

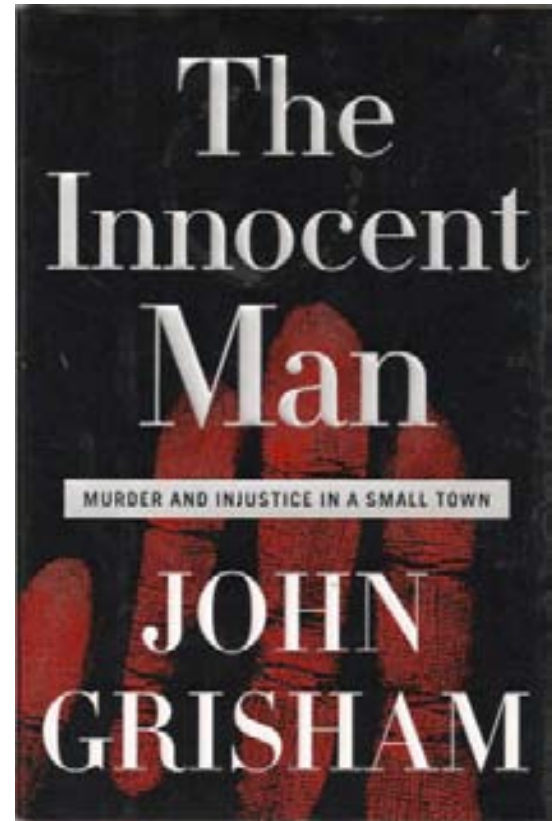
# Famous Trials

Can a “non-Fiction” book be a  
“real page turner” and remain  
“non-Fiction”?

Does the Author have any  
responsibilities?

Do the readers have any  
responsibilities?

The Book, “ The Innocent  
Man”



Place: Ada, Oklahoma - - Pontotoc County

Small town of about 16,000

Home of East Central University – 4,000 students

Part of the “Bible Belt” area



Night Clubs are on the outskirts of town

The Scene

The Coach light - - a local night spot – not “high Class”

The Victim - Debbie Carter, 21, Cocktail Waitress at the  
Coach light - - Lived by herself in a 3-room apartment above  
a garage.

## **1982- - The Crime - - December 7 and 8**

Debbie Carter was working at the Coach light - has an encounter with Glen Gore.

12:30 AM she leaves the Coach light - seen talking to Gore.

Ron West drops Glen Gore off about a mile from Debbie Carter's place.

2:30 AM Debbie Carter calls Gina Vietta about a visitor that she was uncomfortable with, but refused to name the person.

11:00 AM Donna Johnson, a friend, discovers the body, then runs and calls Debbie's mother.

Debbie's father races over and enters the crime scene and finds Debbie dead.

Then, the Police are called.

The Detectives - Denis Smith and Gary Rogers begin the Investigation

Ron Williamson's named as vaguely involved mentioned by a former cell mate.

Ronald Keith Williamson, Born February 3, 1953 in Ada, Oklahoma

Baseball Player - Bats Left, Throws Right

1971 Picked by the Oakland Athletics, and started in the minors

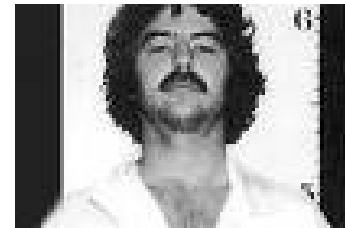
1972 season was good, 1973 seasons was rotten.

Williamson's life went into drugs, alcohol, and mental illness - -

Williamson spends time in Jail, is charged twice with rape.

1982 Debbie Carter murdered

Williamson's life continues with drugs, alcohol, mental illness, and some jail time.



Ron interviewed on several occasions

Fritz named as a know associate of Ron

Fritz tells police about a near rape involving he and Ron

Williamson and Fritz fail polygraph tests

Glen Gore interviewed and said that he had seen Williamson near the Bar. Never again any reason to be considered a suspect, until.....

Hair samples from Williamson and Fritz determined to be “microscopically consistent” with hair from crime scene.

A woman, Andrea Hardcastle, tells of a harrowing ordeal with Williamson

Jail Inmates agree to testify about hearing of the involvement of Williamson and Fritz in the murder

1987 Ron Williamson arrested for murder along with Denis Fritz

1988 Ron Williamson tried and found guilty, and sentenced to death in 1988.

1988 Denis Fritz Tried and found guilty, and given life.

William Peterson is the District Attorney and Prosecutor for both trials

1997 William Peterson starts the DNA process

1999 After, Williamson receives a last-minute stay of execution, 5 days before his scheduled execution.

**1999 DNA results conclusively excluded both men as the source of the semen found in the victim's body, and**

**After 11 years on death row, Williamson & Fritz cleared by DNA testing, and set free.**



**Ron Williamson and Denis Fritz hearing news of case dismissal**



## The Frontline Story



Williamson and Fritz law suits are settled for undisclosed amounts

Williamson drifts around, spends some time with his sister, and abusing alcohol file

