigator of the aftermath failure in an attempt to discredit the interview. Another article in relation to this source from WAFF 48 News released May 18, 2006 entitled *Betty Wilson: Reasonable Doubt? Part 2* shows the news source aftermath of the struggles of the appeals process even after a break in the case took place. While Lunsford's research shows the disaster of what took place, the article only expresses a summary and the ruling from the Supreme Court.

One article that I strongly stick to in the research process is ThoughtCo's reprinting from Old Huntsville Magazine entitled *Wilson Murder Trials – Huntsville 1992* (reprinted 2008, circa 1998) written by Tom Carney. The main reason I rely on this article is although it does not give much information as the two book publications, it lacks bias and presents the case information straightforward. This article written by Tom Carney was done so from an interview with Betty Wilson herself and was published on the concept that everything was true in the article. The article gives a summary of the case and breaks down the timeline of the crime, trial, and aftermath. The article is straightforward, and credibility is confirmed through other various sources of information which I like in my research. Another supporting article in relation to this is from The Madison Record's staff entitled *From Our Files* where "Huntsville writer Bob Carey reviews events, personalities and paradoxes surrounding the murder trial. Tom Carney, publisher of Old Huntsville, said he told Wilson he would print her story only if she did not lie to him."

The next source of information comes from an episode of HLN's *Forensic Files* entitled "The Wilson Murder" (1996; S1, E8). *Forensic Files* is a documentary style program that analyzes forensic science to solve crimes with advancement of technology. In this particular episode, many of those involved with the Wilson case were interviewed from the defense and the state, including Betty, that not only gives a non-bias view of the case but also a deep analysis of the evidence and summarized testimony from forensic analyst. This source of information gives a valid fact-based concept without focusing on the important sub-content of the case. It simply gives the facts given at the time of the show's release.

Another television source I have included in my research is from Investigation Discovery's *On the Case With Paula Zahn* entitled "Twin Killing? (2010)" This television program is a documentary-based television show where the program host, Paula Zahn, interviews individuals involved with high-profile cases and discusses the outcome and tragedies involved. In this episode Zahn interviews, many of those involved in the case and the case itself and the strange outcome and events that led to the incarceration of Betty Wilson. While the episode isn't as fact based as other sources it does present a non-bias approach to the story that Zahn could not wrap her fingers around.

Two articles that I have included are sources from the news when the story originally broke that shows the lack of information related to the case and how it was presented to the public. These articles entitled *Twins Charged in Alleged Murder-For-Hire Plot* from the Associated Press on May 29, 1992 and an article from Tuscla World entitled *Twins Charged in Murder Conspiracy* on June 8, 1992. These articles display the lack of valuable information related to the case that would give a reader not only skepticism but the concept of jumping to the conclusion of the twins' guilt before the shocking changes in Peggy Lowe's trial that were subsequently not displayed through the media afterwards.

One document unavailable to me but through third party (pg 91, *Killer-For-Hire*) available is the recant of James D. White. This recant is the statement given directly from James White himself on an affidavit and brings a factor to not only reasonable doubt but to credibility as a witness through the trials. This document is a direct statement without bias to the research presented.

Another document printed from the New York Daily News source entitled *Twin Killing* on March 9, 2008 takes another source of how the case spiraled out of control and the media's take on it. Even long after the crime, trial, and conviction this article represents the concept that reasonable doubt had not been raised and redirects the case of Betty's guilt. I will explore various factors of the article and express how the framing sources of the media have hurt Betty before she even walked into the court to face her trial. This article presents the media bias of the story to try and portray the "bad twin/ good twin" effect this case brought into reality.

A strong case in argument is the portrayal of Betty Wilson through the media before, during, and even after her and her sister's case. I have compiled various sources I have chosen that clearly distort the facts of the case and the reality of the circumstances to include in my research. Ranging from books, to television sources the two main sources I have chosen are Investigation Discovery's Deadly Women episode entitled *Sins of the Sisters* (2011) and the context of the book by John Glatt, *Evil Twins* (1999). These factor what can happen to perception of cases when the context is not supported by facts and create a story comparable to meaningless garbage to support either their ambition to push a fictitious story for profit or to create an agenda to fit their concept provided in the book. Either way is a dangerous analogy to grasp because it does not support facts regarding the case.

## Methodology

The two main factors in the research methods I will apply to discuss are framing and racism. Along with the facts of the case and the misdirection of evidence. These are the two strongest factors

applied to in the conviction of Betty Wilson. In the analysis, as well as other sub-factors, I will discuss in relation to racism Tuscaloosa County vs Montgomery County where the two trials were held. In relation to framing I will discuss the Prosecution and following trial in connection to the affection of Betty's fate as well as the media's take on the case as well and how that can potential cause a serious cause of judgment from one factor to another.

# Thesis

## Growing Up

Betty Wilson was born Betty Woods on July 14, 1945 in East Gadsden, Alabama to Oscar and Nell Woods along with her twin sister Peggy Woods. The twins had two other sister, GeDelle and Martha who were eight and ten years older than them. Nell worked in a factor making hangers for dry cleaners and Oscar "Wormy" Woods worked as a city policeman. Growing up the Woods family lived within means. Peggy and Betty were extremely close as would be expected by twins. One main factor to them growing up was the abuse from the father of the two.

Wormy Woods was an alcoholic policeman that engaged in corruption during the core of the Civil Rights Movement in the home of Alabama. In one instance, he got out of his police car, punched an African American, and returned to his vehicle and said, "that's how I handle niggers." He would abuse the twins in certain ways after returning home in a drunken state. He would wake them shining the flashlight in their eyes. He would make them also eat Ben-Gay ointment. In many instances, Peggy would bring Betty into the bathroom and shut the door for hours and talk relentlessly to keep their father away.

As the twins progressed through adolescence their differences would become more visible as they aged. The pair were fraternal twins, and in high school their differences were not only visible in feature but in behavior as well. Peggy was the beauty child; she was sophomore and junior-class maid as well as homecoming queen. She was vivid and theatrical, often had her photo in the Gadsden newspaper and spoke to large audiences in high school as well as church. Even in social differences, Peggy remained persistent to her sister's acceptance as quoted "we must remember to make sure my twin sister, Betty, is invited to join too." Through the different characteristics of the twins, they remained close to one another.

As Schutze stated "If Peggy was the sun, Betty was the moon (Schutze, 23)." Betty was more popular with boys and kept a "devilish" streak in her hair. While fairly shy, awkward, and enjoyed keeping to herself, Betty experienced the side Peggy would never dare to do. She would skip

school, come home late with boys who drank, and consistently defy her parents and other authority figures.

After high school, their lives would slow down. Ironically both Peggy and Betty would have similar stories. They married after graduation without going to college, they had children right away, and only stayed married for a few years. Betty left her husband because he had a controlling issue. Peggy left hers because she disapproved of the way he had behaved. Betty left for Huntsville to return for her three boys until she returned, which unfortunately never happened. Peggy left for Wayne Lowe who was married at the time and had to divorce in order to marry Peggy. He took into Peggy's son and daughter and became their father figure in life (Schutze, 18-25).

## Later Years

Betty's life would become different in her years in Huntsville. Peggy's standards kept Betty from doing things she had wanted to do, and she now had a newfound freedom in her own world. She worked multiple jobs at a time. She often visited her children in Gadsden as she was unable to bring her boys to remain with her. She drank and did cocaine and lived her world in "the fast-lane (25)". When a new hospital opened, she enrolled herself in the University of Alabama nurse's program and began practicing her expertise in kidney dialysis. She began her work hard, play hard lifestyle as she worked long hours.

In 1976 while Betty was working as a nurse, she met Jack Wilson, an ophthalmologist who while performing a procedure on an elderly patient in surgery had cause her to go into renal failure. Jack suffered from Crohn's disease as he was diagnosed in medical school which would affect his daily life afterwards. Jack had a previous marriage that ended in 1976 with three children to his ex-wife, Julia. The day they met, when the patient was experiencing renal failure, Betty treated and revived the patient and they went about their day. For two years they remained friends during the separation and the finalization of Dr. Wilson's divorce.

Jack and Betty began dating soon after an on-again, off-again matter. The two of them had an adventurous relationship, going to parties, dances, and shows together. Jack's ophthalmology practice expanded, and Betty continued her nursing practice as well as enjoying her social life. During this relationship Medicaid opened for kidney dialysis and Betty was offered a new job in Atlanta, Georgia. Jack urged Betty to take the job and continue a long-distance relationship. She took the job and went on her way. The two maintained a consistent relationship with one another. In 1978, Jack's Crohn's disease could no longer allow him to travel long distances. He propositioned to Betty to return home and get married. Not long after the two were newlyweds. (Schutze, 26-48)

## Marriage Life

Far from a fairytale. Their relationship suffered its ups and downs with Betty's social drinking becoming a larger problem and Jack's disease made the sexual intimacy a problem. They would often argue about drug usage and sexual partners. Although the marriage was open, at times when Betty would feud with Jack, she would bring her affairs with other men into the argument. With the marriage on the rocks. Jack proposed a solution to keep them from separating, he insisted Betty get help for her alcoholic lifestyle. After consulting with a counselor at a hospital in Birmingham Betty joined the Alcoholics Anonymous program. It was here Betty would make friends that would surround her struggles with ones of their own. Even then, Betty still struggled with Jack's late hours and persistently bumped heads. They attempted to have sex one time that ended in disaster when his ostomy bag loosened, and fecal excrement splattered over the room, Jack, and Betty. After the following day at work Betty proposed the idea for a "romantic interlude" to Santa Fe. They cried together (Schutze, 62-65).

## The Crime

Carney's version of crime that took place gives the most fact-based representation of the crime, trial and aftermath. On the Friday of May 22, 1992 at 2700 Boulder Circle Dr. in Huntsville, Alabama, a crime that was send shockwaves throughout the town, state, and through the country. At approximately 9:30 PM, a 911 call was transmitted nearby this location. The call from a terrified Betty Wilson had called from a neighbor's house explaining that she had found her husband lying in a pool of blood and was unsure if he was either still alive or if he was dead.

Within minutes of arriving to the scene The Huntsville Police discovered the deceased body of Jack Wilson lying in the hallway. He was visibly beaten with a bloodied baseball bat found nearby which at the time was the only reasonable murder weapon. He had been stabbed twice in the abdomen and obtained a puncture wound under his back shoulder. Nearby police found a gun box with no gun but with ammunition, they discovered a ski mask, and Jack Wilson's wallet with no cash but his credit cards remained. The crime was originally reported as a possible burglary but had none of the typical signs. No open drawers, ransacked closets, or overturned furniture as is usual in these cases. The police theorized that Dr. Wilson was ambushed by someone in the house and attacked by the assailant. The suspect grabbed the bat and beat him. After the doctor collapsed, he was stabbed twice with a knife.

Prior to this discovery Wilson was last seen alive at approximately 4:30 PM when he had been seen hitting a campaign sign into the ground with the bat. He had taken a stepladder from the



garage upstairs to remove a defunct smoke detector. Betty had been out to lunch with Jack around 12 PM and spent her day shopping in preparation for the trip to Santa Fe the following day. She then attended her regular Alcoholics Anonymous meetings before coming back to her husband's body.

Following the scan of the crime scene, the police began to investigate the matter. A distraught Betty was too upset to be questioned at the time. Via credit card receipts and eyewitness accounts, Betty's whereabouts were accounted for and other family member's alibis checked out as well (Carney).

## Follow-up

Police received a break in the case from the Shelby County's Sherriff's Office from a tip they received a week prior to the crime. A woman, Janine Russell, placed a tip from a local drunk, James Dennison White, who spoke of killing a doctor in Huntsville. The story was distorted but what transpired was that he spoke of his infatuation with Betty's twin and had conspired with her to commit the following crime. Once they found out of the relationship between Peggy and Betty, they arranged a pickup of James White.

James White was picked up the following Sunday from his job, a local restaurant he had attempted to start working at again. White had a long history of malicious behavior. According to Carney, White "had been in a number of mental institutions as well as serving jail time. While serving time for selling drugs he escaped and was captured almost a year in Arkansas, where he was involved in kidnapping a man and his wife. One of his last evaluations described him as suffering from delusions and unable to separate fact from fantasy (Carney)." The lead detective, Mickey Brantley and his partner, Harry Renfro, insisted on the theory that the crime was an inside job and interrogated James White for ten hours (Forensic Files, The Wilson Murder, 6:14-6:16). According to White and various sources, during this time White was withheld from counsel and medication during this interrogation (James White recant, Lunsford, 91-95). At first White denied any relationship with the crime. As time passed, he began contradicting himself in a web of mysterious claims with knowledge of the crime. First, he denied knowing Peggy, then admitted to it. He followed with Betty and claimed he was hired to do some work for her.

## Interrogation and Confession

Carney's representation of the interrogation paints the setting, "just as the sun was peeking over the horizon," is when White broke out his intriguing confession. He then revealed that he was hired by Peggy Lowe and Betty Wilson to murder Jack. Over the next few days, details would emerge, and

the story would break the news to the twins. James White would change his confession a total of seven times, each one retaining more and more information about the crime as he would remember more.

As Betty Wilson was able to calm herself days after the murder she as well would speak to police. Questioning her about anyone with a motive for the crime, Renfroe asked if she had any affairs and she opened up about her affairs with several partners “as if she were telling them about trips she had made to the grocery store (Schutze, 105).”

That Tuesday, Brantley was in a closed interrogation room with White, none of this exchange was taped and there weren't any notes to confer. At this time White had now been sober three days and White would only talk if the exchange was not taped. His story would evolve as he described his exchange of phone calls between him and the sisters.

In his recorded confession, he insisted Peggy grew feelings for him after he did some work in her classroom at the school she worked at. He said she was unhappy with her marital arrangements and wanted help getting rid of her husband. He then stated that she suggested her sister had the same situation and wanted to arrange a hit on her husband. White said to prolong the conversation he insisted his friend execute the hit and tried to negotiate a price of \$20,000 but Peggy noted it was too high and lowered the cost to \$5,000. White claimed Peggy had an intimate affair with him shortly after and had coordinated contact to Betty. He said he was sent out to Gunterville to retrieve a gas money while Betty was at an Alcoholics Anonymous meeting because he had already spent the first half of the \$5,000 advancement given to him. He then used the money given to him by Betty to purchase gas, cigarettes, and a case and a half of beer. After the exchange he said he received an angry phone call from Betty regarding the hit. As he continued, he said that Peggy had informed him if he didn't carry out the hit before Betty left for Santa Fe, she would want the money back. Because he did not have a weapon, James said that an arrangement was made for the for him to obtain the weapon at Logan Martin Dam on May 20<sup>th</sup>. He said that he had been asked by Peggy to order the hit at Dr. Wilson's office. He said when he arrived, he could not locate Dr. Wilson and contacted Betty to meet him at the mall the day of the murder.

The day before the murder Jack Wilson checked into the Ramada Inn and stated he called Peggy and discussed affection for one another and then drove to Betty's house. He then stated he parked his truck near a church and ran through the neighborhood wearing a long-sleeve flannel shirt and blue jeans. He said while on Boulder Street, Betty drove in her son's, Trey's truck, and handed him a glass of water as she drove by. James checked out of the hotel Friday morning and said he made his way to Parkway City Mall and met Betty there.

During the confession, James White said the day of the murder, May 22, he met with Betty at about 2:30 PM at the mall, he made a description of her new flowery tennis shoes she purchased. He said he got into Betty's car, a black BMW, and squatted down in the back seat. He then said when he arrived at the house he got out and Betty instructed him to wait for Jack to return home in about a half hour (Lunsford, 22-36).

## The Murder

According to James White, in his confession he waited in the house for the doctor to come home. He rummaged through drawers and scanned the area. He then emphasized "I didn't take anything from the house, including the gun. (34)" The then stated he had been drinking Thursday and Thursday night and taking prescription pills. He said it had been about two to two and a half hours of waiting when Dr. Wilson arrived home. In the words of James White, he said "he grabbed me and we started wrestling, and he had an arm-hold on my arm, and I started reaching for something or another to get him loose, and I grabbed some kind of object, which I was told later was a baseball bat, and I started hitting the man until he turned me loose. (34)" He then says he hit him and that his memory was distorted, and when he came to, he was in the woods behind the residence. He says after the incident that Betty was in the driveway going to the garage and he jumped in the back seat. He then makes a very descriptive remark about the bag he covered up with, a "pinkish plastic bag. (35)" He said she drove him back to the mall where he got into his truck and drove home. He said he tried to receive the rest of the money but was unsuccessful and did not contact either sister afterwards (Lunsford, 24-36).

When the detectives searched the residence of James White, they found the gun registered to Betty Wilson, the library book, and a pair of bloody sneakers. With the exchange of Betty Wilson's story of her affairs, the police then felt they had enough to charge the twins. On May 27, 1992, Betty Wilson and Peggy Lowe were arrested for Murder Conspiracy.

## The Deal

For cooperating with investigators, the county district attorney, Mo Brooks, allowed James White to plea simple murder and avoid a capital murder charge. Brooks was trying to give a mandatory life without parole sentence, but Brantley and White's court appointed defense attorney, Roy Miller, negotiated for simple murder. For this action, White avoided the death penalty and under Alabama law, if paroled, James White would be eligible to leave prison in seven years or less. He

was told he would have to tell the truth, and everything would need to be corroborated in his testimony (Schutze, 154-155).

During his confession White discusses his deal. He said that he spoke with Brantley about four times before he had an attorney appointed. He then discusses the terms of the deal which was to incriminate the twins and provide evidence (Lunsford, 36).

## The Investigation

The investigation is broken into three separate scenarios. The first came after the crime emerged, the second after the confession, and the third had been months after the murder. One aspect of the case that created widespread was the political aspect. It was pertinent that the center of attention was focused on her outside affairs. Mo Brooks was campaigning for re-election for the District Attorney's office in Huntsville, and his opponent, Tim Morgan, was supported by Jack and Betty. Analysts argued that the deal Brooks gave White was not only disastrous but would end his political career (Schutze, 156).

The investigation proved shaky. After the crime was committed the detectives seized at the scene the bloodied baseball bat measured at 34", a ski mask, an open gun case with ammunition. They also found Dr. Wilson's wallet with nothing believed to be taken although there was no cash missing. They were unable to locate the weapon used to stab Wilson. They also noticed the telephone line had been cut. The state medical examiner, Dr. Joseph Embry, conducted the autopsy of Jack Wilson's murder. A fractured skull and series of laceration were noted. In his neck, Dr. Wilson suffered a fractured hyoid bone. His shoulder had been fractured along with a puncture wound located on his upper back beneath his shoulder. Both arms had been fractured as well consistent with defensive wounds. His abdomen had 2 stab wounds. The official cause of death was determined to be "blunt force trauma in head." The lab that tested the blood on the bat identified the blood type to match that of Jack Wilson's. There were no fingerprints identified on the bat.