2004 Ron Williamson died in a nursing home of cirrhosis five years after being freed.

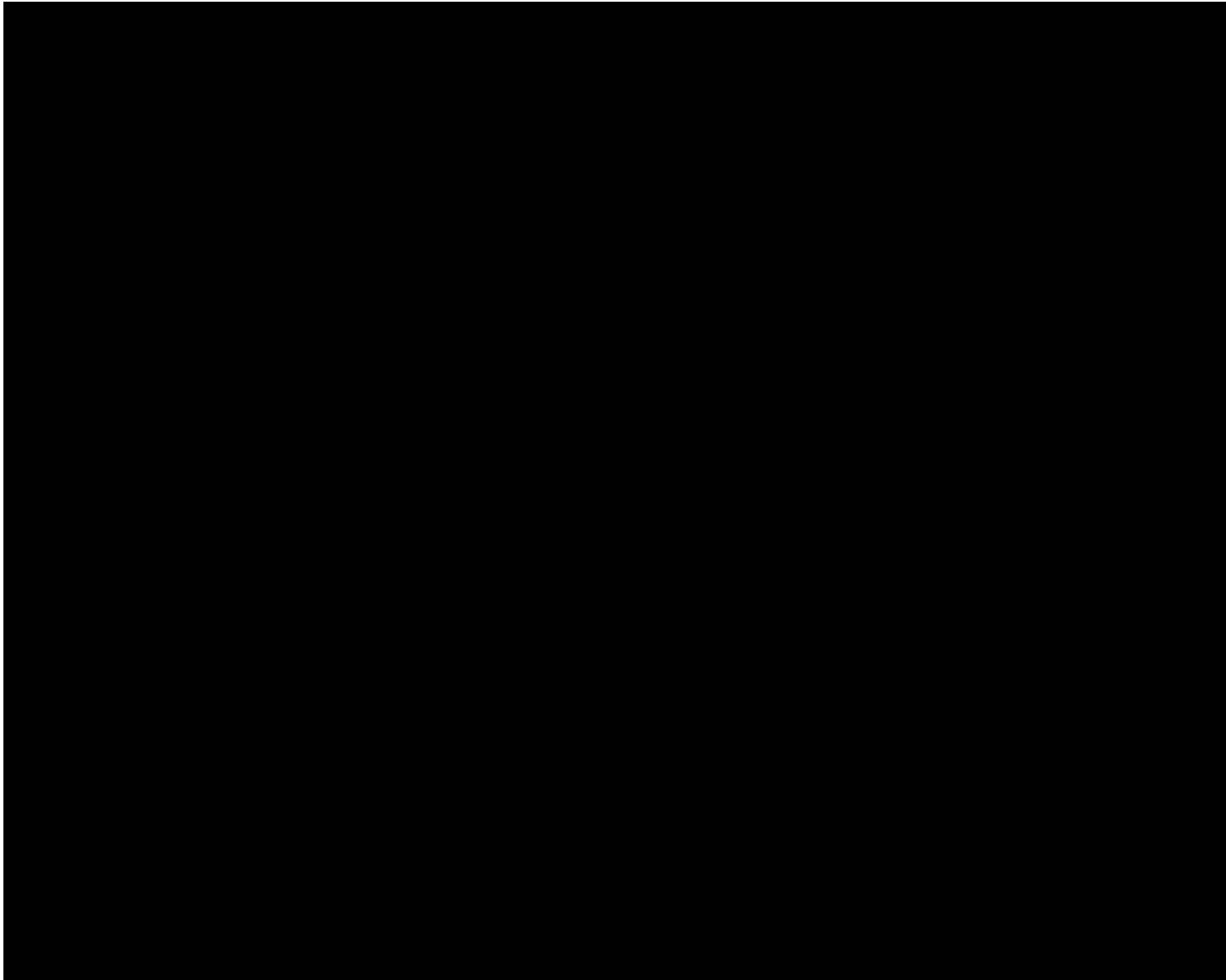
His obituary published in the New York Times

2004 - - Author John Grisham reads William's obituary in [The New York Times](#) and made him the subject of his first "non-fiction" book, [The Innocent Man](#), published in 2006.



Author John Grisham"

## The Book Trailer



# Critical Editorial from the Wall Street Journal

Bookshelf / By Joshua Marquis

## The Page-Turner as Polemic

John Grisham, in his first nonfiction book, writes about the 1987 trial and sentencing to death of Ron Williamson for the murder and rape five years earlier of 21-year-old Debbie Carter. Mr. Williamson's appellate lawyer succeeded in getting his conviction overturned based on claims that his first trial lawyer was inadequate. While preparations for a new trial were being made in 1997, newly available DNA testing established that neither Mr. Williamson nor his friend and co-defendant, Dennis Fritz, was the killer.

In Mr. Grisham's novels, the characters usually divide into two groups: the good guys caught up in evil conspiracies and the villains who concoct them. "The Innocent Man" is no different. Thanks to his abundant storytelling skills, the author delivers an account that is as vivid as the Grisham fictional fare sold at airport kiosks—but it is also, alas, just as oversimplified as his novels, and it distorts the justice system in the same way. Make no mistake, "The Innocent Man"—with its blunt subtitle ("Murder and Injustice in a Small Town") and its author's long-professed zeal to attack capital punishment—is not simply a legal thriller drawn from real life. It is a polemic.

Ron Williamson was a promising high-school baseball player who in 1971 was a second-round draft choice of the

### THE INNOCENT MAN

By John Grisham

(Doubleday, 360 pages, \$28.95)

Oakland A's. His family and his hometown, Ada, Okla., shared Mr. Williamson's high hopes that he would become a baseball superstar. But Mr. Williamson sputtered in the minors for a few seasons before abandoning his dream and beginning a slide into a dissolute life of drinking, drugs and crime. There were two formal charges of rape in 1978, neither charge resulting in conviction. In a letter (not mentioned by Mr. Grisham) that Mr. Williamson wrote while on death row to the prosecutor who put him there, he claimed—apparently trying to illustrate how the justice system can indeed fail—that he had gotten away with one of the rapes.

The crime that sent him to prison unjustly was discovered when two of Debbie Carter's friends found her in her apartment in a grisly scene all too common in sex murders. Police went down many dead ends while investigating the case, and after four years it remained an unsolved killing in a small town—until someone pointed a finger at Mr. Williamson, who had frequented a bar

where Ms. Carter worked. His incriminating statements and a strand of hair that seemed to match his own convinced police that Mr. Williamson, along with his friend, Mr. Fritz, were Debbie Carter's killers.

One of Mr. Grisham's heroes in "The Innocent Man" is high-profile attorney and Innocence Project co-founder Barry Scheck ("...and Barry Scheck was coming to town! Scheck's fame was growing enormously as the Innocence Project pulled off one DNA exoneration after another"). But despite the author's cheerleading for Mr. Scheck's involvement in the Williamson case, the DNA testing that set Mr. Williamson free was in fact prompted by defense attorney Mark Barrett and District Attorney William Peterson. Far from having railroaded Mr. Williamson, as Mr. Grisham implies, Mr. Peterson—the chief prosecutor in the case—was convinced that DNA testing would further validate Mr. Williamson's conviction.

The DNA sample turned out to match that of another man, Glen Gore, who had hung out in the same bars as Mr. Williamson and Mr. Fritz and who was in prison on other charges. Mr. Williamson and his co-defendant were freed in a highly choreographed media event in April 1999; they sued the government agencies involved and settled in 2002 for an amount that was rumored to be in the millions of dollars. Two years later, Mr. Williamson died of cirrhosis at age 51. Though Mr. Grisham, publicizing the book, has said that Mr. Williamson "drank himself to death," he suggests in print that Mr. Williamson's death was caused by medications that the author variously claims were overprescribed or denied to Mr. Williamson while in custody.

You would hardly know it from "The Innocent Man," but the same district attorney's office that Mr. Grisham vilifies for its eagerness to prosecute Mr. Williamson with shabby evidence ("it was remarkable that Bill Peterson, an officer of the court and charged with the duty to seek the truth, could elicit such garbage") went just as earnestly after Glen Gore for Debbie Carter's murder. Prosecutors had to try Mr. Gore twice; the first conviction was overturned when a judge ruled that Mr. Gore's defense should have been allowed to raise the possibility



The king of the airport kiosks tackles a real case and vividly tells only part of the story.

that Mr. Williamson and Mr. Fritz had murdered Debbie.

These attempts to bring Mr. Gore to justice, and even the murder of Debbie Carter itself, are very much side-shows in Mr. Grisham's story. He is much more interested in depicting how the once-bright dreams of Ron Williamson were destroyed by police and prosecutors who were inept at best but more likely corrupt. Yoking together the Williamson affair and the 2001 drug conviction of an Ada police officer—who was not involved in the murder investigation—Mr. Grisham cries: "When will the good

The one-sidedness of "The Innocent Man" is a shame, for two reasons. First, because it feeds the popular perception—nurtured by Hollywood and the news media—that death rows are teeming with wrongfully convicted men who just await DNA testing to set them free.