The second part of the investigation would come about after White's confession. The police searched his trailer. There they found a pair of shoes with blood stains. The lab's that tested this blood matched it to Jack Wilson's blood type. Next to his trailer was an abandoned home police searched as well. There they found a revolver registered to Betty Wilson. In his truck they found the book "The Sleeping Beauty and the Firebird," signed out to Betty Wilson as well. The car Betty had driven had been tested. **There was no indication of any piece related to the crime** such as trace fibers, DNA or fingerprinted of James White, or blood from her deceased husband (Forensic Files, The Wilson Murder).

The third part of the investigation came at some point during at the end of July approximately two months after the murder. White summoned Brantley from his prison cell and stated he remembered the outfit he had been wearing the day of the murder and what he had done with them afterwards (Schutze, 164). He said changed his outfit in the house, he afterwards placed the clothes along with a rope and the knife in a plastic bag. White stated the bag was the same bag Peggy Lowe had transferred money to him. The bag and clothes were found exactly where White said it would be two months after the murder. The materials were tested, and forensic analysts were “not able to establish” whether they had been bloodstained or if they belonged to White.

## Trial of Betty Wilson

At the pre-trial hearing, the prosecution argued Wilson’s motive was that she was the beneficiary to her husband’s will and her sexual affairs. The tape-recorded confession of White accusing the twins of their alleged association in the crime provided evidence. The sisters charged with murder with results of a conviction would require the punishment of life in prison without the possibility of parole, or perhaps the death penalty. The amazing outcome of the pre-trial results left Peggy with a granted bond release and Betty was denied bond and remained in solitary confinement the entire 8-month period before her trial (Carney). **She was only able to have contact with her lawyer and unable to exit the cell not even for exercise or to visit the prison library (Schutze, 157).**

While headlines and news outlets dug up any dirt that they could find on the twins to presume their guilt, according to Carney, legal analysts doubted the prosecution had anything to build a case on. No one had seen Wilson and White together and there was little physical evidence linking White to the crime scene. The ski mask had skin cells tested that matched White. The main problem that caused major collapses for both sides of the case was the only thing consistent with James White, the changing of his stories. He would have his say with an event and the next week have a completely different story, analogy, or reason for this happening.

Because of the political conflict with the newly elected Tim Morgan, he recused himself from the case and the Alabama Attorney General appointed Jimmy Fry of Limestone County to prosecute the case. Another conflict in the case was the widespread of the news in Huntsville as the case became a front-pager. As a result, Judge Thomas Younger, relocated the case to Tuscaloosa County. For the defense, Charlie Hooper, Jack Drake, Marc Sandlin, and a famous defense attorney from Georgia, Bobby Lee Cook, represented Betty Wilson.

The three main points of evidence in Betty Wilson’s trial from the prosecution lie from the gun, the library book, and the testimony of James White, which by now had changed many times. The one part of the trial that brought persuasion into the case was the testimony of many people Betty

associated with that spoke negatively about her. The prosecution summoned Betty's housemaid, people from her alcoholics anonymous group, her acquaintances, and her husband's employees. They showed photos of her rich lifestyle and possessions, and most importantly they utilized the notion of her affairs as motive to have her husband murdered.

The media could be compared to vultures the way they pursued the story (Schutze, 152). What was described as "a lamb being led to the slaughterhouse, (Peggy Lowe, On the Case with Paula Zahn)," the trial set sail February 23, 1993. Jimmy Fry opened his statements with stories from his childhood. He then followed up describing Betty Wilson as a "selfish and vain" person (Schutze, 192). He described her motive as her wanting more and wanting it now. He then humanized the wrongdoings of James White. What was intriguing about Fry was his consistent use of theatrics.

Bobby Lee Cook then rose for the defense and dismissed Fry's opening of his childhood discussion and rose to the matter of the case. He first described Betty's life and explained that it is not the reason for the case. He then would go forth to describe James Dennison White. Schutze describes the exchange as such:

"In August of last year, James White went to a VA hospital with a complaint that he was having visual and auditory hallucinations... Voices!"

"He screwed up before he ever went to Vietnam! ... James White was discharged for character and behavior disorders... This man, James Dennison White, was arrested for drug selling. He fled. He was extradited. He is a pathological liar. No businessman or person on this jury would rely on his word in making business judgements. He is not someone you would want to buy a used car from... He has been diagnosed repeatedly as psychotic, paranoid, suicidal. He abuses alcohol, amphetamines, organic solvents, intravenous opiates, LSD... He has sexually abused his own daughter while drunk. He has hated females since high school. He has a history of blackouts. And has always blamed his troubles on the government. (Schutze, 200-201)"

He then read from a doctor's annotation, "patient is likely to fantasize and daydream excessively. He chronically misinterpret the words and actions of others. (201)"

Following the opening statements, the prosecution summoned Officer Nunnally who processed the crime scene. They pieced the crime scene properly. The crime scene was not processed by a forensic analyst, but a Huntsville Police Officer and detective. Schutze states the facts would all seem to give reasonable doubt (203).

The next witness the prosecution called was Dr. Joseph Embry, the chief pathologist, that conducted the autopsy of Jack Wilson. The jurors were given images of the autopsy photos to

reflect the witness's testimony. Fry walked Embry through a summary of the cause of death. One particular exchange was after he reflected the injuries, he picked up the bat and asked Embry "could this have done it? This baseball bat? (207)" He then followed with a brief reflection of the stab wounds. He detailed the wounds and Embry confirmed either of the injuries caused by the bat or the knife would have killed the doctor. In a cross-examination, Drake questioned the overall concept that contract killers often shoot their victim. Dr. Embry responded, "not in Alabama (208)."

The following day the courtroom could be described as a zoo, Betty arrived after the reporters and upon her arrival, she was swarmed with a massive amount of flashes taken for the press. James White was escorted through the judge's door and was not ransacked by a mob of reporters to the court.

The following witness called for the day was Barbara Smith. Smith was an employee at Dr. Wilsons practice who had become a positive influence in her life. She reflected on how much of a loving person he had been for her and those around him as well.

Fry's next witness was James Dennison White. From the time of his arrest to the trial, the state transformed his appearance. His diet filled him out, he had been exercising, he was clean-shaven, and his formerly rotten teeth had now been a dental miracle. The testimony that had been anticipated finally arrived. White begun with his reflection of his time in service. He briefed about his four previous marriages. When Fry questioned White about his reason for being in the court, Drake objected several times. White stated he was there to give corroborating evidence while Drake exclaimed that White should testify to what he knows. The defense attempted to access that the deal was an agreement that White would stick to any story the state wanted him to tell. A lunch recess ensued, and White returned where he left off. He explained his first encounter with Peggy Lowe was at a school she worked where he was doing some work as well. He explained that in order to pay him she would take him to a lake and they would have dinner. He followed discussing engaging in long telephone calls and that she would discuss her relationship with her husband. He said that she had feelings for him, and she said she wished something would happen to her husband. He followed by saying she said that she also had a friend who was stuck in that situation as well. He said his reasoning for engaging in these conversations was because he had dreams of dating women like her since he had been in high school (Schutze, 224). He said that their intimate relationship grew and that they would talk more frequently on the phone. He followed through with saying their conversations went deeper. As he confided in her he told her that he knew a man and that to execute a hit would be about twenty thousand dollars. He said that they negotiated a price and agreed relaying that Betty was unable to afford that, they agreed to a price of \$5,000. White specified Peggy gave the money in a white plastic bag with a design on it containing three \$100

bills and the rest were twenty-dollar bills. He explained the money was used to catch up on his bills Fry questioned him about money he received through lawsuits, some \$34,000 and White explained the money was used for his children's expenses from ex-wives, specifically on Christmas expenses. Fry questioned White about intimacy between him and Peggy Lowe which White insisted upon. He said that on May 15<sup>th</sup> a few weeks before the murder, Peggy summoned him to her home and seduced him. That day they had a sexual encounter and went into detail about what she was wearing. White followed saying that after the encounter he drove to Guntersville State Lodge to pick up \$200 from Betty and described the handoff as Schutze says "as if it were a chapter in a spy novel." White continued the stand that he had attempted to go to the house in Huntsville and kill the doctor in his home, but he was diverted from his attempt when he noticed Betty's son's truck was parked at the home. He continued by saying that Betty contacted him upset that he had not conducted the hit. He said that he told Peggy he could not get it done without a weapon. He followed his testimony saying that they organized to meet at the Logan Martin Dam on May 20<sup>th</sup> where the twins met him and handed him the gun. He said he put the gun in the abandoned house next to his trailer. He said he drove back to Huntsville and planned to order out the hit at Dr. Wilson's office the following morning. After Fry questioned him about the gun, he said he did not take the gun because he had suffered PTSD from Vietnam and "a gun makes too much racket (228)." He said that he had called Peggy from a nearby pay phone and told her that there were too many people around to carry out the murder and to his surprise Betty was at Peggy's house at the time. He said that while conversing with Betty he said he told her he did not have enough money to stay in Huntsville. He then said she would meet him at Parkway City Mall specifically at Chick-Fil-A at noon and give him money. He then described a mysterious exchange that took place as Betty gave him money. Fry asked if he could remember anything else about the exchange and White explained an employee named Christina. White continued that he took the money and checked in at the Ramada Inn. He said he called Peggy and conversed that she didn't want him to get caught so they could be together. Before the recess, White stated that Betty handed him a glass of water while he was on the phone from her son's truck.

Fry continued with White after the recess. White was beginning to describe the day of the murder. He said Betty came to get him from Parkway City Mall to the house. He said that when she arrived, she changed her shoes and emphasized the description of the flowery pattern. He said in the front he scrunched down and when they arrived at the house, she gave him forty dollars. He said Betty did not discuss any plan and she told him where Dr. Wilson's bedroom was. He explained that he fished around and saw some jewelry and had waited some two and a half to three hours. He said that he was taking prescribed medication and other pills. He said he carried a rope and was not sure whether he had a knife or not. He then described Dr. Wilson coming home. White said "he come on upstairs. And he grabbed me. We rassled. I grabbed some kind of object, which



I've been told it was a baseball bat, and I hit him until he turned me loose (Schutze, 234)." He followed his testimony saying that everything was confusing, and he remembered being in the woods outside Betty's house. He then said Betty arrived and he got in the car, covered himself up with some clothes that were in a plastic bag, he described the pink texture. He said that Betty drove him back to the mall. He then followed through by saying he ate Taco Bell, waked through an empty backfield to the Ramada Inn where his truck was and went home. He then followed his testimony saying he was never paid the remainder of the money owed to him. He said he went back for the money Sunday at Peggy's house but was unable to make contact, so he told the neighbors to tell Peggy he had been there. White ended his testimony with the description of his arrest. Fry then questioned him about his confession and whether he was truthful or not. He said after the early interviews he requested to speak with an attorney and Fry concluded with his witness (Schutze, 191-235).

Bobby Lee Cook cross examined James White's testimony. He first mentioned the worker of the Chick-Fil-A who was no longer in the country. Cook then drew his attention away from the witness and discussed his testimony with the court. He picked up the bat and the knife and then mentioned that White does not remember either of them. He mentioned the description of the bag was not synonymous to his testimony and that he had several aliases. Cook then attacked his discrepancies between his story about how he received the money from Peggy from his confession to his testimony. He asked White about his intoxication on the day of the murder and White said he had about eighteen beers, Cook retrieved the statement made to Brantley where White acknowledged he consumed one beer. Cook then retrieved a statement that brought confusion in White's testimony. Cook reverted to his statement when he said he didn't think he was going to kill Dr. Wilson, he would just rummage through the house, when his intended purpose was supposedly the murder. White said it wasn't a lie because it was supposed to look like a burglary. He confronted James for his suicide attempts, the amount of times he had been to a mental institution, and whether or not he was hearing voices during the trial. Cook questioned him about the 1990 confession of sexually abusing his daughter, White responded that he was drunk. Cook continued from White's record regarding a sodomy charge while he was incarcerated and the time White wrote a letter to his stepfather's wife insisting that he was a better suitor because his stepfather was too old. At the end of the day it seemed as though White bested this renowned lawyer from Georgia. Cook passed the witness and the judge adjourned for the day (Schutze, 236-244).

The prosecution continued to summon witnesses for the case. The guard from Guntersville lodge testified bringing the book to White. Dr. Wilson's former bookkeeper testified Betty had called her husband a "son of a bitch," and "flipped him the bird (247)."

The testimony of Sheila Irby proved pertinent to the case of Betty Wilson. Described as an “attractive blonde” who had been “dressed to the nines and beautifully made up; her hair looked exactly like Marilyn Monroe’s (248).” She recited her story for Fry on the stand. When questioned by Brantley during the investigation she alleged that she knew of Betty Wilson from her years in high school. She was known to drive her children in the area of Betty’s home “hundreds of times (Schutze, 178).” She said she presumed to have seen Betty on the day of the murder between 5-7 PM. She said had seen Mr. White that day and the girls she was carpooling with made a remark of a “funny looking little man who didn’t belong (178).” She said she witnessed Betty driving recklessly and stuck with her time. When it came time for cross examination, Jack Drake attempted to discredit her testimony. She did not come forth to the police until months after the crime had been in the news, she was able to pinpoint times and locations although Betty lived in the area and could have been seen any day and knowing her since high school would have a discrepancy of seeing her at a certain time. Yet getting past her character was the aspect they could not break. She would play victim to the questioning of the defense and at times was consistent to badgering. With responses such as “I remember Charlie Hooper calling me and harassing me about it (249),” the court broke order. A woman yelled “you should be ashamed of yourself!” This was followed by a man muttering “the man has no decency (249).” Shortly after the judge adjourned and Irby was dismissed.

The witnesses proved troubling for Betty along with the chaos of the court. During one witness testimony a woman in the court stated the color of the bag before she could answer her question (250). Betty’s Alcoholic Anonymous co-members testified she had been secretly drinking, which according to Betty was untrue. Media leaked the reason for her attending AA was to pick up men. Mary Ann Lau testified about making a joke of her husband, while reluctant at first, Fry noted she was bound by law. She mentioned a discussion in which Betty had a dream her husband drove off a cliff and stated, “I guess I’ll have to be patient.” The Alcoholic Anonymous testimony were forced to “dredge deep (251)” to give the state bad stories. One gave a story of Betty missing their ten-year sobriety party for a family illness when they believed she did it for the sake of uninterest (Schutze, 250-252).

The following day Betty’s brother-in-law testified for the prosecution. Euel Dean Cagle testified the day the police arrested James White he notified Betty and Peggy. He said after telling them of the arrest their reactions to the news was suspicious. He said explained they did not react to surprise and afterwards he and his wife witnessed the twins go into the bathroom and stay there between twelve to fifteen minutes. He said they were in there whispering. He said when they came out he asked whether they knew White or now. Peggy said she did as he worked at the school and

Betty acknowledged that she knew of him indirectly. In the cross-examination Drake questioned if he knew Betty was medicated at the time and he confirmed he did not (253-254).

The next witness to testify was Errol Fitzpatrick. He was subpoenaed from California where he currently resided at the time. He attempted to shield himself with a legal pad as he waded through the reporters in the courthouse. He was a former Huntsville Risk Manager. For his testimony he remained calm and composed. Fry questioned how he and Betty met and he responded that they knew one another from Alcoholics Anonymous. He testified the relationship between them intensified about a month after month. As Fry continued, he questioned whether he and Betty had a sexual relationship that Fitzpatrick had confirmed. He testified the two of them first had intercourse at his apartment. He followed saying they had sex at the Radisson Hotel, and at a Holiday Inn in Birmingham. Fry questioned whether the two had intercourse in the Wilson's residence and he confirmed they had. He testified they had sex one evening and that he had been there during the day but did not maintain sexual relations during the day. He verified they had sex when Dr. Wilson was not home. He had also testified he had a relationship with Dr. Wilson as they were acquaintances. He concluded that the last time they had a sexual relation was in May of 1992 before the death of Dr. Wilson. Fry then asked if Betty had ever said she loved him and he answered by saying that their meetings were for sexual purposes only, she never expressed love for him and did not have interest in marrying him. The defense then conducted their cross examination. Drake first asked Fitzpatrick for the record if he was black. Then preceding an objection (therefore would not go on record), Drake asked if Fitzpatrick was offended for Fry subpoenaing him from California so the jury can see that he is black. After the objection the defense excused the witness (254-258).

Fry then called Shirley Green to testify. Green worked as the housemaid for the Wilson's. Once Betty attempted to share her days with another housemaid, she quit. She testified that Betty detested the stench of the ostomy bag Dr. Wilson needed as it would stink the house. She testified Betty would call him "shitbag (259)." She followed with a story of Betty and her husband attempting intercourse, but the bag came loose and it upset her. She testified about witnessing Fitzpatrick and Betty in the house and respecting their privacy. She followed her testimony attesting Betty's relationship with another man named Nelson Hogg. She said she had found a note from Betty and the note said, "Everybody needs a little love now and again, and I need you (261)." She concluded her testimony saying Betty first told her she married for love and the second time told her she married for money. In the cross-examination, Hooper asked if her husband called the movie company to sell her story's rights. She responded she told the man from Hollywood if there was any money to be made, she wanted it for Jack's children (Schutze, 259-261).

The next person to take the stand was Detective Mickey Brantley. He was the lead detective of the case and saw it through from the murder until the trial. Cook first questioned Brantley about the ethics of the interview. Brantley said that July 30<sup>th</sup> and August 3<sup>rd</sup> he conducted interviews with James White that were not recorded. He asked if White had given any description to Betty Wilson's appearance, Brantley confirmed there was no such part to that investigation. Cook then compared the fact that White was given a lineup of the Taco Bell employees to see if he had recognized any and did not describe Wilson at all. He asked how White remembered suddenly where the location of his clothes (and the knife) were after two months, Brantley stated "as far as I can remember, he just remembered (265)." Cook's three issues he brought up with Brantley were when White first said he had intercourse with Peggy, the fact that he learned Peggy could not have had sex with him that day but would have possibly been home another day, and then white changed the story to confer that he had been with Peggy on the day she was not in school. These issues weren't clear cut in the case. Cook had been frustrated over the deal Brantley had insisted upon giving White. **Over a thirty-minute period they argued over the meaning of the deal the state had given White.** Cook said it was a contract offering to convict the twins while Brantley maintained it was an offer for telling the truth. Cook offered the concept the state had an informant who had given White the money other than the twins. He then questioned whether Brantley had knowledge if anyone had ever seen Peggy and James kiss and he responded he had not. Cook asked about the bloodhound, Zeke, that scanned the premises had failed to find the clothes under the rock where they had been subsequently found two months later, Brantley replied Zeke was suffering from allergies. He asked if White had mentioning of any scars on Peggy's body when they had intercourse if they were naked and he responded that he had no mentioning of that. Cook asked if he had knowledge of Peggy's extensive scarring from a hysterectomy, Brantley had no such knowledge. He questioned the forensic evidence to corroborate White's story of being in Wilson's car. When asked if there were any clothing fibers, hair, or any other materials of White in the car, Brantley confirmed there were not. Detective Brantley was released from the stand (Schutze, 264-267).