sham missed an opportunity to tell a well-rounded and perhaps more interesting story than the one he delivers. The author is not a journalist, and it shows: He doesn't maintain even a pretense of detached reporting. He didn't attempt to get Mr. Peterson's side of the story, though hearing from the supposedly irresponsible prosecutor might have been illuminating. Indeed, Mr. Grisham seems to have given a wide berth not only to prosecutors but also to the police and even to the judge in Mr. William-

Opponents of capital punishment will point to "The Innocent Man" as vindication of their views, but it's not clear that their cause, in the end, is well served by Mr. Grisham's heavy-handed proselytizing. The freeing of Mr. Williamson and Mr. Fritz was the result of the legal system's checks and balances; it is characterized by Mr. Grisham as a lucky fluke in the never-ending battle between plucky defense attorneys and bloodthirsty prosecutors. While that outlook might make for fiction that readers just can't put down, it misses the fact that in the real world of complicated heroes and villains, life does not imitate art.

Astoria, Ore., is vice president of the National District Attorneys Association.

# An Editorial from the Daily Oklahoman highlights problems with Grisham's book.

SUNDAY, FEBRUARY 11, 2007

## Closing the book

### One side fits all for Grisham

**B**IG names make for big book sales, which is why a famous author's name is in larger type than the title on a book's cover. No bigger name in American fiction exists than that of John Grisham. The novelist was the top-selling author of the 1990s, ahead of even Stephen King, with more than 60 million copies sold. So when Grisham's anti-capital punishment zeal needed a new outlet, his name was all that was needed when he turned from fiction and became a journalist.

Except that Grisham doesn't know the first thing about journalism, especially the part about getting the other side of a story.

Grisham's foray into nonfiction centers on Ada. His 2006 book "The Innocent Man: Murder and Injustice in a Small Town" is less a piece of reporting than an anti-death penalty polemic. If a movie is made of the book, it will likely be even more so.



**John Grisham**

That was true of "Dead Man Walking," which was designed to make us hate the death penalty but in fact showed how a killer's denial of guilt was renounced *only* because he was made to pay for his crime.

The "hero" of Grisham's story was innocent, although he was convicted of the 1982 rape and murder of Deborah Sue Carter. The book is mainly Ron Williamson's story, but he's not the only character. Another is Pontotoc County District Attorney Bill Peterson, who prosecuted Williamson and remains in office.

The side of the story that Grisham refused to tell was Peterson's. In an October 2006 op-ed in The Wall Street Journal, Joshua Marquis, vice president of the National District Attorneys Association, slammed Grisham's one-sided "reporting." Peterson himself has started a Web site to tell the story Grisham ignored.

Peterson not only prosecuted Williamson but was among the voices calling for the DNA testing that would exonerate him (it wasn't available at the time of the trial). Marquis noted that the one-sidedness of Grisham's book "feeds the popular perception — nurtured by Hollywood and the news media — that death rows are teeming with wrongfully convicted men who just await DNA testing to set them free."

Grisham also played loose with the facts. In mail exchanges, Peterson confronted the author over mistakes the prosecutor found in the first few pages of the book. Grisham's flippant reply was that mistakes are "in the nature of nonfiction."

Yet the book is essentially about mistakes — the mistaken conviction, for starters. Given Grisham's attitude, how long would he last as a reporter at any of the major newspapers whose reviewers ~~crushed over this book?~~

Here's a fact: No evidence exists that an execution in modern times has taken the life of an innocent man. Williamson and a co-defendant were set free not despite the system, but *because* of it. Grisham should stick to fiction, no matter how stale and formulaic his work has become.

# An Editorial from the Ada Evening News highlights problems with Grisham's book.

## Peterson did what he's paid to do

*"I just finished reading Grisham's book about Ron and Dennis and I am sick ... Do you really think anyone wants anything to do with a community that allowed innocent men to be tortured for years for NOTHING! Shame on Ada ... Peterson, get ready to find another job or, better yet, another country. The outrage has only just begun."* Kathy, Boston, Mass.

So read the email sent to the Ada Area Chamber of Commerce recently, and it is typical of other emails from people around the country. You probably recognize what it's about, but in case you don't — "Grisham" is John Grisham, who wrote his first nonfiction book about Ron Williamson and Dennis Fritz, convicted of murder in Ada. Both were exonerated thanks to the new science of DNA testing after spending years in prison.

Kathy and others across America read the book and now they are experts on the case and ready to hang us all high because we live here.

Hold the phone, Kathy.

I struggled with whether or not to respond to this type of email. Sometimes it's better to just ignore things like this because no matter what you say it probably isn't going to be good enough. In their eyes we will still be bad people. After all, they've read the

Again I say, hold the phone. With liberal amounts of help from the Ada Area Chamber of Commerce and my lovely wife (two very, very smart people), I sculpted a response to Kathy that thanked her for her note and said,

"...we understand Mr. Grisham's book shed light on an error that unfortunately has occurred in many small and large communities across our nation, not just in Ada, Oklahoma. You may be interested to know that, according to the Innocence Project web site, a total of 190 innocent people have been exonerated (due to DNA testing), with nine of those being in Massachusetts, two from your area in Boston."

I went on to tell her how grateful we are the wrongfully accused have been set free and that justice did, in the end, prevail.

As I suspected, this did not satisfy her. She wrote back and said we obviously had not learned our lesson yet and that she would pray for us.

My next response took the gloves off a bit more by pointing out that she was missing a very important point — that Mr. Grisham's book may just have well centered on the two cases from her hometown rather than the one from ours. Before she starts examining the "mote" in our community's eye, I told her she needs to check the log in *her* own community's eye first.

I haven't heard from her again, at least so far.

A total of 190 innocent people have been exonerated from 31 states thanks to DNA testing.

Should 190 district attorneys be ousted for doing what they are paid to do, i.e., convict those whom police present as suspects?

No — and neither should ours.

## The Author's Interview - - Comments

What inspired you to  
write a non-fiction book?



**William Peterson**

1988 He was the District Attorney who prosecuted Dennis Fritz and Ron Williamson.

1990 Named Outstanding District Attorney,

Started the first rural Victim Witness Center,  
Helped start the first rural Drug Court in Oklahoma  
Helped development of a new Domestic Violence Court.  
Supported internship programs.

2006 Became the subject of much controversy after the release of Grisham's book

2008, retired after 27 years as DA for the 22nd district of Oklahoma.

# 1997 DNA Notice Document filed by William Peterson - - Showing he started the DNA Process. The Book claimed he did not.

STATE OF OKLAHOMA,

Plaintiff,

vs.

NO. CRF-87-90

RONALD KEITH WILLIAMSON,

Defendant,

FILED  
Book TB.1 Page 19

## NOTICE

WAYNE JOPPIN, Court Clerk  
Deputy County Clerk  
By *[Signature]*  
1997

COMES NOW the State of Oklahoma, by William N. Peterson, District Attorney and gives Notice to the Oklahoma Indigent Defense System that on or after the 23rd day of May, 1997, evidence in the above styled and numbered case will either be destroyed or partially destroyed as a result of scientific tests to be conducted by the laboratory technicians at the Oklahoma State Bureau of Investigation. These tests are for the purpose of abstracting D.N.A. or other forensic evidence for the purpose of the re-trial of the defendant, Ronald Keith Williamson.

Unless an objection is filed by the 22nd day of May, 1997 said testing will be conducted on the evidence with the results being either destruction or partial destruction of the evidence to obtain scientific results.

TAKE NOTICE AND GOVERN YOURSELF ACCORDINGLY.

*[Signature]*  
WILLIAM N. PETERSON, CBA #7086  
District Attorney  
P.O. Box 146  
Ada, OK 74820

**Scheck Motion 1999. The case was dismissed on April 15, 1999. The Book claimed Scheck started the DNA process - - he did not.**

Robert L. Weir  
Director  
Jonathan Gorman  
Cathleen Hardy  
Eric Angel  
Jacqueline Shenton  
Amy Egan  
Assistant Director

FEB 24 1999

Honorable Thomas L. Landrith  
District Court Clerk  
Pontotoc County, Okla.

February 2, 1999

Honorable Thomas L. Landrith  
District Court of Pontotoc County  
State of Oklahoma  
Pontotoc County Courthouse  
Ada, Oklahoma

Re: *State v. Dennis Leon Fritz*  
Case No. CRF-87-90

Dear Judge Landrith:

Thank you so much for accepting facsimile service of our motion to dismiss and consenting to let us participate by way of conference call at tomorrow's hearing.