Some other pertinent testimony following Brantley's the defense had summoned was that of the detective who found the life-insurance policy for Jack's life left for Betty that was incomplete because Betty had not signed it. According to Schutze, other witnesses gave stories contradicting the order of the story the state presented (268). The testimony of David Williamson explained White's frantic actions in the Lobby of the Ramada Inn where he shouted "I'm going to make that bitch pay for what she done to me. I'm going to show her what lonely is all about (268)." Schutze noted this gave an outlook of White's moronic state of mind before the murder. Fry cross-examined him and brought up the idea consistent to Sheila Irby's cross examination that it took awhile to report his story to the authorities.

The following Monday the defense called Peggy Lowe to the stand. She had not been to the trial nor had she been allowed to visit Betty through the duration of the trial. She briefly met with her twin in an emotional reunion in the lobby the first time since the arrest they had seen one another. When called to the stand Peggy was emotional. She began with a background of her growing up. She then told the story of Dr. Wilson's death. She described her first interrogation and main interrogation. Amid an emotional breakdown she began speaking in the voices of those she was describing. She testified about how the police told her Betty and James White confessed and that they were going to give her a lie detector test and upon their release were told she and her twin would end up in jail. She followed denying ever having intercourse with White. Her following testimony discussed her actions to help those in need on a regular basis. She testified that White complained to her that he wanted to go back to drinking and threatened to kill himself had she not given him more money. She said that she referred him to Betty as she was a recovering alcoholic. She said Betty intended on giving him work. Peggy continued that he threatened suicide and when she asked Betty to help him, she responded "you know I will (274)." She told the story of Betty putting the book in the car and leaving money in it for him. She followed her testimony of Betty calling her after the incident upset with White to take the money and not follow through attending the meeting. She followed saying that White called and apologized and said his reason for not going was because he didn't feel like he belonged. She concluded with her relationship with White leading to the arrest. Fry began his cross examination asking about the relationship with White. He asked why Betty had a gun, Peggy responded saying that at some point someone had gone through her son's truck. He asked about the phone calls made from White from the Ramada Inn, Peggy did not recall the phone calls. He then asked about the money and if Betty had never met this man before how she could not have left the money at the front desk. Peggy responded by saying Betty had no intentions on humiliating White. Fry continued facing the back of the court and gave reason for the court to believe Peggy to be implausible. When Peggy said White said he was in fear to start drinking Fry asked, "doesn't it seem a little odd to you that someone who was an alcoholic, who was in Alcoholic Anonymous, would give a drunk money (276)?" Peggy responded she did not know. Fry concluded with the witness and the defense rested (Schutze, 272-277).

Closing statements of the case began March 2, 1993. Fry recalled Brantley to rebut his testimony regarding physical or forensic evidence not found in the car. Brantley testified the car had been cleaned out. Cook cross-examined him and questioned him about the lack of forensic evidence found on the clothing. Brantley confirmed nothing had been found. Fry began his summation afterwards. The points he brought up were that Betty wanted everything, she was materialistic, her sexual affairs, he conceptualized her life was a secret life, and he said she distanced herself from her husband. He then brought up James White and compared him to be the "little guy (281)," he spoke softly of him and brought forth pity. He said the connection between the two of them was

her twin sister. He then spoke of how Dr. Wilson did not deserve to die the way he did. He then spoke about the state's deal with White in exchange for his testimony to be corroborated. He followed by linking White's testimony to corroboration. His testimony of the book handoff with the guard's testimony, the phone records of speaking to Peggy, meeting Betty at Chick-Fil-A while the manager testified that he employed a woman who met James's description. Fry then asked why Betty left money in the car and not at the front desk. He asked how White knew Betty was in the location of the alleged gun exchange the day he said it happened. He asked how White knew the description of Betty's shoes. He then brought up an aspect to the case that was not mentioned during the trial, he said her excuse for going home the day of the murder was forgetting the bank bag. He said that it was the same bank bag White said she had in her car. He told the court "you can smell what's going on (284)." Before finishing his closing, he told the court they will always have a special place in his heart. Drake began the closing arguments for the defense. He first compared White's story to be "Hollywood (285)." He said the lawyers fed him information and utilizing that information gave White the best deal in the "history of criminal justice in Alabama (285)." He walked the court through White's changes of his statements. He explained the gun handoff story in his statements was on the 19<sup>th</sup> but in court was changed to the 20<sup>th</sup>. He explained on the 19<sup>th</sup> Betty was hundreds of miles away. He said White was a lying monster. He said he believed White followed Betty in attempts that Betty may have been his target victim. He then noted the \$2,500 used to pay White was never traced or linked to Betty. He asked why Peggy and Betty would give White a gun registered in Betty's name and a book checked out in Betty's name as well. He went into Betty's affairs, as the prosecution tried to paint Betty's affairs a secret love life. He said that if Dr. Wilson was unaware of his wife's affairs then he was the only one in Huntsville that would have no such knowledge. Fry and Drake then had arguments escalate to shouting discussing the scars of Peggy Lowe. Drake said that the prosecution was afraid to challenge the scars so they could not present them. Fry then responded, "I am not afraid of anything (287)!" After this Cook began his share of the closing statements. He first began to talk about the concepts of guilt, the Bill of Rights, and the Constitution. He ran the transcripts of White's testimony and pointed out a total of 58 times where White admitted later he lied. He explained that this case wasn't a case of materialistic things but a murder case. He pointed out that there was no evidence Betty was even at Chick-Fil-A or had gotten home after 5:15 PM, no one had seen White's truck during the hours of (eighteen) beer guzzling waiting for Betty in the lot of the mall, or if anyone had ever seen Betty and White together anywhere, anytime. He noted Brantley never asked James of Betty's description (even if she had been fraternal or identical). He brought up no state forensic analyst testified about the results of the clothing tested. He then specified the problem of White after the murder with his clothes under a rock and not having anything on he would have been naked in the woods. After the defense finished, Fry revisited the arguments. Fry insisted the money came from Betty Wilson as "pocket change (289)." Fry then

told the court Betty had six-million reasons to do something like this, referring to the estate Betty was entitled to. Fry said she wanted all of it and emphasized the “all.” He then consistently emphasized the term “shitbag (290),” as he referred to Betty wanting to do away with Dr. Wilson. He then walked to the bailiff and told him a secret. The bailiff poured him a cup of water. Fry then told the court that is how a secret is proven by the circumstances surrounding the matter. Shortly before 2 PM, the case went to the jury.

According to Schutze, the first vote among them were ten for conviction, one undecided, and one for not guilty. The jurors did not believe that it was possible for the police to implicate information to White. During deliberation Drake told reporters he expected an early acquittal. When the day adjourned, they had not decided yet. The following morning the undecided would now vote guilty. Schutze described the situation of the final juror “each new detail of the corroborative evidence that the rest of the jury presented to the lone holdout juror was a spoonful of sand, until the sand gradually threatened to suffocate her, because she didn’t believe the overall story presented by the state. Something in it didn’t add up (293).” Before 2:00 PM on March 3, 1993, after the second day of the deliberations, the jury returned with a verdict. Betty Wilson was convicted of murder conspiracy in the first degree. After the defense and prosecution deliberated with the judge, the death penalty was waived. (Schutze, 191-295)

## Trial of Peggy Lowe

It was approximately six months between the conviction of Betty Wilson and the trial of Peggy Lowe. Peggy hired David Cromwell Johnson and Herman “Buck” Watson for her defense. The prosecution was chaos determining who would try Peggy’s case. Madison County DA Tim Morgan recused himself because of his association with Betty and her husband and Jimmy Fry outright refused. Speculation that filtered through legal avenues was that Fry did not want to pursue the case because he did not think he could win. Judge William Page, who was appointed judge of the case, had his suspicions over the testimony of the case. The trial was scheduled for September 13, 1993 in Montgomery County. Over the course of the six months, Brantley was unable to find any help to the case. No witness, piece of paper, or any bit of evidence to support the state’s theory that Betty assembled the money to pay off White. Because no District Attorney wanted to take on the case, the state appointed its chief prosecutor, Don Valeska.

Prior to the start of the trial, the state negotiated an agreement to keep racial bias out of the trial and read the transcripts of Fitzpatrick’s testimony from Betty’s trial.

One of the state’s first witnesses was White. White’s testimony was generally parallel to his first. One big change was that he testified this time that Betty had picked him up between 6 and 6:30 PM

which was an hour later than he said in the previous trial (Carney). John conducted the cross examination and met his goal; he portrayed the situation that White had changed his story and lied in order to receive a deal from the state. Valeska realized that the trial would not be open and shut and immediately changed direction. Instead of following with the testimony of Brantley, he began the “anti-Betty (Schutze, 310)” routine.

The state followed through reading the testimony of Fitzpatrick to the jury. When Shirley Green took the stand, she discussed the relationship of Betty with Fitzpatrick and Hogg. She repeated the terrible stories of Betty with vengeance. When cross-examined by Watson, he slightly patronized her but spoke lightly. When questioning her about Fitzpatrick and Hogg, he asked her if they were black. She responded that they were. **Schutze describes the objection of Valeska in such manic and theatrical way as he “was just taking a sip of water, got it partway down the wrong pipe. He leaped to his feet boiling red, eyes popping, choking, both hands flapping in the air (Schutze, 311).”** He motioned to the judge that the defense made an agreement not to bring race factors into the trial and the judge overruled as the state did not make the agreement through the judge but amongst themselves. Sheila Irby took the stand not long after. Schutze described her testimony to have the opposite affect than Betty’s trial in Tuscaloosa. He noted that she had been better dressed and better prepared than Betty’s trial. On the stand, Watson cross-examined her. He brought in a large map of the area she claimed to have seen White and Betty. Every time she mentioned a new location that she had been to that afternoon, Watson put a pin on the map in the location she had described. What transpired was described as a “looney-tunes logistical nightmare (314),” that she would have survived. That afternoon she explained she had picked the kids up, take them home, change clothes, take them to separate games and pick them up. Watson carefully asked how long each portion of the trip must have taken. When completed Watson had summarized the story of Irby to be a manic woman driving her children everywhere at a surplus of ninety miles an hour, then weeks later after seeing the story on the news, she remembered the story in its entirety on the specific day and time. After being sought out aggressively by Brantley to tell her story on the stand there she was in court doing so. **In this trial, Johnson had used the state’s witness testimony against them. The witness that talked to Jack approximately an hour before his death, the Alcoholic Anonymous members, and those who saw Betty that day and extracted the timing of the day. He had also shown that the state’s theory of what happened what theoretically impossible. Betty’s time was accounted for by the minute. There were no gaps for her to have driven White to the house and return to give him a ride back to his truck. For this to have happened, Dr. Wilson would have been on the phone after he died for any chance Betty to be a conspirator to the crime the way the state theorized.** The defense team explained to Betty’s brother-in-law why the twins were not surprised of the news of White’s arrest because they had been told by the police not to discuss the case outside the station to anyone else. He became immaterial and was not called to



testify. The more witnesses the state called, the more the defense called their own. They told stories of Peggy's generosity and her husband's support. Peggy did not turn away from the suffering of a child at the hands of alcoholic parenting, single mothers testified that she allowed them into her home, and those who known her for years testified the acts of kindness she was known for. Her children took the stand and testified the happiness in their lives in the upbringing of their home and her husband took the stand and while he was made a fool of in Betty's trial, he had come across as a responsible person with morals.

The testimony of Dr. Kris Sperry proved pertinent in the case of Peggy Lowe. According to the Wilson Murders episode on Forensic Files, he discredited the state's theory that a bat was used for the crime. The defense highlighted that the story the state theorized did not only make and sense, practical or scientific. Dr. Sperry discussed the lack of blood spatter at the scene and hair fibers on the bat. Sperry doubted the bat was the instrument used in the crime and a striking highlight was that White never fully admitted to using the bat in the crime. The injury pattern to Dr. Wilson with the laceration and fractures, the instrument that would have been used would have been more consistent with a fireplace poker. This theory would also highlight the puncture wound left in Dr. Wilson's back shoulder. Baseball bat injuries have crushing patterns as the linear patterns did not reflect the consistency. He had also alleged Dr. Wilson at some point had been strangled, a point of testimony not reflected by White, as his hyoid bone had been fractured. Sperry alleged that White did not conduct the crime alone had he participated. His overall theory was that Dr. Wilson was ambushed at a separate location by at least two individuals. He was struck at minimum, nine times in the head and once in the shoulder. He was strangled. After the initial attack he was stabbed twice. He theorized the body was placed in a tarp or some other covering material and brought to the location of the crime scene and was staged there. The assailants then placed blood on the bat to make the bat look like the murder weapon, took the true instrument used in the crime and fled the scene (Forensic Files, The Wilson Murder, 12:25-18:14).

Peggy was the last person to take the stand in her case. Her emotional stance had backfired with Fry and the defense was afraid for a repeat. Peggy had been prepared for her trial. Johnson led her through her testimony. Like her sister's trial she began with a background of her upbringing. She discussed of how she her father had been abusive to her mother, her older sisters, and to Betty as well. She talked about her life, marriages, children, and subsequent divorce. She briefed the court of Dr. Wilson and him being a caring individual. She discussed James White and her conversations with him on the phone. He discussed his divorce with her, her husband, and her daughter Stephanie. Johnson asked Peggy if she had ever had a sexual encounter with White, she responded she had not and that the first instance she heard of this was at Betty's trial. Johnson followed through asking why she referred White to Betty. She explained that White continuously threatened

suicide and claimed that he had tried again, and his friend had stopped him. She explained the phone calls, White's trip to Guntersville, and the details of the state's theory. The court's final transcript led Peggy through straightforward questioning before adjourning. Johnson asked Peggy if she conspired to kill Dr. Wilson, if she gave White money to kill Dr. Wilson, if she had sexual intercourse with White, if she brought a gun to him, and if she was guilty of the charges brought against her. She responded no to every question. After the case went to the jury, it took two hours to return a verdict. Peggy Lowe was acquitted on all counts brought against her (Schutze, 299-319).

## Recant and Subsequent Testimony of James White

According to Lunsford, James White submitted a Rule 32 petition to the Madison County Courthouse in Alabama from his prison cell on June 1, 1994 recanting his testimony from Betty Wilson's trial. He began his statement saying that he wrote the statement on his own free will. He followed by saying his intention was to make peace and correcting the "wrongful and harmful injury (91)" he caused Betty. He then wrote about his mental health struggles as he was diagnosed as a manic depressive and being emotionally unstable. He wrote that he had been hospitalized for his mental health and that he took prescribed medication to treat his mental disorders. He followed with more about his health that he was an alcoholic and drug abuser who was subject to blackouts on several occasions and had no clue to what would transpire during these events. He continued his statement with his story, he said he met Peggy in the Spring of 1991 where he worked at the school she was teaching. He said that he and Peggy had a positive relationship during the time. He said she helped him find work which helped supply him with income as a cook as well. Due to the nature of their relationship he said he gained a romantic interest and when he made Peggy aware of this, she rejected his advances. He said this made him feel humiliated and furthermore he grew resentment. He followed by saying this had him resort to heavy drinking and using of drugs. White continued by saying the weeks after her rejection and prior to his arrest for the murder were all a blur to the date of his statement. He said his last memory was being in a drunken state of mind traveling to see his children. He follows saying his next recollection was being interrogated by Brantley and Sharpe following his arrest. In his statement he said that he denied being involved in the murder but truthfully, he could not remember anything that had taken place in the weeks prior. He said that the detectives told him they knew things he did not and demanded he confess to the crime. He said during the interrogation he was unaware of how long he had gone without his prescribed medication and doubted taking it during his blackouts. He said he was unaware if he as still intoxicated from the alcohol and drugs, he was using but said he was confused about the situation. He said that the detectives did not allow him medication or an attorney during the interrogation. He followed saying he started to believe he had been a part of the crime because of

the times in his life he could not remember what happened. He said they told him if he did not confess to the crime and implicate the twins, they would pursue the death penalty in his case. He said he was told it was the twins they wanted to implicate. White said the detectives hounded him until he was at a point where he would say anything they wanted in order to stop the interrogation. He said his false implication of Peggy had more of a factor due to the resentment he had from her rejection of his romantic advances. White said in his life he had a fear of authority and in response he would respond with blaming of others when being confronted by them and this is what took place in the interrogation. White followed in his statement that “in reality, I’ve never even met or spoken with Mrs. Wilson – not even to this day. I was never positioned by Mrs. Peggy Lowe to murder Dr. Jack Wilson. I made it all up in order to appease detectives Mickey Brantley and Wayne Sharpe (94),” he said. He followed saying he tried to explain to his attorney that he made the story up to appease the detectives and that he could not go to trial unless he paid him \$80,000. White said that he wasn’t allowed to change his story because of the deal that was offered to him in exchange for his false implication of the twins. He says through the duration of the interrogation and pre-trial, his medication for his manic depression was withheld from him and he was threatened to be punished by the prison administration if he told what was going on before he was scheduled to testify. He then says due to his depression he took the plea and then said he was sure he had nothing to do with the crime and that his implication of the twins was false testimony. White followed that he wanted to rationalize the situation that it was a possibility of it being true and he recognized that he lied in order to bail himself out and to seek revenge on Peggy. He concluded by saying his reasoning for the recant he would not have peace until the guilt was cleared from his conscience (Lunsford, 91-94).

Following the recant of James White, in order to either release Betty from incarceration or at minimum gain a new trial, he would have to make his statement under oath regarding the testimony at Betty and Peggy’s trials. Judge Younger was appointed the judge of the Rule 32 hearing. According to the episode, Twin Killing, in *On the Case with Paula Zahn*, prior to the date of the scheduled hearing when White was scheduled to testify, he was visited by Fry. Zahn noted that Fry didn’t believe anything White said in the recant. In the interview with Fry he described the exchange saying that he “reminded him that the deal, and I told him that if he lied about anything that was a material factor to the case that I tried, that I would basically put his sorry ass in the electric chair (41:37- 41:49).”

In Betty Wilson’s second appeal there is court transcripts of the Rule 32 hearing that took place. White was called to the stand by the judge. The first thing he did was invoke on his fifth amendment. When the judge noted that it was a separate matter, White then said that by law he was entitled to invoke. Drake proceeded for the questioning for the defense. He first asked White for

his name which he gave. All other questions that followed regarding his testimony at Betty Wilson's trial, White plead the fifth. The court motioned that he had no right to do so and Fry questioned the court's ruling. Fry argued that White's testimony could subject him to reopen prosecution against him. After Fry and Drake argued about the ruling of White's fifth amendment regarding his plea and testimony the judge ruled to sustain his rights and thus a new trial was denied (*Stave v Wilson, Ex Parte Wilson*, 690 So.2d 477, Docket Number 1941212, 1997).

## Appeals of Betty Wilson

The first appeal of Betty Wilson was filed through the Court of Criminal Appeals on January 13, 1995. The appeal began with a briefing of the trial, Betty Wilson's conviction, the state's evidence of the body and testimony of Dr. Embry, White's testimony, and the following testimony of other state's witnesses. The state had eight grounds of the appeal.