Sincerely,

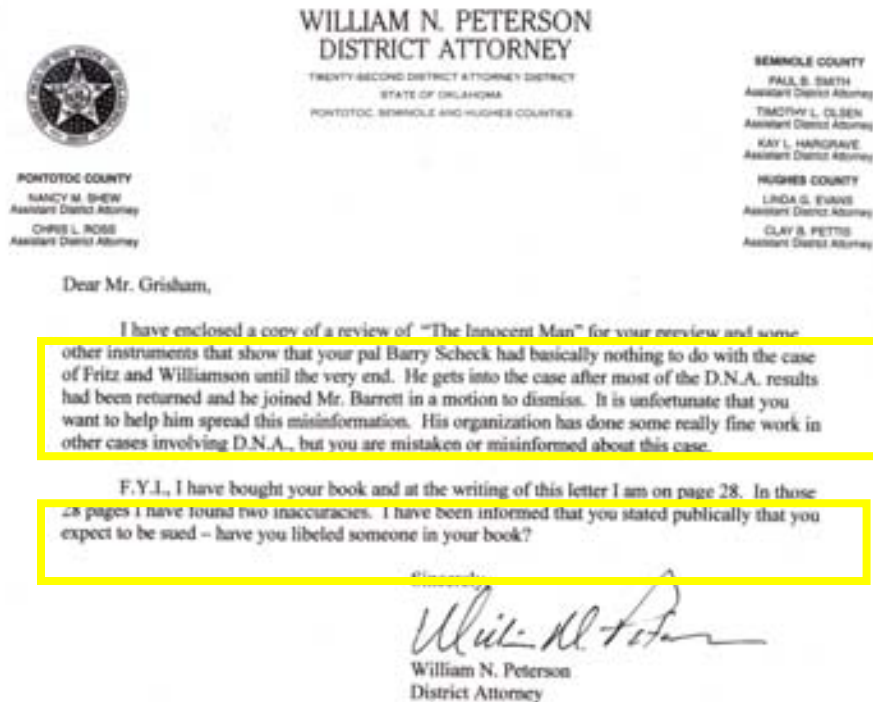
  
Barry C. Scheck

BCS:redv

2000 RUTGERS UNIVERSITY NEW JERSEY LEGAL STUDIES

SPRINGFIELD CENTER • 25 FIFTH AVENUE • NEW YORK, NY 10001-3201

# Peterson's first letter to John Grisham



Bill's first letter to John Grisham (includes 1997 DNA notice & motion and Wall Street Journal Article).

PONTOTOC COUNTY COURTHOUSE  
P.O. BOX 148  
ADA, OKLAHOMA 74802

SEMINOLE COUNTY COURTHOUSE  
P.O. BOX 1323  
WETUMKA, OKLAHOMA 74883

HUGHES COUNTY COURTHOUSE  
P.O. BOX 390  
HOLDENVILLE, OKLAHOMA 74848

# Grisham's first letter to Peterson's letter addressing factual issues in the Book

October 19, 2006

William N. Peterson  
District Attorney  
Pontotoc County Courthouse  
P. O. Box 146  
Ada, OK 74820

via fax [REDACTED]

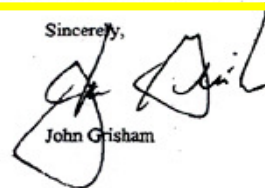
Dear Mr. Peterson:

If you've only read 28 pages, how do you know what I've written about Barry Scheck?

I'm sure you will find more than two errors. Such is the nature of non-fiction. Every effort was made to be as accurate as possible, but mistakes are inevitable.

No, I have not stated publicly that I expect to be sued, so your source is wrong. However, a lawsuit (or threat of one) per book is about the average.

Sincerely,



John Grisham

JG:rdc

# Peterson's Second Letter to Grisham

October 20, 2006

John Grisham  
105 West Water Street  
Charlottesville, Virginia 22902

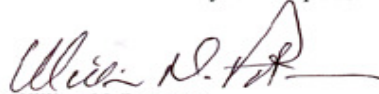
Via fax: 434-245-0111

Dear Mr. Grisham,

I appreciate your prompt response. In response to your question about how I know what you wrote about Mr. Scheck, did you not read the Wall Street Journal's review of your book that I sent you? I have now finished your book and find it to be inaccurate in many areas, accurate in areas, misleading, slanted, and biases. A thought that crossed my mind upon reading the book that seems to apply to you and your ilk is a quote by Anais Nin: "We don't see things as they are, we see them as we are."

You state in your correspondence that my source regarding your expecting to be sued was wrong. My source is you. During your speech at the Virginia Law School in September of this year, which is available on the internet, you first speak of having to worry about being sued when you write about "real things". You then state that you "really went after the dead", because the dead cannot sue you. Later in the speech, you said that "the prosecutor, who is the real bad guy in the book" will probably be the first person to sue you in November, because the book comes out in October. Therefore, you are either forgetful or lose with the truth. There is very little doubt in my mind which one applies.

Having now finished the book, I do not believe your "mistakes are inevitable" claim can explain the total misrepresentation of some parts of this case. I will shortly follow up this letter to point out some of your "mistakes".

  
William N. Peterson  
District Attorney

# Grisham's last response to Peterson

JOHN GRISHAM

105 West Water Street • Charlottesville, Virginia 22902  
434-245-5900 • Fax 434-245-0111

October 25, 2006

William N. Peterson  
District Attorney  
Pentecost County Courthouse  
P. O. Box 146  
Ada, OK 74820

via fax [REDACTED]

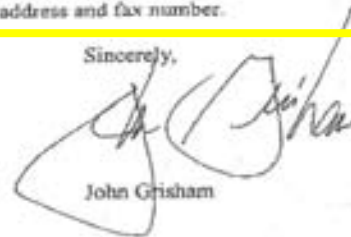
Dear Mr. Peterson:

What a surprise! You find the book misleading and inaccurate. I expected nothing less.

I have no desire to re-hash the facts and bicker about who's right and who's wrong. I do not read reviews, fan letters, hate letters, and I will read nothing else from you.

Save yourself some time. Lose my address and fax number.

Sincerely,

A handwritten signature in black ink, appearing to read "John Grisham", written over a large, loopy, handwritten "G".

John Grisham

JG:dc

## **William N. Peterson District Attorney - Comments**

Grisham leaves out other very important facts which give a completely different meaning to what happened and when.

Grisham misrepresented how the DNA testing came about in 1997 before Mr. Scheck's involvement in this case.

Grisham sets out certain facts and events, without saying when they occurred, and uses these facts to criticize Peterson's actions.

Grisham did not interview any law enforcement officers involved in the case, and only interviewed Peterson for thirty minutes

## **William N. Peterson District Attorney - Comments**

Grisham implies that Glen Gore should have been a suspect in Carter's murderer, since he was a thug and a known criminal.

In 1982, Gore's record included an arrest for DUI and resisting arrest, one assault and battery charge, and one misdemeanor charge.

In 1982, Williamson's record was much worse, and included two rape charges.

Gore's charges for violence towards women occurred in 1986 and 1987.

**Glen Gore was the murder - - it was confirmed after Williamson and Fritz were released.**

## **William N. Peterson District Attorney - Comments**

### **Barney Ward – Williams Defense Attorney**

Grisham portrayed him as “past his prime.”

During the Williamson trial, he would have been in his mid to late fifties.

Barney Ward died in 2005 in his mid to late seventies.

## **William N. Peterson District Attorney - Comments**

### **Williamson's incompetence**

Being criminally insane and being incompetent to stand trial are completely different.

Competency to stand trial is whether you can understand the nature of the charges against you, and are you capable of assisting your counsel in your defense.

Criminal insanity is where you admit that you committed the crime, but were insane at the time. Being "crazy" is not being "criminally insane."

## **William N. Peterson District Attorney - Comments**

### **Hair analysis**

Grisham contended that microscopic hair analysis had been known to be unreliable long before the prosecution of Fritz and Williamson.

In the early eighties, hair identification was considered state of the art.

The defense hired a hair analysis expert, Mr. Bisbing, to redo hair analysis, not to refute the science as unreliable.

When Grisham wrote his book, hair analysis was passé.

## **William N. Peterson District Attorney - Comments**

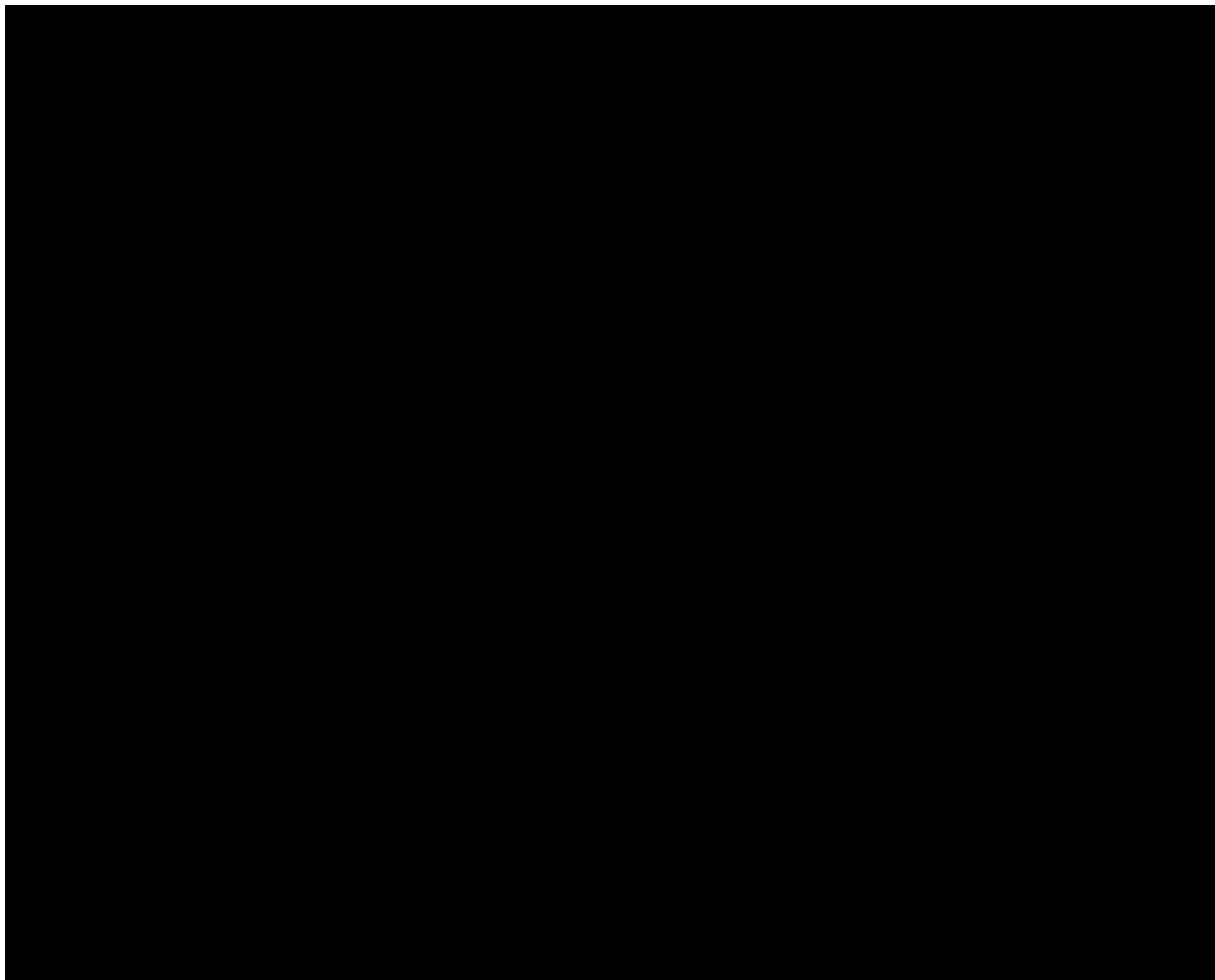
### **Williamson within 5 days of execution**