The first argument was that there was not enough evidence to verify the testimony of James White. The second argument was that Betty had reason to believe of racial discrimination. The third argument of the appeal questioned the testimony of Sheila Irby on three bases. The first was her identification of White and Betty were brought to the case after the case had been exposed to the media frenzy of the pre-trial. The second was that the defense failed to object to the identification during the cross-examination. The last was that Irby's identification was not a direct identification as the term White "obviously did not belong in the neighborhood," as the times she testified to were brought into question as well. The fourth argument was that the state did not disclose statements made by both White and Irby and constituted a Brady violation. The fifth argument was that the court refused to exclude the testimony of White and that the state's deal with white encouraged perjury as a witness for the state. The sixth argument was that Cerha's testimony should have been excluded because the statement was prejudicial and had been an isolated incident six years earlier. The seventh argument was the basis of the conviction of the jury finding her guilty in a case with a lack of "traditional" evidence and was only found guilty because the state's theory was "plausible." The eighth argument was based upon post-conviction relief surrounding the Rule 32 hearing that denied her a trial. It was based on three separate contentions. The first was that the defense presented testimony from an inmate housed with White at the hearing and the signed affidavit of White. The second contention was that the defense did not have evidence available to them at the trial of Dr. Lawrence Maier, a psychologist that examined White with relevant materials to the case in question of the mental health of James White. The last contention was the matter surrounding White invoking his fifth amendment right at the hearing. Every argument of the appeal was counter-argued with a court case citing by the presiding judge, Judge

Taylor. On May 5, 1995, Betty Wilson's first appeal was denied a re-hearing (Wilson v State, Alabama Court of Criminal Appeals Decisions, 690 So. 2d 449, 1995).

The second appeal of Betty Wilson was filed through the Supreme Court of Alabama on March 21, 1997. The appeal's importance was surrounded on three bases. The first was the state's fear regarding the possibility of a reversal of the case. The defense acknowledged that if there was a re-trial the state would have to produce evidence that was withheld at the original trial and would constitute a Brady Violation. The next basis surrounded the Rule 32 hearing which White recanted his testimony from the trial and subsequently plead to his fifth amendment rights when he was scheduled to testify to the affidavit that he wrote recanting. The third basis opened the door in detail the matters of a Brady Violation, when evidence has been withheld or suppressed, when evidence would favor the defendant, and the evidence would be material factors to the trial. Judge Maddox presided the appeal.

The first argument in the appeal surrounded the notes from Dr. Maier. The appeal notes that Betty's defense filed a motion for evidence discovery. The conflict of interest through the notes that were not available was that at the trial White testified that he could not remember specific dates and times because he was experiencing blackouts and did not wear a watch. According to the notes, when Dr. Maier examined White, White alleged that he committed the murders between the time of 6 and 6:30 PM. White also had a court hearing to determine whether he could stand trial or not due to his mental competence. The notes were not available to the defense and in fact Betty found out about the notes when the attorneys in her twin sister's case were given a copy of the notes. As White's mental health continued to come into question, the defense issued subpoenas to many regional medical facilities regarding White. The defense follows that the theory of the crime from the state could not be true if Betty's whereabouts were accounted for after 5:25 PM. The appeal followed into the testimony of the defense from the trial that challenged the state's theory. From the court's transcripts they noted, the first witness was a 13-year-old who was outside playing during the afternoon hours the day of the murder. He testified that he did not see Betty during the duration and that he did not see her bring White to the location. They cited that another witness had a confrontation with White at the Ramada Inn bar at 5:15 so therefore White could not have been in the house as he stated. The appeal continued surrounding the Rule 32 hearing and White's fifth amendment invocation. As the first appeal, every argument was countered with a court case, the conviction was upheld and request for a re-trial was denied (State v Wilson, Alabama Supreme Court 690 So. 2d 477, Docket Number 1941212, 1997).

According to Lunsford, the appeal was denied March 21, 1997. Following the denial, a request for relief was filed and the request was transferred to the Northern District of Alabama. In September 1998, The United States Court of Appeals receive a Notice of Appeal and denied the Eleventh

Circuit and subsequent rehearing request. The final appeal to the United States Supreme Court was denied March 19, 2001. The only hopes for Betty's freedom lies if new evidence is presented to the case (Lunsford 90-91).

# Analysis

## Character Analysis

### Betty Wilson

Analyzing Betty Wilson, it is pertinent for those who knew her was one of two things, either you would love her as a person or hate her. Betty is a strong-willed person who faced demons of her own. She was so often referred to as the "rich bitch." Growing up in an abusive home in the shadow of her twin, she developed a rebellious attitude and for many that were interactive of the norms of society, she sought acceptance outside. If she had a theme song to play in an introduction it would be like an 80's rock guitar riff. The idea of "take me as I am or don't take me at all," applies to her. This was the irony in her downfall as in her trial as her character was put on display as opposed to the facts of the case. Betty made friend's as easily as she lost them. An Alcoholics Anonymous acquaintance that did not approve of her lifestyle broke their ties between each other and Betty dismissed her instantly. She also lived a lavish lifestyle; this was another case in reasoning to bring about hatred towards her in her life and in the trial as such she was married to a doctor and that was the reason for the majority of her wealth. One thing I admired about Betty is her consistent honesty. She never once changed the story about the library book opposed to White who changed his story several times. Both Peggy and Betty told the same story, when in fact, had they lied about the circumstances it could have possibly changed the outcome of her conviction. Betty has maintained her innocence since her arrest that in fact, I believe if she were to be told she would be released if she admitted her guilt, she would choose to remain incarcerated.

Betty is no innocent person, she had an alcohol problem and used cocaine during her marriage. Yet, years prior to her arrest she remained sober in lights to change her relationships with those around her to a better, healthier lifestyle. She was sexually active and was in an open marriage meaning that her husband was aware of her sexual relations with other men. Betty did enjoy her lifestyle she was accustomed to. Even during the trial, she had her hair and makeup done. While she did have money to spend, she did not enjoy being taken advantage of for this. She offered to help White and when he used her, she responded by cursing him out on the phone. She was a

straightforward person. It seems that those who had a good relationship with her got to know the good side of her. Her relationship with her sister is quite possibly the most notorious one. There is so much known, but believably so much that is unknown. They spent hours talking in the bathroom among one another, they share secrets the two of them would only know, and often I find myself believe the relationship between the two of them may even be stronger than that of theirs with their children. Betty's sexual affairs were also maintained in good nature, she had good relationships with the men she slept with and even according to the testimony it seemed she maintained a non-romantic loving nature.

The most important and interesting relationship in the analysis is that of hers with her husband. In the days Betty was drinking excessively, she would have ugly days where she would humiliate Jack in public and shame him in private scenarios as well. But the largest factor of the relationship was that their love knew no bounds. Neither of them wanted a divorce and the relationship started very well. Jack said that he did not want a divorce, but he loved his practice and would spare his marriage for it which resulted in Betty seeking help for her problems. As Betty went sober, the relationship grew much stronger. She was the one that suggested the vacationing trip to give their relationship a romantic spark. She even discussed the nature of their relationship in interviews from behind bars and notably missed him very much. She said that she regretted not holding Jack before the police arrived at the scene.

It seems that in her 27 years behind bars, jail has very much humbled Betty. When she writes she addresses those reaching out to her properly. She has adopted a religious lifestyle and spends her time writing to her family, fans, friends, and sews in her spare time. In her incarceration she has lost her mother and both of her elder sisters. To a personal matter, while she is very happy these days, to me it is heartbreaking to see what was once a strong-minded person become so subjective and adoptive of the inmate lifestyle. The most important part to me is that she is mentally stable and has a peaceful state of mind.

## Peggy Peck (Lowe)

Peggy is the twin sister of Betty and in the tale of twins as Schutze puts it that if Betty was the moon Peggy would be the sun. Peggy is a well-behaved Christian. She is respectful of other's hardships and does not judge others who are struggling. She brought in single-mothers and abused children under her roof and was one of the most generous of people in the entire story. If Betty had a guitar solo playing her theme, Peggy's would be a grand opera. Growing up, many looked to have her in their circle of friendship and low and behold, in every circumstance she always maintained that wherever she would go, Betty would follow. Peggy's well manners and circumventing trouble won her beauty contests and homecoming queen and was well-liked by

everyone, even those from the rebellious crowds. She often struggles with her emotions, at the trial of her sister she had not seen her sister since her arrest and could not keep herself together but given the circumstances it is a blameless matter. She is seen crying a lot in interviews when discussing the case. Peggy often feels remorse for her sister's incarceration as it was her generosity that led White to Betty in the first place. Peggy tried often to help White out of his troubles and misery while unknowingly she was only being conned.

Peggy is a strong believer of Christianity. One tale about her is after her acquittal, she and her church supporters all got down and prayed together. Peggy has a great relationship between her kids and during the time of the trial, her ex-husband had a great relationship with her as well. She helped those in need and it clearly helped speak to her character during the trial. In fact, the state only questioned the character of her sister at her trial and the defense not only rebutted the state's witness credibility but also solidified her own as well. Proving Betty's innocence was the way she would win the case and hopefully avenge her sister's conviction.

It seems these days that Peggy has never stopped fighting for her sister's freedom. She is a retired schoolteacher that still has a sense of humor, a selfless lifestyle, and her Christianity. It seems in a life surrounded by so much drama, Peggy has not let the worst get to her. I try to not speak much about the trial to either of the twins as the sense of bringing up a dark past may bring about grave emotions.

## James Dennison White

My mother always told me not to argue with a fool because they will drag you down to their level and beat you with experience. Such truer words could not be spoken of James White. A pathological liar since the days he first spoke. I'd imagine his first words as a two-year-old were "I have been talking for three years already." James White was often described as a con man with a very disturbing history. He lied, stole, and cared for nothing other than his own reputation to those around him. He was mentally unstable and a dangerous human being. He would con people to confide in him and then either run their pockets flat or try to advance in romantic ways with women. If there were to be a movie, the actor to portray James white would have to be a prolific and acclaimed actor that would have to understand the circumstances of the man. The most ironic thing about James White is that the only person in this entire scenario who did not bow down to him was Betty Wilson, and in doing so, he dragged her down to the worse place ever and beat her there in the most fascinating, mind-boggling way. It seems that through the crime, trial, and aftermath he has this sense of knowing Betty's freedom is in the core of his palms. Even in his recant he wasn't fully truthful as he said that he knew he did not participate in the crime when



evidence proves otherwise. As if Betty's freedom were to come about, he would have to get off as well.

White's history was as simple as Buck Watson said about his character that he was a child molester, was dishonorably discharged from the military for friendly fire and stabbing an officer, abused drugs and alcohol, was in and out of mental institutions, and had a long criminal history. He was evaluated on several occasions and could not tell whether the situations he would experience were fantasy or reality. As a schizophrenic he heard voices as well. He never told the truth no matter the circumstances, through the trial he only did what he could to save himself.

When it came to the trial it is astounding that Betty was convicted on his testimony. In a twist of irony, it seems as White involved Peggy as well to try to get back at her for rejecting his romantic advances. At the end of the day it was Peggy that got off free and Betty sent to jail and even more so that Peggy's trial proved that Betty was innocent. Had he never alleged Peggy's involvement it is possible that raising Betty's innocence may have never come into question.

## Dr. Jack Wilson

Jack Wilson was undoubtedly loved as a human being for all he did. He loved his practice, his patients, and even had the patience to preserve his marriage with Betty through the good and the bad. Not much was known about him. Video footage shows a happy man enjoying his life with his grandchildren and happy photos taken with Betty. One of the state's first witnesses was brought out to discuss who he was. Barbara Smith who worked for Dr. Wilson explained her relationship with him was like a fatherly figure and he always made the patients and staff a humorous atmosphere. He allowed his staff to take off for family relations and cracked jokes with his patients. He was known to put those who couldn't afford his practice on his "hundred-year plan." Dr. Wilson loved his practice and loved his wife, but he told his wife not to make him choose between the two because at the time it seemed as Betty was upset at his long hours at work. He subconsciously gave her the notion to seek help for her alcoholic trouble which she did. When she gave up drinking, their relationship became better. Dr. Wilson had good relationships with Betty's children and her family as well. His only enemies were his ex-wife, Julia, and their son, Perry who were known to have intolerance towards Betty and him. His son was known to be violent and at one instance shoved him brutally and forced Dr. Wilson to sever ties with him financially.

It is strange because as a murder victim you would think you would know a lot more about the man who was killed whereas the trial centered around the character of Betty. Clearly Dr. Wilson did not deserve what happened to him and it is sad the whole story never shined a light on his life. In

recent era of social media and memorial forums, Dr. Wilson's life is celebrated by those who knew him.

## Mickey Brantley

Mickey Brantley was the lead detective of the Wilson case. At first, I believed he was a crooked and corrupt cop that set Betty up and intended on setting up Peggy as well. The more I read the more that raised the theory was that he could possibly be an honest police officer who was in fact very stupid. Mickey Brantley spent several years in the Marine Corps and became a detective in Huntsville not long after. For the case it seemed so much rested on him as many political pundits left him out to dry. Yet for him to carry on with the state he would have to believe all of James White's story which is idiotic. Some aspects that could raise corruption vs stupidity was the interrogations that were not recorded. When White would ask to stop the tape recordings, Brantley listened. He was part of the negotiation that brought down the charges to Simple Murder for James White giving him the deal that would have possibly paroled him after seven years.

To an extent, Brantley's stance in this case was similar to White as he did all he could to save himself in his career. At the trial he said the reason the police dog didn't find the clothing at the scene was because the dog was suffering from allergies when there was no documentation of the case whatsoever. He completely objected to the theory of Dr. Sperry's idea of what could have happened at the scene. Realistically speaking, he would have to believe most of White's testimony or must have input on the coverup of the case. It is plausible that during the unrecorded interrogation he could have either aggressively led White on to the testimony and evidence or simply told him what to say to cover themselves.

## Mo Brooks

Mo Brooks was the original District Attorney for the case matters. Brooks played a part seeking out the conviction of the twins. He was a DA that was known to fight for convictions and not take deals which is why this case brought about a controversy in his stance. Brooks was the DA that signed the deal giving White his guilty plea. It is very evident that Brooks was politically motivated. It seems as he did not care about whether the twins were innocent if the story made headlines and if he prosecuted them would be known as the DA that sold the "evil twins" story. During the investigation he was up for election once more against Tim Morgan who had personal relations with the Wilsons. When Morgan won, he chose to recuse himself to prevent interference of personal relations. It seems that Brooks would do anything to win political gain. During his campaign he would often relate the Wilson case and note that Morgan had a relationship with Betty

among the allegations of her crime. It was highly ironic, even with the political controversy surrounding the case, he was still unseated by Morgan after the election.

Brooks has had a long political history before and after the case. He was a member of the Alabama House of Representatives and is now a standing member in the US House of Representatives as a Congressman for Alabama's 5<sup>th</sup> District. He's worked for the Attorney General and ran for Alabama Lieutenant Governor. In 2017 following a shooting he made his belt a useful tourniquet to stop bleeding from a fellow lawmaker who had been shot. While a heroic act should not go unnoticed, it is still a shameful act to be reminded of what his former actions resulted in the incarceration of Betty and that he has a congressional seat.

## James "Jimmy" Fry

Jimmy Fry was the prosecutor appointed to the case of *The State of Alabama vs. Betty Wilson*. The easiest way to characterize Fry is self-absorbed. Fry no doubt cared about his self-image and was persistent to not be made a fool. If there were to be a character to resemble him, the *Law and Order* Defense Attorney John Buchanan would present his case in the same way. He began his trial opening his statement with a biography of who he was and where he grew up. He was good at his job but only focused on one thing and it was winning regardless of how it was done. He consistently bashed Betty's lifestyle through the trial and even in the interviews afterwards. Fry was in love with the media surrounding the case and more overly surrounding him. **Winning his cases oversights serving justice.** Fry notably did not take Peggy's case because he could not desecrate her character and therefore would not win. He also visited White in prison before his scheduled testimony because if White testified to his recant it would humiliate him as the conviction of Betty would be eradicated. He silenced White that he would not allow him to testify and if White had done so it would be over his dead body, literally. Schutze (269) pointed out that Fry's job wasn't to know whether Betty was innocent or not but to present the state's case and evidence. The most important task of a District Attorney is to serve justice, not win. He had the option of dropping the case. **Yet Fry played dirty tricks. Changing dates, keeping the psychologist's notes, and focusing on the reputation of Betty Wilson.** Fry no doubt about it would be the perfect prosecutor in a case where there is solid evidence, but when an innocent person is put on trial, it makes you wonder how many other innocent people may have suffered as well. Fry at one point was appointed a judge of the Alabama Court of Appeals, which has a huge irony.

## Bobby Lee Cook vs. Charlie Hooper

Charlie Hooper, Jack Drake, and Bobby Lee Cook represented the defense of Betty. Hooper and Drake were civil attorneys as Cook's practice was defense. Cook had the task of attempting to

break James White's character while on the stand, it failed, and subsequently the case followed. In Lunsford's book she writes about how in the aftermath Hooper felt regret for not interjecting on some parts during the trial because he felt it was not necessarily his lane to do so. After the trial the three still worked on the case but due to their original failures there were rifts in relationships. Hooper was young, smart, but not experienced, while Cook was experienced and worked in defense. During the pre-trial there was also a heavy lack of communication with the lawyers representing. For one, Betty was in isolation the entirety of her pre-trial so her lawyers could not even speak often to her and when they could it was often under somber pretenses. Cook was also coming in from Georgia to oversee the defense, all communication to him was through fax and telephone from Betty's legal team. He never saw the face of Betty until he represented her at trial. There is a path in relationships that come from face-to-face interactions that non-human interactions can't relate. Betty had a much better personal relationship with Hooper because he was the only one who visited her in isolation. When it came to the trial, often Cook would try to bypass certain questioning by applying the larger picture to the case, but in this case, it was the smaller things the jury paid attention to. The dressing of Sheila Irby, the non-emotional Betty, the sexual relations, pretty much everything else except the facts. In one instance where Fry was questioning White about his reason to be here, when White answered it was to corroborate evidence, Drake repeatedly objected to the answers as he was there to tell the truth and was susceptible to perjury. After a few times, Cook nodded to Drake to let it go. While giving Hooper and Drake more leigh way would have been risky, I believe it would have worked for the defense. After the trial things that were left out that Hooper realized were left out, he regretted not challenging Cook's stance on leaving the information out. Hooper was interviewed after the trial and was in disbelief of the conviction of her character and not the evidence. Research of Bobby Lee Cook shows many cases he has tried and is a "Super Lawyers" feature. What is astonishing about the case is that Cook was a renowned lawyer that tried a case with no evidence and still lost the matter.

## Brenda Cerha

Brenda Cerha was a state's witness that testified against Betty Wilson. Her testimony revolved around her husband's death that had happened six years before the trial. She testified that once upon a time Betty said to her that she wanted her husband killed and questioned if she had anything to do with her husband's death. Further reading and research goes to show that Brenda was a bad friend of Betty's who Betty chose to associate with. When Cerha was hospitalized of a drug related incident, Betty took care of her daughter. In one instance where Betty was babysitting Cerha's daughter, Betty disclosed to her daughter that Brenda was a drug abuser and when questioned by Hooper she told him that she felt her daughter needed to know. Betty also alleged in interviews that Cerha was the type of person who "does very mean things," which was the result of her testifying

against her in the case. Not only did the incident happen six years prior, Betty alleged the exchange never took place. Betty also entails that Cerha had two husbands that both committed suicide that may have been suspicious (Schutze, 158-159).

## Sheila Irby

Sheila Irby was a state's witness that testified against Betty Wilson. Her testimony was regarding seeing Betty and White both near Boulder Circle the day of the murder. Irby at first did not want to get involved with testifying. She first came to the police long after the trial had been in the news and never made a confirming match to White's identity. She merely said that he didn't look as though he belonged in the neighborhood. Not much is known to her character except for her enjoyment of the media surrounding the case. She notably dressed up for her days in court and even in Peggy's case was noted to dress even more elegant than Betty's. She had a twenty-year-old son and two teenagers she cared for. She did not know Betty personally but grew up in the community and went to high school with her, so she knew "of her." During Betty's trial, Drake questioned her to the extent of badgering her where the crowd without order exclaimed the defense should be shameful of their actions. During Peggy's trial, Watson proved that too much had been going on in her life to entail the exact time and date she would have recognized Betty driving erratically and notifying the police long after the incident had occurred. The discrepancies showed that Betty's trial was focused on character whereas Peggy's trial was focused on the facts.

## Demographic Analysis

### Tuscaloosa, AL vs. Montgomery, AL

Tuscaloosa, Alabama is in western Alabama on the Black Warrior River in a county of the same name. The counties makeup of diversity comes about 70% White and about 30% black according to the 2010 US Census. In 1990 the divide made up about 109 out of every 150 people being White according to the US Census (72%). While racism should not factor a role in any judgment, it evidently had a huge factor in the case of Betty Wilson. Alabama is the home of the Civil Rights Movement and in 1992, change was still hard to have acceptance. When Betty heard the trial was being relocated, she made it known Tuscaloosa was a place she tried to avoid. During the trial Betty did not believe that Earl Fitzpatrick or any of Betty's lovers had been black would be a huge ordeal in the case and in one instance one of her attorneys responded to her disbelief of 1993 being progressive saying, "Who gives a shit what year is? This is Tuscaloosa (Schutze, 252)!" Lunsford alleged in her book, written in 2007, that the Klu Klux Klan was still relevant in Tuscaloosa. Robert Shelton, a Grand Wizard for the Klan, originated from Tuscaloosa. According to an article

written in 2018, a Neo-Confederate White Supremacist group, still has a home in Tuscaloosa County. Tuscaloosa is a city with its own demons and hate, unfortunately for Betty this played a huge role in her demise. When the defense tried to fight the case with facts regarding the case, the state painted a picture of a greedy woman who had an undisclosed affair with a black man (even the defense had to state that if Dr. Wilson didn't know of the affairs he was the only one in all of Huntsville to not know), and wanted her husband dead for his money. The jury did not have to see evidence once Fitzpatrick was brought to the stand. For some in the county Betty would be practicing witchcraft for her actions to some and was given the Salem Witch Trials.

## Montgomery, AL

Montgomery, AL is the capital of Alabama and located in the central-eastern region of Alabama in the county of the same name. Montgomery, AL was the home of the Civil Rights Movement that was the progression of social justice in the southern states of Alabama to bring equal rights to races of all kinds in America. In 1990, Montgomery County was made up of a ratio of 119 out of 209 people to be white. Montgomery was a very progressive county compared to the rest of Alabama (56%). The only recognized hate group in the county known is the Nation of Islam which is a black extremist organization. It was the home to the trial of Peggy Lowe. Her jury consisted of a black majority and her case surrounded on facts and solid evidence. It was the home of the Confederacy which was the rebellious Army formed against the United States. While not celebrated as much in recent history, the Army's rebel was a force of the founding nature of a rising Army to fight government tyranny. The Dexter Avenue Baptist Church had the congregation of a church that sang "We Shall Overcome" with Dr. Martin Luther King. The trials locations of Betty and Peggy were two very different places and it all had to do with its history. Schutze state regarding Tuscaloosa and the Civil Rights Movement that it was "difficult but inconclusive (307)." Given the nature of the accusations and character, it seems that if the locations of the trials were switched more than likely both twins would have been acquitted.

## Corruption of DA/ Detectives

### Mickey Brantley

As noted before Brantley was a police detective that I could not decipher where he was corrupt or unintelligent. There are many factors that can lead to believe in corruption of Mickey Brantley in the case against Betty Wilson. The first easily noticeable is the testimony of James White starting from the interrogation. As White had been known to be drunk and a drug abuser that blacked out on several occasions it is believable that information was fed to him that he did not recollect. In the

recant he mentions only remembering driving back to Vincent and practically nothing of the crime. It could necessarily be some police tactics that could have been detrimental and forced him to say what was necessary. Take for example in the interrogation that was unrecorded, White could not have known anything about the crime scene and Brantley could have interjected “We found the bat, James!” Even to this day, White says he does not recall the bat and further testimony for forensic evidence proved that a bat could not have been the weapon used to murder Dr. Wilson. The color of the bag in Betty’s car, her “flowery” shoes, and the name of the Chik-Fil-A employee. Things an average person would not recall or pay attention to, this man who was drunk, high, and psychologically impaired was able to remember this. It is astonishing that on the stand White could remember times and places he was but could not recall the weapon used, whether it was Brantley, the DA, or another employee of the state, it is clear that someone had to give him times to properly verify the state’s theory. White also was very descriptive for a man who had experienced blackouts and had been severely intoxicated.

## Errol Fitzpatrick

The use of Fitzpatrick’s testimony is not necessarily considered “corruption.” Yet there was considerable bias towards the testimony of him. Betty was known to have many lovers, but the state could only subpoena an African American man. Considering the history of Alabama and its racist background it was clear that the use of Fitzpatrick was intended to bring the idea of a white woman having an affair with a black man. Most importantly, Fitzpatrick’s testimony had no correlation to the case in any matter. He testified that he was Betty’s lover and that their relationship was by sexual nature only. He testified that Betty had never indicated to him that she would marry him or leave Dr. Wilson for him and he testified that she never said she loved him either. It was clear that the prosecution only brought Fitzpatrick on the stand for a jury to see in front of them a black man. Had Fitzpatrick been white, he would not have been brought from California to testify to the relationship when there were plenty more of Betty’s lovers that were not brought on to testify.

## Notes from Dr. Maier

The notes from Dr. Maier that evaluated the psychology of James White would have been pertinent to the case had they been a part of evidence. One consistent theme of White is that he is a criminal with deviant behavior and many psychological issues. The notes would have been one more finding of his behavior. The most relevant part to the notes is that he contradicted his story in his testimony. The state had that the crime would have happened before Betty arrived at her Alcoholics Anonymous Meeting. White claimed he did not wear a watch and did not know specific times. Yet he told Dr. Maier that he committed the murder between 6 and 6:30 which would have

alibied Betty during those times completely dissembling the state's theory of the crime. The notes were available for Peggy's trial and at that trial White testified to the times of the events being between 6 and 6:30. The defense claimed in the appeals the notes were specifically held from them and were available to a separate trial. This raises the idea of corruption because it is a possibility the notes were available and specifically held from the defense of Betty in the trial.

## First Interactions with James White

James White is an interesting character. While seemingly nothing nice can be said about him it is true at the end of the day, he is interesting. White had to be the center of attention anywhere he went and thrived off it. What makes his character even more odd is his first interactions with everyone he met his notorious way of conning them for his own personal gain.

Mickey Brantley's first significant action with White came from the interrogation. Brantley hounded White for ten hours after his arrest. During each interrogation session White would "remember" more and more information after each interrogation. White was able to instruct Brantley to stop recording the interrogation which at the time wasn't standard police instructions. As White told more about the twins it seems he interested Brantley to do whatever he wanted. It seems that he made Brantley like him, Brantley negotiated his deal to simple murder and as the state's witness in the pre-trial White was given privileges unknown to us but his diet, exercise, and dental work gave a whole different appearance by the time he was scheduled to testify.

Betty Wilson was the victim that suffered the most from White. While the crime proves so, it there was the fact that she wouldn't bow down to his conning ways or allow him to take advantage of her. When White was given the money and fled, Betty went out of her way to make sure she got her money back. When she was at Peggy's house and White called, her first interaction with his was cursing him over the phone and demanding her money back. She would then fall victim in White's web with her husband's senseless murder and her conviction. Her first time seeing White was when they were chained together with Peggy on their way to the pre-trial hearings.

Peggy Lowe originally met White at the school where they both worked. White was brought in to do work around the school to fix up classrooms in the school. When White first met Peggy, he told her that he needed financial help because he could not support his children. He broke down crying and Peggy in her good nature could not stand around and watch him suffer at the sake of his children. As time grew and the relationship between the two developed White would consistently call Peggy and would tell her stories about him being suicidal and trying his best to stay away from alcohol to keep her interest. No one knows whether James acted upon romantic interest or not but



even White said he was upset with her rejection. In an ironic twist, James wanted to get back at Peggy and she ended up being the twin that was acquitted and proved her sister's innocence.

Bobby Lee Cook is perhaps one of the greatest defense attorneys in the region of Georgia and Alabama. He was known to break down and decipher the hardest of those testifying. A person as psychologically and mentally challenged as James White would be a walk in the park for him. Cook's first interaction with White came upon the cross-examination on the stand. During the cross examination, he attacked White's credibility instead of the statements made to police although he briefly reached on it. On the stand he tried to breakdown White and could not do so. James White remembered everything he was supposed to on the stand. When he did not remember something related to the crime, he retracted to stating that he was drunk and intoxicated. While the state's preparation of White worked, it was baffling, but thorough. Cook's cross-examination not breaking White was quite possibly one of the most shocking revelations of the case.

## Discussion

### What Questions Raise Reasonable Doubt?

#### **Is the state's theory believable?**

No. It is not. The state's theory has far too many holes and Hooper in an interview put it straightforward that it was not only not logical but not scientifically possible as well. There are also far too many questionable reasons to discuss that disprove the state's theory. No one had ever seen or come forward to testify that White had ever been seen with Betty. Even with all the given time to find witnesses before Peggy's trial the state could not locate any witnesses to acknowledge this. Not even in Sheila Irby's shaky testimony, she only alleged she saw them both that day and not together. Another factor is the timing of the state's theory. For one, no certain time of death had been put on Dr. Wilson's murder, so the state went about to make one up to make their story fit. Given Peggy's trial, Dr. Maier's notes, and the telephone records it is more reasonable that Dr. Wilson was murdered after 6 PM when Betty had been accounted for at her Alcoholic Anonymous meeting. The weapon used brings into question what weapon was used to kill Dr. Wilson. The state alleges the bat at the scene was used, but scientific measure prove that a different weapon was used to kill Dr. Wilson. Furthermore, for a bloody bat, there were no positive matches for fingerprints on the bat. More notably, White never admitted to using the bat. In fact, in every instance he says it was the police who told him he used the bat. The forensic evidence came back without a trace. The car was tested and no fingerprints, hairs, DNA, or clothing fibers of White's were matched to him, and nothing linking Dr. Wilson as well. He was never in the car as the state's theory states he was.

Given the nature of the crime, if the state's theory was legit, after killing the man he would have to be naked and/or covered in blood in Betty's car. If he had to crouch in the back seat and hide under a bag there would be evidence transferred that even a top-notch car detailing could not wipe off. Another finding in the case was the clothes and knife that were found months after the crime occurred in Betty's backyard. For one these clothes were not found on the day of the murder because the dog that traced the scent of the murderer had an "allergy." The clothes were also tested in the lab and the state used the term "could not determine whether they had been bloodstained." Meaning that there were no positive matches. They were most likely placed there by a third party after the crime had occurred. The state had a theory that Betty wanted her husband dead for his money and wanted him out of the way for his money. Dr. Wilson made changes to his will to increase the amount Betty would receive and Betty had forgotten to sign the documentation prior to his death. Betty was also well accustomed to her life and had no reason to want more in her husband's death. Her sexual lifestyle was only for sexual purposes and her loyalty was to Dr. Wilson regardless of her affairs. The state's theory is not only illogical (time, greed, sexuality) but scientifically unreasonable as well (car tests, bloodstains, bat).

### **Whatever explained the thyroid bone fracture?**

In the autopsy conducted, Dr. Wilson's thyroid (neck) bone had been fractured. Throughout the trials, the finding of the thyroid bone fracture had been left out on many occasions. Dr. Sperry's testimony touched upon the explanation that it is quite possible that more than one person was involved with the attack and that one of the attackers choked Dr. Wilson crushing his thyroid bone. The state never presented an explanation other than the bat. For the bat to be the instrument, not only would the Dr. have to angle his neck upwards uncomfortably, but it would take a professional baseball player to strike such a small area of space to affect the target area perfectly. During the questioning of the state's forensic pathologist. Fry did not ask if the bat was the instrument used in the murder, he asked if it was possible the bat could be the instrument used in the murder. Dr. Embry testified that it was possible for the bat to be used whereas Dr. Sperry testified in Peggy's trial that it was not and went into depth for his analysis.

### **How is the trial of Peggy Lowe significant?**

The trial of Peggy Lowe blew the door open on Betty Wilson's trial. Schutze was present for both trials and explained the differences of the trials. Peggy's trial discredited state witnesses, raised reasonable doubt, and proved her sister's innocence through phone records. Peggy's trial was not as highlighted through the media as her sister's was and as a result had more order. Some things that were highlighted in Peggy's trial were the notes of Dr. Maier, the testimony of Dr. Sperry, and the tactics used by the defense (sandbagging the prosecution and presenting bias of state's racism).

Peggy's trial was also unbothered by her character. Fry refused to take on her case because he could not win, the state only presented the character of her sister, and every person that testified for the defense had not one bad thing to say about her. **Her case was based more on fact and discredited attacks at her character, not only bringing her acquittal but proving her sister's innocence of the crime.**

### **Why would Betty plan a murder days before a vacation?**

The day after the murder Betty was supposed to go on vacation with her husband to Santa Fe. White testified that Betty was so sick of her husband she wanted nothing to do with him and could not stand the idea of going to Santa Fe with him. The vacation was Betty's idea. If she intended to murder him why would she want to miss out on a vacation to do so? If she was sick of being around him, then why would she ask him to go on a vacation to spark a romantic reunion. Even if it was the case that she was sick of him, why would she go out of her way to plan a vacation just to kill him before the start of the vacation? Betty called the police immediately after finding his body and had not tampered with anything at the crime scene. She did not flee to go on vacation and had to cancel everything to plan her husband's funeral.

### **How could James White remember so many specifics when he was intoxicated so often?**

On the stand, White testified the day of the murder he drank 18 beers. He also acknowledged he was using drugs aka "popping pills." Even if White had no psychological problems, he was still impaired toxically. White was so drunk and high throughout the day. He supposedly met Betty in Chick-Fil-A during the day and while he was this impaired he somehow was to conduct this murder of her husband. Would it be plausible to hire someone that impaired to murder someone? White supposedly remembered Betty's flowered pair of shoes she purchased, the color of the bag in her car (which he was proven not to be in), and what type of car she drove. Yet he could not construct the times properly and couldn't recall the weapon used in the murder. Given the nature of his intoxication combined with his psychological impairment. It is more than likely White does not remember anything about the day of the murder or what took place. Even if he recalls certain things it is probable that he is not forthcoming of that information such as accomplices, murder weapon(s), and reasoning of being at the location of the crime.

### **Why would it have taken so long to regard what James White was wearing at the time of the crime and how come his clothing was never seized until his sudden "remembrance"?**

James White was apparently sitting in his cell when he suddenly "remembered" what he was wearing and where the location of the things he had placed after the crime scene. White had two months in his cell to remember any of this. Also, all the evidence that was tested came back

negative or “was not determined to be bloodstained.” Both the knife and the clothes found had managed to stay intact in the woods outside of Betty’s house unbothered by weather or wild animals for the duration of the time waiting. A more reasonable explanation would be that White spoke with someone from the jail phone and organized a way to plant “evidence” for the police to find and therefore was suddenly able to remember the outfit he wore.

**As a nurse, why would Betty go the extra step in a kill for hire when she would have been able to murder her husband in a more medically associated way?**

Betty Wilson worked as a nurse for patients on kidney dialysis. It was clear she had medical knowledge and knew her way around the field. There were no records of her ever being fired or disciplined for medical mishaps or misbehavior (goes to her character) on patients. Given the state’s theory that she wanted her husband dead and paid White to do it brings up a huge question of reasonable doubt. Why would she hire of all people, James White, instead of trying to kill her husband in a more medically untraceable way? Dr. Wilson suffered from Crohn’s Disease and was very ill. Had she been a greedy person, why would she have White shoot him when, sadly to say for him, it was a matter of time. Why would she go through all that trouble and have her husband murdered by someone else?

**What the hell happened to the ski mask in the confession?**

At the scene of the crime a ski mask was found. The skin cells tested on the mask were positive to White. The ski mask so much vanished after the crime scene and no one bothered to ask. **Why would James White need a ski mask to murder someone who cannot identify him anyway?** During the confession White never mentions the need for the ski mask found at the scene. White never knew Dr. Wilson and in fact if Betty had summoned White to murder him, he would have not even known what he looked like. The Wilson’s were known to keep their doors unlocked. Had a visitor stop by that was not Dr. Wilson, it could have been someone else to be murdered. The ski mask would have to serve some type of purpose other than the murder simply because a deceased victim cannot identify their killer.

**If the exchange of money happened at Chick-Fil-A took place and no one knew of their relationship, why were they careful not to speak to one another?**

White alleged that Betty had met with him at the Chick-Fil-A and the two were careful not to speak to one another. Other than the explanation of that the incident didn’t happen, what exactly served the purpose of not speaking to one another? Betty had sexual relations with other men that her own husband knew about. If White worked with Peggy, what would be the need to keep an undercover relationship? He says that at the Chick-Fil-A they were careful not to speak to one another but who

at a mall would identify that the two were together at the same time? The only reason for this story would have been to be the reason for White to make the match of the “flowery” tennis shoes Betty had purchased.

**If extra-marital affairs were motive for the killing, why was Betty nonchalant about it?**

When Betty was first questioned by the police, they asked her if she had any affairs. Betty opened to the police immediately nearly all the men she was involved with. Betty even returned to the police station to give police information about Errol Fitzpatrick that she had forgotten initially in case thinking it may have given them help to find the culprit at the time of the investigation. Betty was known all around Huntsville for having affairs while being married. With this being the case, during the course of the investigation why did James White never say this was a motive for her involvement? He said that she was tired of her husband but never indicated that he had an affair or knew of anyone that did, but he was supposed to have a relationship with her that would have involved orchestrating an entire murder plot. The state tried to make a case for her affairs being motive and that it was a secret love life. The defense even stated that if Dr. Wilson did not know about the affairs, he would be the only person in Huntsville to not know. The state used the affairs as motive and make a case of hatred towards Betty because the state lacked any physical evidence linking her to the crime.

**If \$2500 was subcontracted to a different source how was he able to pay bills?**

James White alleged that the original \$2500 was intended to pay off someone else to orchestrate the hit. White never gave a name of an accomplice and went with his story. He was supposed to have had someone organize the hit and then the suspected person completely went off the radar. According to his story he told Peggy that he would have someone conduct the murder for him, but he took the money and changed the course of the story afterwards. According to this Peggy would have had to believe that someone else would orchestrate the hit and then change to White conducting the murder. Given this nature of changing in something as serious as a murder plot any logical person would think twice and this was never even considered. White made the case seem as if Peggy just went along with it. White also said he used the money to pay his bills but to Peggy’s knowledge the money would have been going to a separate source.

**If the relationship James White claimed to have met with Betty Wilson on several occasions, how did not a single person know of this relationship?**

James White claimed to have been seen with Betty plenty of times prior to the murder. Many people knew Betty, her husband, her twin sister, and their acquaintances. How would no one know of James White’s relationship with Betty. He tried to maintain that the relationship was kept

secretly. Betty alleged that she invited White to an Alcoholic Anonymous meeting where she kept her social circle. The only person knowing of the two was the very vague testimony of Sheila Irby who alleged she didn't even see them together but just on the same day near Betty's home long after the trial had already been in the news.

**Police did not see signs of burglary attempt, was it known that the Wilson's often kept their home unlocked and that Jack Wilson was home at the time?**

Police consistently call the crime a crime of passion. There was no evidence of burglary in the home according to their findings. While burglary may have not been a possible motive it could possibly have been a motive and those who were involved could have been scared when Dr. Wilson appeared at the home. There was no forced entry so it is believed that the attackers must have been let in, but it was unknown to the police that the Wilson's left their home unlocked so visitors can come in freely. Therefore, it is possible those that attacked Dr. Wilson may have been there for other unknown reasons.

**Why would Betty supply the weapon registered in her own name to order out a hit?**

The weapon found in James White's possession was a handgun registered to Betty Wilson. White stated that Betty and her sister organized a drop-off for the gun in Guntersville. He said that she initially wanted him to shoot her husband. If this was the case Betty would have given him the gun without ammunition. White also alleges that he didn't use the gun to shoot Dr. Wilson because of PTSD from Vietnam, but he was perfectly okay with the exchange of the gun. When then police arrived, they found the gun box and ammunition out in the open. If Betty was involved why would she not try to hide the box? It is also alleged that Betty supplied the potential murder weapon that was registered in her own name. It seems that no person in their right mind conducting a hit on someone would do such a thing. **The likely situation is that after the murder or at some point when White was in the home, he took the gun with intention to sell or use for himself.**

**If Peggy Lowe was the culprit for an affair with James White, why did she not have him kill her husband? Was Betty supposed to go on with White in a love affair that seems entirely laughable?**

White alleges that he had an affair with Peggy Lowe. A case of murderous passion usually involves a direct line of an adulterous lover. For example, if a woman is sleeping with another man and wants him to be with her, they would plot to kill her significant other for the reason of them being together afterwards. White alleges that initially Peggy wanted to have her own husband killed and would not go through with it, and why not? Why would the case suddenly switch to her twin sister's life? Why would Peggy want to get involved with such a brazen situation given her

character of nature? Betty had affairs with many men, if she wanted to have a life with them why not summon one of them to order a hit? Was she supposed to go on with White somehow? The accusations of the entire situation of Peggy's affair with James is a laughing matter.

**Was Peggy's underwear garments ever taken as evidence to confirm the sexual encounter? And even if so, could the state have shown the underwear as evidence to White prior to his testimony or told him what it looked like?**

White claims that Peggy seduced him with a pinkish-purple underwear on the day he alleges they had sex. For one note it was another very "descriptive" focal point of evidence and there was no record anywhere of this garment to my knowledge. The defense noted that Peggy had a scar from a previous surgery that White never attested to. If this was another point of evidence could it have possibly been that White was told about the garments after Peggy's arrest to make the story seem more believable? For another lie made up by White, it just seems silly as to accomplish his fantasy romance on the stand and make the story linger on.

**Was White able to kill someone and go out and eat Taco Bell like he hadn't committed the crime? No concept of shaking police or getting away?**

After the murder, White noted that he returned to Taco Bell and ordered food. He had just committed a murder and had no intention of hiding or getting away. In fact, the Taco Bell he went to was at a mall, the one place in public you won't be in a hidden area. While White had psychological problems and was heavily intoxicated, I would think anyone after a murder would try to get away as far as possible and try to hide from the public eye to avoid being caught by police and going to jail.

**If White owned a gun, why would he need the twins to supply him with another gun?**

White alleged that he owned a gun from his ex-wife. Yet he still admitted he was gun-shy from Vietnam. Why would he possess a gun if he had PTSD? He said the caliber of the gun was .32 and he had no ammunition. Why would he not purchase ammunition to order out a hit? More suspiciously, why would he submit to the twins to lend him a gun and not give him ammunition as well? The story about the gun all seems untrue opposed to the allegations that he stole the gun when he was in the home of the Wilson's at the time of the crime.

**How did the story of the cup of water even make sense?**

White gave a story in his testimony that before the murder happened Betty was driving her son's truck met White in the street and handed him a cup of water. White said that he went about his

business afterwards. Beyond skepticism, if White had such a secret relationship with Betty, why would she drive in plain view of neighbors and hand the man she was supposed to have hired to order a hit to a cup of water? Also, what ever happened with this cup? Is it a plausible explanation that Betty would have waited for him to finish the cup of water or did he continue his “jog” through the town with the cup of water the entire time? What did the cup of water look like? If White could remember descriptively other facts about the case, could he not describe what the cup of water looked like or where it was at the time of the trial? The story of the cup of water drew many questions that not only question the credibility of White but the entirety of the state’s theory.

**During the confession, why would James White have to emphasize that he did not take the gun when he had already established an exchange took place prior to this?**

During White’s tape-recorded confession he stated that he did not take anything from the house, not even the gun. He stated this after he already alleged that the twins gave him the gun prior to this event. What was the need to reiterate that he did not take the gun from the home if it wasn’t there to begin with in his story? Another point that was never noted was that when the police surveyed the crime scene the gun box was in the open with the gun missing. How would it have ended up like that in the crime scene? So were to believe that in the process of staging the crime scene, the box that the gun that White never took was left out in the open. What would be the reason for this? It seems that White took any possibility to hide the more than likely idea that he stole the gun from the premises.

**Why would Betty meet the man she hired to kill her husband the same day as the murder and drive him to the crime scene?**

The state theorized that Betty met with White drove him to the location of her home, let him in the home and then returned to pick him up after hiring him to order a hit on her husband. While anyone would not make sense of this. For one, White and Betty were supposed to have a secret type of relationship that no one knew about but through the state’s theory were together on several occasions prior to the crime. Would any rational person who would commit this crime help with the person they are hiring to order a hit? If Betty was truly helping him **why just drop him off instead of staying at the location of the crime?** Not only does the story seem senseless but untrue as well.

**In White’s testimony he said Betty came to pick him up from the mall, but he finished his story getting his truck from Ramada Inn.**

In White’s testimony of his story he said that Betty picked him up from the mall. He finished his story of the crime retrieving his truck from the Ramada Inn. So, either his truck was in two



locations or he was not dropped off where he supposedly said he was dropped off at. Not to mention after the murder he had many different stories, eating Taco Bell, going out to meet his brother for drinks, and getting his truck from Ramada Inn. It seems that no one questioned this allegation or put together this part of the story that did not match up on the stand. It is also a possibility these two locations are in close proximity and he may have walked, but given the nature of what just took place it is also strange that White would testify to the whole story and that after committing this crime he had not made any attempts to hide or run from the law.

**During the ride to the house they did not discuss of a plan, did she even question whether he had the gun she supposedly gave him?**

Betty supposedly dropped off White at the location of the crime. Before this, the twins had supposedly dropped off the gun without ammunition to White. Then on the way to the scene of the crime White said that he only carried a rope and a knife with him. Why would Betty not ask if he brought the gun along with him or question what he intended on doing. Would a person who lent another person a weapon to commit a crime they paid them for and then show up without the weapon not question the direction the crime was going in. White did not know the appearance of Dr. Wilson at the time, if he were to strangle him, what would make him not think the man would not be a larger size and fight him off or perhaps have a firearm and shoot him in self-defense? This all clearly points to the credibility of the story of White and gives a further explanation of how the story is untrue.

**White never had any recollection of anything in regards to Betty's lifestyle. He wasn't aware that she had an open marriage. Yet Betty confided in him to order a hit?**

White alleges that he, or a subcontracted hitman was going to order out the hit for some \$5,000. As if he was some experienced hitman with that type of money would have to make a hit every month to make a less than reasonable living (if you are a hitman would be killing 12 people yearly making \$60,000 be reasonable). Betty was to trust this man to conduct this hit that she knows nothing of, or he knows nothing of. While the entirety of the case rested on the character of Betty, White never testified to Betty's character. White never knew anyone in relation to Betty other than Peggy and Dr. Wilson. He knew nothing of her sexual practices. He knew nothing of her past struggles and tried to relate her estranged relationship with her husband in his testimony and failed to an extent. The only thing he knew she owned was the flowery tennis shoes and had the police not chained the twins and White together, it is quite possible even knowing her twin sister White could have not made out Betty in a lineup. Therefore, Betty would have no knowledge of this man's background and trust him to execute a murder and pay him for it sounds unreasonable.

### **The will was not a factor until after Betty had been mirandized.**

The state alleges that Betty went through with this plan to have her husband murdered for his money as his will was worth millions. The irony of the theory was that Dr. Wilson was making changes to his will to increase the amount after his death and needed Betty to sign the paperwork and Betty was stalling. In fact, when Betty met with her defense that consisted of Hooper and another civil attorney, they recommended she take out money from the will to hire a defense for her case. She told them at the time she had not signed the will that would have given her more money. This was after the death of her husband, **if this was a case of her being greedy, she would have more than likely somewhat cooperated with Dr. Wilson's request to increase the life insurance before the murder.**

### **White claimed that he had money to pay the bills and this proved that Betty gave him money because he was a poor man who could not afford these affairs.**

Given the nature of White it was a consistent theme that he did not make a lot of money as he worked as a cook and worked odd jobs. White had received money from the VA after a suit and also dealt drugs for profit. With the job as a cook, dealing drugs, his lawsuit money, and working odd jobs, White was making nearly \$100,000 a year. He was far from a poor man he was more than likely someone who could not finance his income properly. He owned property, a vehicle, and was able to support his drug and alcohol habit. There was no way he was poor and in need of income. The police also checked his recent finances but never followed a money trail and their defense of no money trail was that Betty was rich and just gave him the money. There was no indication of a safe where she kept her money from her housekeeper and never a confirming trail that led directly from her to White. It was likely the money came from either a criminal source (dealing drugs or theft) or a place White knew of his expenses.

### **Given White's history, is it possible he could have gone to trial and be not guilty of mental insanity?**

A question for the ages. White had been convicted in other crimes in his past so theoretically according to that he would be competent to stand trial. Yet so much regarding his mental history comes into question. He had been institutionalized plenty of times and upon release must have been healthy enough to live among the public. Another thing to consider would be the reasoning of his discharge from the military service. He was a dangerous man with a dangerous psychological impairment. Not only was he susceptible to drug use but his lying nature gave him motive to do things he either hadn't done or not do things he said he had done and not even know if it was true or not. I do think it is possible that a man with his mental history given the nature of the crime

could be found not guilty by reason of mental insanity. But what also comes into question is the truth, if he lied on the stand and the story was different, he could be competent to participate in orchestrating some other crime.

## Tim Morgan vs. Mo Brooks

In 1992, Mo Brooks was the District Attorney for Huntsville and was up for re-election against Tim Morgan for Madison County DA. After Morgan's announcement for the campaign, Brooks fired Morgan from the DA's office. According to an article from AL.com, seven assistant DA's quit in protest of Brooks during his re-election campaign (Stephens, C). Brooks placed emphasis on statistics and conviction rates which in this case circumvented the true meaning of justice. The biggest aspect to the story was that the murder happened to a known supporter of Morgan. The entire case could be in theory, politically motivated. If a conviction or even a media trial would convict the twins of the crime that was politically motivated it could constitute the idea that Morgan and his supporters were involved with corruption or criminal activity. When priorities are based upon politics and statistics it is easy to cover the truth. Brooks was known to be one that would not work with criminals and give deals. He subjected them to the fullest extent of the law. Yet, working with Mickey Brantley and Roy Miller (White's attorney), Brooks signed the deposition giving White the possibility of parole after 7 years in agreement to testify against the twins. In a case of political irony and a charade of justice, Brooks lost the re-election and Morgan would follow as the District Attorney for Madison County. In his retirement after 17 years as DA, Morgan noted that he was still acquaintances with Brooks and that he felt Brooks would place national politics over the interests of northern Alabama. Given the nature of the medias influence with the crime and the political motivation, it is notable that the deal Brook allowed for White not only sparing him the death penalty but gave him the option of parole subjected the case to tell tales on the stand to save himself and be the demise of Betty's freedom.

## Racism in the Case

Through the case, there was no direct line of racism, but the question of if the case was a racially motivated speaks volumes. First and foremost was that the case of Betty Wilson took place in Tuscaloosa. Over the course of years, Alabama has been known for its racism and hatred for minorities. Tuscaloosa seems as the area that would not let it go. The state of Alabama had had controversy over interracial marriage, segregation, and civil rights among black people. Lunsford noted that the Ku Klux Klan was still a force in the region and an internet searches show that The League of the South still is headquartered in the county. Given the nature of the history of the community, it is fair to say that many would still be uncomfortable with white people sleeping with people outside their race, especially among black people. It is a theme of an underlined, unspoken

tradition that it is beneath their standards. Betty Wilson had many affairs outside her marriage, many could have been subpoenaed to testify under oath regarding their relationship. Errol Fitzpatrick was summoned all the way from California where he worked at the time to testify for the state to the relationship of him and Betty. Given the circumstances it would be likely that those in the community would object to Betty not only sleeping outside her marriage but with a black man as well.

The method that the defense of Peggy's trial used sandbagging the state solidified the argument that the method of Errol Fitzpatrick used was racially motivated. The attorneys agreed not to use race as a factor in the case but when the housekeeper went to the stand Watson asked if the men Betty slept with were black. Given the nature of the case and the challenging the credibility of James White, it was quite noted that race played a huge factor in Betty's case. It is a reasonable concept to argue whether the conviction of Betty would have been the same had the testimony of an affair come from a white man she slept with.

## Salem Witch Trial Comparison

The Salem Witch Trial of the 17<sup>th</sup> century was what it's given name is referred to, a witch hunt. The courts in that era were trying and executing people, mainly women, for practicing witchcraft among other people. For example, if someone grew ill and another person was alleged that it was the result of witchcraft from a third party, the third party would be tried for the crime. The concept of the trials was that these people were being tried for nonsense and being convicted, jailed, and executed.

The correlation to the Salem Witch Trials, while a far measure, is the concept of the witch hunt. Betty had been tried for the crime of murder for hire. The state's theory was nonsense and notably disproven in her sister's case. There was little evidence linking the crime and the testimony was nonsense. Shockingly in the end, Betty was still convicted of the crime. The measure of the comparison lies that if Betty had quite possible had sex with a black man in the 17<sup>th</sup> century and there was public knowledge she could have quite possibly been tried for witchcraft.

## Media Perception of Crime

The story of the trials of Betty and Peggy raised a sensation in the media. Here was a story of allegations of twins participating in a crime of murder. One twin had her demons and the other was saintly, the comparison of good vs. evil. Then there was James White, a less-than notorious criminal that was testifying to the story of the twins. Betty was known for her sexual affairs and lavish lifestyle. When her husband ended up dead and she was a suspect, the media lunged at the

story. Given the facts about the case, it is safe to assume many media outlets did not care about the facts. In many television stories, the media made Betty out to be guilty with stories that were not parallel to the facts.

In an episode of *Deadly Women's Sins of the Sisters*, the perception of the story paints Betty as a wicked character. It gives way to make James White a victim of her evil plan. While paying attention to the story it is noted that the descriptions of the case were paid attention to (pink bag used to cover James). Yet the bat was used for the case of the crime. Fry was the only person interviewed in relation to the case on the show and he gives his insight of the case which is only the state's theory. It is also very relevant the parallel factor from the state's case to the show was making Betty out to be a horrible person. They contended that the affairs were deviant, and her character was desecrated.

An episode of *Evil Twins' Twisted Sister* was more factual but still played to the state's theory. The episode surrounded the lives of the twins more in depth. It took in depth the testimony of Brenda Cerha as credible and played into the role of dehumanizing the character of Betty. Once again, Fry was the only one that was interviewed for the show and the state's theory was the only story told. The episode is more fact based as it discusses the biography of the twins, it mentions the trip to Santa Fe and Betty's attempts to better herself. There are also many video shots of Betty at her trial attempting to portray her negatively. The crime that took place on this episode was parallel to the state's theory, the use of the bat and that there was a fight between White and Dr. Wilson. They also used the concept of her inheritance but did not disclose that she had not signed a raise of the money that would benefit her in Dr. Wilson's death. They did not disclose the psychology of White and made the relationship between White and Peggy seem more romantically assuring. It did raise reasonable doubt and gave more reason to believe Betty was convicted on character and not the actions of the case.

In the book *Evil Twins* written by John Glatt it is another case of a media outlet trying to make sense of the state's theory and publish it as factual. For one like the others, the author describes the use of the bat being the weapon that caused the murder. He writes that Dr. Wilson wrote the estate inheritance four months prior to his death but never attested to Betty not signing the document. He follows through with trying to make sense of White's testimony. The only favorable event Glatt wrote about was when Cook called White a liar and a brief statement regarding his recant.

Media outlets like this are factors to sway public opinion. Truthfully speaking, if you read or watch any of the media takes and know nothing about the case you would believe Betty is guilty without doing any research on the facts of the case. Glatt made it seem as if the twins conspired to the crime and Peggy ended up being lucky with her acquittal, *Sins of the Sisters* outright completely

gives an idea that Betty did all that she was convicted for regardless of the facts of the case, and video cuts in *Twisted Sisters* can give a viewer the suggestion that Betty is a villain of human nature.

In the Epilogue of *By Two and Two*, Schutze writes about how the media continued to push the agenda that the twins were guilty of this ridiculous accusation even after he had seen the facts of Peggy's case. He writes that after the acquittal of Peggy he did not see or hear any media outlets question the matters of the case while Betty was in jail. He noted that a television network made a movie portraying them as "fat hillbilly slobs (321)." He blamed the media for pushing the agenda of Betty's guilt and that they could not accept the fact they were wrong. The truth of her case was much less a resounding story than the story they pushed anyway. He also blames Fry for trying her character in the case and not the facts. Fry so often followed a theme that "she wanted more, and she wanted it now," to express a greedy woman, even long after the case was over. He ended the book describing his thoughts driving away from Tutwiler Prison where Betty was housed saying that if she must spend the rest of her life there, then the law is a fool.

## Betty Behind Bars

Since May 27, 1992 Betty Wilson has been incarcerated. She goes by Inmate # 171316. She does not have a name and her only contact beyond the walls of the prison is through letters. Betty lives the reality of not only her husband's murder but being incarcerated for that. Even after her twin sister proved their innocence of the crime. Betty spends her days sewing and writing fans and family. In her early days behind bars she lost her mother and most recently has lost her two older sisters. Her granddaughter has been married and she has not been available to witness any of the events. It seems that people involved in her trial put her character on the stand but once the situation becomes a ground of morale it will take a toll on those who have a conscious. Did they really allow this to happen to a human being and derive them of their freedom? Not only that but continue to desecrate her character in the media after the conclusion of the trial.

I write to Betty and I did not want to disclose the nature of my work on the case because I did not want to give her any hope for the reason it seems that any time hope was on her side it ultimately was unsuccessful. I offered her the idea of representing herself because if Cook couldn't get through White, she may be the only one who can. She writes about books she reads and about her renewed faith in Jesus Christ, she has passion for dance and artistry and will always ask those who write her where they find inner peace. For one she says that through all that she's been through she still manages to smile.

## Heartbreaking Moments

Through the case and aftermath alone, Betty has lived some heartbreaking moments. Aside from the conviction, some notable moments of heartbreak I will touch upon. Betty has had loved one pass away and could not attend services due to her incarceration. During the trial, Betty was able to have lunch with her defense and her sons were present. Schutze described the event as a quiet room and Betty broke down questioning how could this all happen to her. It appears Betty was trying not to break down from the case and reality set in. Her family consoled her through the moment. During her incarceration there was spider infestation and at one time Betty had nine spider bites. Another occasion, while Betty had began getting adjusted to the treatment in solitary confinement in her pre-trial, a guard insisted on staring at her when she used the toilet. When Betty asked the guard why he wanted to be mean to her the guard responded, “any rich bitch that would fuck a nigger deserves to die (Schutze, 157).” Betty was subject to harassment during her incarceration, Lunsford insisted on the way she maneuvered that it was possible she may have been sexually assaulted, she had items of hers stolen by fellow inmates, and anytime an outside complaint was made to the warden she would be redirected to isolation. On another occasion Betty asked a female guard why she hated her, and she replied, “because you are a rich white bitch.” Betty also had friends she lost because of the trial and aftermath. Before her arrest a friend had called her and was convinced that she was guilty because of what was being said in the media. When Betty asked her if she really thought she could do such a crime she replied that she didn’t think the media would report it as so if it weren’t true. Not only did the case affect Betty but the relationship with those around her as well.

## Important Case Links

In 2007, The American Bar Association released the Rights of Arrested Persons with findings that no person should be interrogated for more than four hours and may continue after adequate rest is given to the person. Given his mental history, James White would be subject to an interrogation to not last more than 2 hours. “Article 3 of the European Convention on Human Rights (together with Article 1) puts a responsibility upon the member states to carry out effective official investigation with regard to statements about serious cases of cruel treatment, which will enable to reveal and punish the guilty persons. For the implementation of this perspective, it is necessary; to provide guaranties for the effective investigation, to provide an active participation for a person who during the investigation submits complain and in case of necessity to provide an opportunity for compensation of damages.”

[https://www.americanbar.org/content/dam/aba/directories/roli/armenia/armenia\\_rights\\_of\\_arrested\\_persons.pdf](https://www.americanbar.org/content/dam/aba/directories/roli/armenia/armenia_rights_of_arrested_persons.pdf) pg 5-6).

After his arrest, James White was interrogated for ten hours. He even stated in his recant that he was willing to say anything to end the interrogation. While the timeline would have no effect on this specific case (Report released in 2007, Trial in 1992), it shows that interrogation could have easily been compromised. There are also times where the interrogation was not recorded. This harsh reality gives another argument towards corruption of the confession. There is also no indication of whether White was given food or water during this period and in his recant he stated that he was withheld from medication and an attorney.

Many witnesses that testified for the state were members of Betty's Alcoholics Anonymous group. All complied with testifying but those that intended on not doing so were threatened by being subpoenaed by Fry. Over the course of years Alcoholics Anonymous has been a controversial group to comply with testifying in court against other sources as the group is a private organization. As an avid fan of *Law and Order: Special Victims Unit* I often watch the marathons and am familiar with many episodes. In one particular episode I cannot recall the title an incident involving members of an anonymous organization were approached by police seeking information and a member responds, "didn't you hear, we're anonymous for a reason." In an article on *AA Agnostica*, an author who goes by Linda R. writes about the history of Alcoholics Anonymous and the fight in courts to the issue of church vs. state. Between 1996 and 2007 three federal circuit courts and two state supreme courts fought the good fight with the organization. Alcoholics Anonymous is not described as a religious movement but spiritual. What members discuss upon their own terms comes with an acceptance of a higher power to help them through sobriety. Where the fight lies is that as some parts of plea and parole agreements the state tries to force individuals to take part in these programs and they may not feel comfortable participating in these programs because of its alleged religious practices. It is as if as part of a parole agreement the state would force you to attend a church of any sort. The sole focus of anonymous organizations is the term "anonymous." While it may be legal to force a witness to a stand, you must question its morality. People who may have done something wrong may look for some type of absolution and not seek it through the state and then feel as though they have suffered the consequence of their actions. If a murderer confesses to a priest in confession, the priest cannot disclose that information to anyone other than God. In Betty's case another irony of the matter is that she never made any correlation to participating in the crime with those in her group. The only matter that was issued was to desecrate her character on the stand. Truthfully, I could understand a fight if she confessed to those in her group, but the testimony of them had nothing to do with the case.

## Guilt and Importance of Peggy Lowe



Peggy is the twin sister of Betty and this story raises many aspects to their life and determination of where they stand today and how their choices have affected that. For one, Peggy was a generous person, she could not in her own conscious turn a blind eye to those in need. So, when James needed work, Peggy did all that she possibly could to help put White on his feet. When there was no more help needed, she referred White to Betty. Although the two never met, they knew of each other. White spoke to Peggy for long hours about his “struggles” and more than likely received information about Betty’s own life whether it be on the phone or in the school. Had the exchange of reference never happened, it is quite possible the entire crime would have never happened and even more so that Betty would be a free woman. Even before the trials took place, while Peggy was released on bond, Betty spent the entire pre-trial in solitary confinement. Another importance of Peggy is the allegations to her involvement and the entire trial of hers. Had she never had a trial it is possible questioning the matters of Betty’s innocence may have never taken place. Given the media push and the desecration of her character the state’s theory while little evidence factored could have been set in stone. In Peggy’s case, in order to prove her innocence, the defense had to prove the innocence of Betty. Even in Peggy’s case, Betty was still on the stand figuratively. The same trial basically repeated itself. Even though Peggy is not to blame for the matters, it is a factor that she would feel guilty for her sister’s incarceration as White was the link of the crime.

## Conclusion

**The biggest takeaway from this amount of research is that there is a woman in jail for almost three decades for a made-up crime she is innocent of, and nothing has been done about it.** Not only is it tragic but if you place yourself in Betty Wilson’s shoes, she came home to her husband’s murder, subsequently arrested for the crime, and then convicted for her character opposed to the facts of the crime that took place. Not only is it a grave miscarriage of justice but it is disgusting, shameful, and frankly sickening beyond reason and the state of Alabama should be embarrassed. If this is to happen to Betty who is to say it couldn’t happen to you or someone you love? This case substantially questions the integrity of the legal system and how the state handles cases that they cannot prove. Not only that, the state **knowingly** put Betty in jail. There was no way that the state even thought their theory was plausible the way White was fed information and consistently changed his stories. The aftermath including Peggy’s case and White’s subsequent recant further raises not only the integrity of the case but also opens the discussion of possible and likely corruption that affected Betty’s case. If a DA can visit a criminal in jail with intentions to silence an individual from testifying it adds the discussion of the behavior of those involved with the state.

In America our legal system is raised upon the fact that everyone is innocent until proven guilty, not the other way around. The system was made to prevent tragedies like this from happening. This

case highlights the witch hunt of the state's intention to force a conviction rather than serve justice. There was so much wrong with this case that it makes you wonder how could this have happened? While evidence of corruption of the system isn't clear, it is highly suggestible through the actions of the state. From the lack of evidence, withholding evidence, political motivation, media engagement, and suggestive actions it all resulted in the demise of Betty Wilson.

The case itself was a joke. It was a murder trial but through the whole case it did not seem as so. In fact, through the whole case was surrounded on Betty's lifestyle opposed to the fact of her husband's murder. It is one thing to have a witness testimony to verify the state's theory and evidence. But when the testimony of White did not only not corroborate logically it was also not proven to conclude the evidence scientifically. While the state's actions are more than questionable, the defense did not act thoroughly on the case. Their intention was to decipher White and in doing so they faded away from the evidence that was more fact based. The defense did what they could, but it wasn't enough sadly. Things that were not focused on in the trial was the lack of evidence of Betty's car that was tested, the fact that Betty and James White never interacted other than the exchange of the gun in White's testimony, the fact James White changed his dates of recollection to reflect another witnesses testimony, and testimony of Dr. Sperry was introduced in Peggy's case. It is strange as Betty's legal team costed a fortune and Peggy was able to afford her defense off of a teacher's salary that sometimes it raises the concept that one team may have been too smart for its own good, but more overly my argument would be the raising of corruption of the state's practices prior to and during the trial.

Comparing the evidence and misguided evidence in the case says a lot about the handling of the case. The only two true findings of evidence were the gun and the library book. As these were the only two things that linked Betty and White. Everything else was either circumstantial (testimony of her character) or mishandled (bat explanation).

The gun itself was registered to Betty and was seized without ammunition which would further make sense of it not being an aspect to a crime and more so to being stolen. The library book had a strange story linking White with Betty. This was the one story that caused speculation being found in White's possession. On the episode Twin Killings of On the Case with Paula Zahn, Betty gave her explanation as that people in anonymous organizations do these types of exchanges and it may seem unusual to those who have no experience with the types of organizations. While farfetched, it has remained consistent and the story has never changed in any of her explanations.

Everything else the state presented in the case was not only circumstantial but, in some cases, completely falsified. The bat was presented as the murder weapon, but the autopsy proved that injuries are inconsistent to that of a bat beating. There was no blood spatter in the area of the crime

scene that would also be consistent to a violent beating. An explanation of Dr. Wilson being beaten with a tarp on him or some other type of covering material but has never been found and was never raised by the state. There was no identification on the bat other than the blood that was tested and matched as the same blood type of Dr. Wilson; there were no hair samples, no fingerprints, and the state could not answer the question of the puncture wound in Dr. Wilson's back shoulder. Dr. Wilson's thyroid bone had been broken and there was no indication of any strangulation. Ironically White claimed he brought rope with him in intent to strangle the doctor but during his testimony only said he ended up beating him in a struggle without any indication of strangulation.

Dr. Embry, the state's forensic pathologist, testified that the bat "could have" been the weapon used in the crime. He wasn't even able to distinguish the linear patterns to the consistency that a crushing pattern of a bat would make. Also, Dr. Embry was not shown the weapon during the autopsy and was not shown the bat until a few days before he was scheduled to testify. He was not given any concept of any other object to be used for example, if he was shown the bat, a golf club, and a shovel and asked which of the weapons could have been used, it is likely that he would have chosen the golf club before he would have answered the bat. He was simply asked could the bat have been the weapon used because it was found at the scene and he testified that it was. Therefore, Dr. Sperry's testimony of a fireplace poker blew the entire concept of the instrument used wide open not only because the patterns were consistent, but it would also answer the puncture wound in the autopsy. He also speculated that there was more than one person to answer how could Dr. Wilson have been choked and beat with a blunt instrument at the same time.

The next conclusive matter to misleading evidence is the vehicle in White's testimony that was tested. No fibers, hairs, fingerprints, or any other trace evidence was found inside or outside the vehicle that gave any indication that White was there. White gave an entire story about how he crouched under a pink bag and hid from plain view inside Betty's car so he would have had to leave fingerprints or even clothing fibers in her car, or if according to his story he were naked, he would have blood on him from the crime that would transfer, but nothing was found. In the "evidence" found afterwards during the pre-trial, the knife and the clothing found were tested and the analysts found nothing. Strangely, whenever they tested materials and found nothing, they would use the term "there was no determination" or "inconclusive" instead of just saying that the evidence was a non-factor or falsified. It gave the idea that the forensics somehow disappeared from the locations or items which itself is ridiculous. It is reasons like this why I question the integrity of the state's actions in this case.

Another factor of misleading evidence, or in this case no evidence at all, was the trace of money that Betty and her sister supposedly were supposed to give to White. The "money" was located but there was no pattern connecting the two of them to the money. The defense even raised this

discussion in the case that Fry had access to banks of all sorts and could seize finances and track usage of money. The only trace of money that was there was the money given to White in the book that the defense never denied. When the defense raised this idea Fry's only counterargument was that she was rich and could get the money from anywhere. Yet there was no known knowledge of Betty keeping large cash amounts either in a safe or lying around somewhere. There was no explanation to trace of the money. Given the nature of White's lifestyle it is very arguable that the money could have come from anywhere else (lawsuits, drug dealing, scamming) or even an explanation that he had the money and just hadn't paid the bills until around that time. This was another factor of the state's failure to admit that they had no explanation to solidify their farfetched theory.

Another factor of evidence that was one of the highlights of the trial was Betty's sexual affairs. Betty had an open marriage and while Dr. Wilson was aware of these affairs, when he turned up dead the state decided her affairs were a motive for the killing. While the marriage may be unusual to the norms of society, it does not constitute any factor towards the murder. There wasn't even a love triangle. None of Betty's lovers had any knowledge of her wanting her husband murdered and only one of them testified to the affairs and said it was a loveless relationship. Furthermore, even if there was a love arrangement, how would sex have an effective motive for murder? No matter what there would still have to be some other factor involved whether it be a plan, or a direct link to the crime. Presenting sex as "evidence" could nearly put forth that someone's "hatred" or feelings would constitute evidence, which is ridiculous. Sex can play a part but can't be evidence in a murder crime unless intercourse was directly related with the death. The factor of sex was just another reason to tack on misleading evidence because there was no solid evidence in the crime.

One strange factor that is repeated is White's confession to the crime. Or perhaps his lack of a confession. Two things that will bug anyone researching this case. White has never admitted to the crime and has never admitted to using the bat in the murder. The bat is a strange link **especially** when Dr. Sperry's testimony comes into the play. White never admitted using the bat, in his confession he says after the struggle it was told to him that he used a bat for the crime. On TV he says something similar. He never says, "I used the bat to beat him." Theoretically speaking, White has never admitted to the crime entirely. What is also a possibility is that if White did have an accomplice(s), it is possible he was not even the individual that murdered Dr. Wilson. The only linking evidence shows White was at the location of the crime. The ski mask, the blood on his shoes (that only matched the blood type), and the missing gun (speculating that it was stolen). Some days I wonder with all the possibility of corruption if the police did find fingerprints that didn't match White and couldn't account fully of the possibility of him not being involved. It is likely though he was involved with the crime and does not remember anything that happened that

day from his intoxication. A crime was committed and the police had to piece the puzzle together and White was the main piece but the rest of the puzzle was tried be placed together with pieces the police believed went in a spot it did not belong and the finishing piece was not the complete project but they submitted it as so.

The last factor of misleading evidence was the portrayal of Betty wanting her husband dead for his money. Four months prior to his death Dr. Wilson increased his estate to leave Betty approximately \$6.5 million. He consistently urged Betty to sign the documentation and she never got around to it. This severely jeopardized the concept of her wanting him dead for his money. If Betty was in a hurry to collect his money you would have to assume that she would have the documentation in order or else she would be entitled to a lesser amount after his passing.

Peggy's case may be the largest aspect to apply to Betty's case in a sense that blew open not only the fact that raised reasonable doubt but brought to light Betty's innocence. Peggy's defense which ironically costed much less than Betty's attacked the state's theory better. Not only that, the location took place in a much more progressive location and by going after Betty they were able to analyze the mistakes from that trial and use it to their advantage. Even at Peggy's trial, Betty was the one put on the stand. From the state's theory it was that the twin sisters were involved in the crime, but Peggy was only a shadow to the theory. Her involvement was almost never questioned even though she was supposed to have a hand in the crime. Regardless of how many parts of the state's theory broke down, the huge aspect of Peggy not being involved would break down the theory completely because it was what White alleged.

White's allegations are quite possibly the most mind-boggling aspect to this case. My uncle is a schizophrenic who hears voices. Yet his IQ is very high, he skipped two grades growing up until his illness and subsequent diagnosis left him unstable in society and gave him violent tendencies. Surprisingly he takes direction very well and can manage more than simple tasks and complete them. If he were to ever tell a story he witnessed, to my assumption it would be clear and straightforward, and he would not miss anything. I began this portion because I believe every person should have the opportunity to tell their story regardless of IQ or mental status. The contradiction in this case is clear though. Once a person who has no credibility changes their story (or anyone of that matter) or gives new information (attempts to hide the truth), their testimony should be discredited whatsoever. Given White's history, it applies even more so. Not only did he change his story several times, but he had a background that could describe the villain in a horror film. I was absolutely horrified by the story of him sexually abusing his ten-year-old daughter and his defense was that he was drunk made it more infuriating. White was given a dishonorable discharge for violent behavior and abandoning his post. One testimony from Cook that I found humorous was he said that if every soldier were like White, we would all be speaking Japanese or

German. Given everything combined, when White was offered his deal, he took it and ran. To this day he is still eligible for parole. What really sparks this case is the possibility he may have not been involved with the murder and is in jail for it as well. No one truly knows what happened that day, not even White. He was psychologically impaired and intoxicated beyond reason, but we were supposed to believe his story? It simply has no reason.

Another huge aspect of the trial was the high life that was brought to the table. From every person involved with the case. Betty had her hair and makeup done for her trial. Sheila Irby was described as “dressed to the nines, and beautifully made up; her hair looked exactly like Marilyn Monroe’s, and she was clearly ready to see the day through with her dignity intact. (Schutze, 248)” Jimmy Fry began his opening statements with the most self-absorbed statement about his growing up. The entire scene was a Hollywood showcase in real life. Ironically even throughout the analysis and discussion, I often referred to TV shows for comparison to those involved in the case.

Truth is when it comes down to it, Dr. Jack Wilson was a person loved by many. His murder was a crime that was undeserving and those responsible deserve the fullest extent of the law. But what is sadder is that Betty has been incarcerated for this crime that she was not involved in and perhaps justice for Dr. Wilson has never come to light.

## Comparisons

### Karen Newell

In Florida’s Orange County in February of 1994, Karen Newell and her lover Peter Giffen arranged for the murder of Karen’s husband, Jon Newell. The case draws many comparisons and contrasts to this case. While the outcome of the verdict was not only done by a self-plea, the case itself was solid and had much better evidence linking those convicted. While there is not much room for reasonable doubt, there is little, not enough for one to lose sleep over, but still raises the question is there a possibility Karen was not involved with her husband’s murder. The state’s theory involved a murder plot between the love triangle for one. According to an episode of *Snapped* entitled after the name of the wife (Season 11, Episode 12), Karen was involved with other men and it was not disclosed whether her husband knew or not. The cover of her new job gave reason to believe that the husband did not know of the affairs. In this case, according to testimony of her stepbrother, there was an earlier attempt to kill the husband through a break-in at the home and the men that broke in beat up Jon and when the noise woke the neighbors, the attackers fled. After the incident, Karen summoned a man believed to be a co-worker at the time to move-in as a security effort. Unknowingly, Karen was having an affair with the co-worker, Peter Gieffen. Contrary to Betty’s

case, people had seen these two together prior to murder that took place. Another incident that led to the shooting was with another man Karen was involved with, her ex-husband. He lent her a handgun when she asked for one. The day of the shooting, Peter, Karen, and Jon were all out and drove in separate cars, Karen and Jon in one, Peter in the other. When Karen stopped for an alleged mechanical issue, according to Peter he drove up to the car from behind got out and shot Jon, killing him. He said that he dropped the weapon in a lake. When police investigated the case they noticed that during the shooting that Karen alleged as a robbery, the wallet was not taken from the scene. After arresting Karen and Peter the police motivated Peter to talk by using the death sentence possibility as leverage (another strange coincidence). When Peter told of the crime, the evidence added up. The police located the gun and ballistic tests matched the weapon; the serial number also matched the registration to the weapon in the ex-husband's name. Unlike Betty's case where evidence given by White was not corroborated, this evidence was backed up. Peter also explained the failed attempt with the break-in involvement. Another similarity was the state's theory that the murder was financially motivated. In contrast, it was Karen who took out more than one life insurance claims on her husband even though they had not been married long. She was to bring in about \$500,000 in her husband's death and started filing immediately after his death for the claims. This case was built on testimony, but the stories were never changed and opposed to the state feeding information to the informants, it was the other way around. The case was also more pertinent to facts about the case opposed to desecrating the character of those who tried. In order to avoid the death sentence, Karen Newell plead guilty to the murder and has maintained her innocence. This case leaves little room for reasonable doubt. Instead of questioning "could she have been involved," the investigation leads to a solid "there is evidence showing that she was involved."

## Casey Anthony

In 2013, Casey Anthony was tried for the murder of her daughter, Caylee. While the cases are different, there is a reasonable explanation why I have used this case in comparison. Casey Anthony was found not guilty of reasonable doubt. In her case there was solid evidence and solid forensic evidence. This issue was there was no direct link to Casey Anthony with her daughter's death. Hair and air samples showed remains were present in the trunk of her but the autopsy while solid, wasn't enough because the body was found long after to find any linking evidence. Her defense raised the theory that Caylee Anthony could have died in another manner. The reason I bring this case up is because Casey Anthony lived a party lifestyle and her character in the media was desecrated as well as the crime she was being tried of. While Betty's character before the case was the issue, Anthony's related more towards the way she acted after the disappearance of her daughter. She did not report her daughter missing for 31 days and spent some of those days

partying. Many people did not believe that it was the actions of a mother who had a child missing. Casey Anthony's character was not a factor in the case against her. The media also played a role in the case against her, her defense called it a "media assassination." The case itself was solid but the defense raised reasonable doubt in the state's case, I am not here to share my opinions on the case, but I am presenting the argument that there was more conclusive evidence in her case, and she walks a free person today. (Casey Anthony Case, YouTube)

## Paul Camiolo

In 1996 in Montgomery County, Pennsylvania, Paul Camiolo was involved in an alleged arson involving the death of his two parents. According to a webpage from Victims of the State, authorities believed he set the fire in order to collect life insurance from his parents and that he purchased a house shortly after the fire worth \$77,000. Lab tests proved there was gasoline present where the fire originated even though the carpet, nor padding above tested positive. The defense stuck with the original statement that the fire was started when Camiolo's mother lit a cigarette and dropped the match. Camiolo was crucified by the media as well and a volunteer firefighter did not believe the state's entire allegations. He noted that the state's allegations that Camiolo left through the front and his parents went through the back was not suspicious as the state had presumed. Further investigation provided by the defense showed that those that built the house used gasoline to thin out the sealer used on the floor. Leaded gasoline had not been available for 15 years and investigators showed it could not have been used to start the fire and that the determination of the gasoline from under the carpets could have started the fire. After spending ten months in prison, the charges against Camiolo were dropped. This case has the connection with Betty's because both cases were tried under faulty police work and rushes to judgement before finding the facts regarding the case. Camiolo was also a victim of the media in his case as well. Paul Camiolo not only had reasonable doubt but presumable innocence in his case.

# Theories

## Theory of Jean Adam

A few months ago, I had a theory of the crime that wasn't consistent with the forensic evidence of the crime but still had a believable scenario to the crime unlike the theory of the state. The story begins at the start of the relationship between White and Peggy. White as a con man and Peggy being generous beyond means, White easily would have taken advantage of her generosity. Alongside doing odd jobs, White sold drugs and made money from lawsuits and scamming people regularly. He took special interest in Peggy not only for her good nature but also her beautiful



appearance. He spent long hours on the phone with her just to receive attention. Through this he would have made an acquaintance of her and known things about her life, family, and work. He knew of her husband but still insisted on making small talk through her day which did not bother her much. He used his conning ways to take on jobs she would offer him and come to the house to do carpentry and allowed him access to her garage facility. Through all this they were trustworthy of each other even as James used his way of conning to get as much money as he possibly could. Through all this, given his psychological nature he not only would have gained a romantic interest, but presumed Peggy had taken interest as well. He consistently made stories up to feed off her emotions when he would talk on the phone. It has been documented that he consistently threatened suicide or had intentions on starting to drink. Even though he had an alcohol and drug habit, he did not either drink plenty or make an appearance of drunkenness or intoxication in the presence of Peggy. Once Peggy ran out of work for him to do, she could no longer give him money and White then again threatened suicide and said he needed money for the sake of his children. Through her good heart Peggy thought of an idea with White's struggles she wanted to get him help and referred him to her twin sister's local Alcoholics Anonymous organization. Betty did not hesitate to offer him help and organized a meetup where she would leave him money so that he could have a place to stay and attend the meeting. After showing up late, he took the money and left which angered Betty. A few days later when White spoke to Peggy on the phone, Betty took the phone and cursed him out, angering him. With knowledge through Peggy and his intentions of working for her, White knew Betty's house and had knowledge that she was to take vacation in a few weeks. White made the intention to burglarize the home when the Wilsons were out on vacation. He then got the idea to bring friends along with him to rob the place. I would presume that it is a possibility White thought the Wilson's had left for vacation and mixed up the dates. His intoxication bothers my theory because I originally did not think with his idiocy to bring others along with him or that others would want to commit this crime with White that knew him and his reckless ways. It is possible that White could have intrigued others with the fact that the Wilson home was a wealthy home and that the return would be worth their while. When White discussed the plan, an informant overheard the conversation and notified police of the crime. The notice to police is a shady note. In some research it was said the call was made after the crime and some said it was made before the crime. It was also an overheard conversation that wasn't definite and there has been no documentation. Given the scenario I believe the informant may have either notified the police of the crime and afterwards they or the police misinterpret it was a murder to happen because I feel if someone said a murder would take place they would investigate the call immediately, and the police did not act upon it until after the crime took place. They say someone called to tell them a doctor's murder was going to happen when it could have just been someone calling say they would to commit a crime, and they only followed up after the crime was

committed. To me it is either just another result of bad police work or another part of the story that tried to make sense of it the state created.

On the day of the murder, I believe White entered the home freely because the Wilson's door was unlocked and he and an accomplice(s) began to look for valuables and tried to stay out of sight from any onlookers by covering their faces and going through the back. Dr. Wilson came into the house twice, the first instance he took the bat outside which leaves the door wide open. For one White never brought up that Dr. Wilson had come into the house twice, but many witnesses saw him come back outside to hammer the political sign with the bat. During this time, White and his accomplice(s) may have panicked in fear that they may be caught, and the doctor may call 911. During this they may have cut the telephone lines to keep anyone home from calling the police and then plotted the idea if he returned to murder him. They may have hidden upstairs and waited for him and one may have grabbed an item they may have intended on using to break into the home, a tire iron, a hammer, or a crowbar, a screwdriver may have been too small but could have been used to stab him in the back. When he came upstairs, he would have been ambushed. First choked and then covered with object, a sheet, plastic cover, or a towel that may have never been located, which would explain lack of blood splatter. They may have beaten him and as he tried to defend himself and then after he passed out continued to beat him. An accomplice(s) would also be an explanation for the crime because the beating seems as something if a regular person were to beat him (at least with a bat) they would get exhausted, and White did not seem to have that type of endurance. I do believe if the defense was able to have White demonstrate the beating in court with the bat he would have been too tired to finish the task and may have had reason to blow open his testimony, then again the state may have come up with another excuse to justify that logic. After the doctor had been beaten, White or an accomplice stabbed Wilson. After this happened the assailants staged the crime scene and left the bat there and rummaged through what they could find quickly. White took the gun and money from Dr. Wilson's wallet and they all got out. I believe James was so intoxicated he remembers nothing of the crime or not nearly as much as he told on the stand.

After police followed through the tip it led them back to White for questioning. When they picked up White, they had already investigated the crime scene. This led to an excruciating interrogation of questioning lasting ten hours, and frantically not allowing White to leave until they got what they wanted him to say. During this interrogation, the police may have led White on and put words in his mouth when he tried to deny his involvement. It is possible that they withheld him from counsel, medication, food, water and any other resources to coerce his confession. White undoubtedly lied about what took place because more than likely even as stated in his recant, he did not recall what took place. As the police began to piece their puzzle together it was quite possibly White told of him having an affair with the widow's sister which may have led the police

to believe there was some sort of connection. After confessing, White was then booked and sent to jail. After searching White's premises, they found the gun and the library book and raised questions on the connection between White and the twin sisters. When the DA, Mo Brooks was made aware of the arrest and connection, he may have insisted on questioning the twins and getting more information from James, due to the upcoming re-election. Once they heard of Betty's affairs, they may have had an argument that they could try her for the case because of the linking evidence that she may have motive to have her husband dead for his money. When White was brought in for questioning, they may have had interrogated him again to try to either create a story or have White talk about his relationship with the twins. In doing so, White alleged that he was paid for the crime a sum of \$2,500 which was supposed to be a total of \$5,000. In an effort to get back at Peggy for rejecting his advances, he implicated her on the crime as well as Betty who he had animosity towards the way she spoke to him on the telephone. Due to the media circus and political motive, the police sought to convict the twins by any means necessary because of the publicity surrounding it and may have had a hero syndrome to the case. In order to create the hero story of the police that put away the evil twins they first had to create a case and White was the beginning, middle, and end. Once White may have been given the information he needed to testify and corroborate everything, he was given a deal to work with the state. Because the state had such little evidence to the facts of the case, when on trial, they tried Betty for her character in a land that was prejudice to her affairs, thus resulting in the bias of the trial and resulting in an unworthy conviction of an innocent person. While my theory may lack some corroboration, not only is it more believable than the state's theory, but it is a possibility as opposed to something that has since been proven wrong. It is indicative that the state's theory had political and corrupt motive, while my theory is more so focused on the facts relevant to the case and creating a possible structure based on logic regarding research and the case.

## Theory of Barbara Lunsford

The theory of Barbara Lunsford is extremely important. Lunsford spent 6 years researching the case and the aftermath as well. Her book, *Killer for Hire*, is based on research and fact. The reason I have chosen to use her theory and matters relevant to the case this late in the research is to not bias the case at hand. The truth though, given her research, knowledge, and work regarding the case, her theory is not only plausible, but most likely true. Her story surrounds the case of a man, Dennis Johnson, who came forward to help give new evidence in relation to the crime. Once Betty had used up all her appeals, the only way she would be given a new trial is with new evidence regarding the case. The unfortunate circumstances that took place circled around people working for Betty who attempted to set-up Johnson and resulted in his withdrawal.

In 2003, Dennis Johnson found a website designed to the case of Betty Wilson and emailed the webmaster and told the story of his interactions with White. It began with White telling him about the sisters and his intentions to rob the Wilsons and had to hit the man with a bar and if he was caught, he would blame the sisters. He said that White told him there were two men with him, one had a bat and White had a bar. Johnson did not trust the new lawyer Betty hired because they were known for making pleas and charging lots of money.

It started when Johnson hired White to steal a car and gave him \$2,500 for the first part and intended on giving him another \$2,500 when the work was over. According to his statement to WAFF 48, White told Johnson that he could get the 1992 Mercedes that Betty owned. When Johnson left from Florida, he traveled to Alabama to gather more information regarding what happened. An accomplice of White known as "Zeke," told Johnson that White was talking about robbing the home of Betty weeks before the incident took place. He, White, White's brother (Blinky), discussed how to pull it off and stated his intention for going was to help steal the car. According to Deke, he, White, Blinky, and a woman named Cindy went to the house and approached through the back. The three men entered the home through the back. White had a piece of rebar with him and tarp to carry the stuff they intended on stealing. White and Blinky went upstairs and Deke went to the garage to wait for White to bring him the keys. When White didn't show he followed them upstairs. Dr. Wilson was swinging at bat at the others and Deke came from behind and put him in a sleeper hold. White threw a ring of keys at Deke and he went back to the garage to try to get the car started which went unsuccessfully. He did not see who hit or stabbed the doctor, and White rushed downstairs saying they had to leave, he left the keys in the front seat of the car which was later found as unexplained evidence. *Ironically, if White tried to open the door and left fingerprints, I (Jean Adam) may have not questioned the findings of the state.* White was wiping blood from him as he went downstairs, and they left the way they came in. Cindy drove them back to her house where they showered and changed clothes, then they drove by a dumpster and got rid of the clothes, the tarp, and the rebar. Deke also explained to Johnson that White took a gun from the home and White called him from prison to get clothes from his trailer, put them in a plastic bag and hide them in the woods behind the home. In the gun box there was also a social security card that matched a Jackie Touchstone that lived near White. Johnson also found out that White had been at the Ramada around 5 PM the day of the murder so the testimony of Sheila Irby was falsified. He also found out that according to phone records from AT&T in Peggy's trial, no calls were ever made from the Ramada Inn to Peggy's home the day before the murder.

Lunsford also raises a theory that Dr. Wilson's ex-wife and her son Perry were involved only so much as speculation. Johnson said that White learned from Peggy that Perry was a homosexual and that White would go to the bar to get to know the two of them. Johnson learned that Perry abused

his father and was trying to find a way to kill him and have Betty take the blame. Johnson was told at one of the meetings where White and his accomplices were discussing what to do that Perry and Julia were present. It is tough to tie the two to the crime because of conflicting stories. Johnson also learned that many people knew things about Betty but would not come forward either in fear or for their despise for her. Overall, his provable facts that Johnson had learned was that the pistol was stolen from the house the night of the incident, White and his buddies threw tarps in the dumpster, White's pickup was left at the Ramada Inn and not at the mall, White called Zeke to place the evidence at the Wilson home, the doctor was killed by three people (one choking, one a knife, and one a piece of rebar), the Mercedes was the intention of the burglary, the twins involvement was merely for White to gain information, and he learned who was with White the night of the murder.

After the information came from Johnson, once again, even in the aftermath, things spiraled out of control. Lawyers that worked for Betty took an initial statement from Johnson for a possible re-trial. In October of 2003, Betty's lawyers were preparing Rule 32 paperwork for a hearing. Johnson had struggled with the legal team because he insisted, they take her case to federal court who had the power to overturn state convictions while the lawyers processed through the state. Johnson also believed the personal investigator hired by Betty, Ron Watson, was a nutcase. He frequently quit and went back to the case, made up information, and sandbagged the system, and was not certified to do his job either. In February of 2004, Watson went to Florida to meet with Johnson to sign an affidavit. One of the attorneys instructed Johnson that if he did not meet with Watson he would file for his arrest. This threat infuriated Johnson and was the reason he met with Watson. When he arrived, he had Deke with him who was prepared to make a statement for the lawyers the following day. Watson presented him with the affidavit and Johnson refused to sign it because it went against his deposition. Dennis refused to continue working with Betty's lawyers and Watson. He called the office and told them that if Watson and Betty's attorney, Eddie Blackwelder, were not removed he would not testify. Blackwelder took the Rule 32 petition to the Madison County Courthouse with an affidavit with Johnson's forged signature. When the article hit the media, Johnson began receiving death threats and harassment. In May of that year, an investigator from the Alabama Attorney General's office contacted Dennis and accused him of knowing White's intentions of robbing the home. Concluding this matter, he found out Watson filed the affidavit that he refused to sign because it was a set-up for him to be involved with the murder conspiracy and he then wanted nothing to do with the case. Once a handwriting expert testified that Johnson's affidavit had been forged, the petition was denied.

Lunsford's theory is nothing short of corroboration. What makes it important is that it comes from a 3<sup>rd</sup> party that is not James White. The testimony corroborates Dr. Sperry's theory and

unanswered evidence. It is also testimony of an active witness of the crime (even though they are a participating assailant). With Deke's testimony that Johnson would have brought forward, it was likely Betty would have received a new trial but the personal investigator who worked the case only attempted to implement the one person trying to help them. The story transpires from the question how this happened in Schutze story. The police gave a theory, but it was ultimately disproven. Lunsford focuses on the question of what really happened and corroborates the evidence of the case. Unfortunately, due to the antics of the legal team, it did not help Betty receive a hearing. In a circumstantial case created on theory, it is impossible to present new evidence to relate to the case when there theoretically isn't any. The only evidence that can be introduced is theory. As a result, Betty will spend the rest of her life in jail for a crime she has been proven innocent of.

## Reflection

The case of Betty Wilson has affected my life for reasons unknown to me. I have even been criticized by my own peers. I have gotten "fuck that white lady," "I really don't care about her because she is white," some folks who had misinterpretations of her case and would not understand, and some who just can't come to grasp that a miscarriage of justice can happen in this standing and that there has to be some other reason as to her guilt (ironically the whole reason I began researching). Truthfully, I know there is a huge issue with the legal system and the way things are conducted. People are being exonerated by DNA after spending more years than Betty in prison. Yet with those cases so often it is either a case of misidentification, accident rulings, physical evidence, and other rulings that have given these grave miscarriages of justice. Yet in Betty's case we have some interesting sequences and corrupt intentions. For one, we have people of the state knowingly putting an innocent person in jail by badgering their character and hiding the truth. We have the astounding duplicate case by the twin sister resulting in an acquittal. The famous recant and overhyped media also play roles in the case. We also shine a light on the truth of what really happened the day of May 22, 1992.

The first step in freeing an innocent person is finding the truth, but this case, the truth ran off in the distant and is buried deep. It is also quite possibly in the hands of someone who never told the truth in their lives or may as well be a drunken forgotten memory. Not only did the state hide the truth in the trial, but circumvented White from ever coming out with the truth threatening him with his life. The largest irony in that is the statement from Fry was that it is impossible to believe anything White says, yet his entire case surrounded his testimony. One thing that I question from his recant was him admitting he wanted peace with himself for what he had done unto Betty, but I question if he ever regained peace, but the truth is, he probably does not care one bit. Betty's case is actually a

real-life movie that has been a 27-year nightmare. The bigger picture is in fact that it isn't a case about a murder, but rather a case about the integrity of the justice system. I will end my research by quoting the last sentence of Schutze's book. "If the final judgment of the law is that Betty Wilson must spend the rest of her life in prison, then the law is a fool."

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