The setting of an execution date is used by the Attorney General's office not to have an execution, but to force the appeal.

This is exactly what happened in this case.

In Grisham's book - - - William's attorney said, "Look, they're not going to execute you, okay? But I'm not going to file an appeal until the last minute. That's the way we do things, so the federal judge has no choice but to give you a stay."

Comments from Denis Fritz - - Regarding his book



**The Suit filed:** Tuesday, October 2, 2007

**Plaintiffs:** Pontotoc County District Attorney Bill Peterson and Gary Rogers, a former OBI agent.

**Defendants:**

John Grisham, author of "The Innocent Man",  
Robert Mayer, author of "The Dreams of Ada",  
Dennis Fritz, author of "Journey Toward Justice", (one of the innocent men)  
their publishers, and  
Barry Scheck, co-director of The Innocence Project.

**Damages:** at least \$75,000 compensation and demands a jury trial.

**The Claims:** Part of the lawsuit claims:

The defendants conspired to commit libel against the plaintiffs and intentionally inflicted emotional distress upon them.

The defendants used speeches, interviews and simultaneously published three books in October of 2006.

The Innocent Man contains false and malicious statements, knowingly and recklessly made to cause harm to the plaintiffs.

Grisham, in a September 2006 speech, referred to Peterson as "the number one bad guy in this book."

## **Petersons Attorney stated:**

The lawsuit was filed because what was supposed to be a nonfiction book was turned into more of a fiction book.

Parts of the evidence that would put a totally different light on Bill Peterson was omitted.

The Grisham book contains many, errors, inconsistencies, misrepresentations, invented dialogues, speculations, event sequences taken out of order, and assertions as to who or what should have or could have been know.

It's probably somewhat difficult for someone to write fiction for years and then write nonfiction.

Particularly if they have a motive in mind, which we believe the evidence will show, to impact the issue of the death sentence.

## **Request for Dismissal:** November 29, 2007

Author John Grisham asked an Oklahoma federal court to dismiss a libel lawsuit

Claims for dismissal:

Grisham's book is core political speech protected by the First Amendment and representing the highest order of public service by raising awareness about important social and political issues and bringing to light issues of public concern about the performance by government officials of their public duties.

Long-established Oklahoma law forecloses any civil liability for criticism of the acts of public officials, except for any statement that "falsely imputes crime to the officer so criticized."

Grisham's book amounts to constitutionally protected opinion

**How do you think the case  
was decided?**

**The Dismissal:** September 18th, 2008

[Federal Judge Dismisses Libel Lawsuit Against John Grisham](#)

## **What the Judgment said about free speech and criticism of public officials**

Where life and liberty are at stake, the chilling effect of litigation decisively outweigh any potential harm caused by caustic statements critical of government officials.

For the public officials involved, public criticism is a small price to pay in order to protect and preserve the first amendment freedoms of expression.

While the plaintiffs may feel the sting of criticism, because of the constitutionality of political speech, they do not plausibly assert any statement entitling them to relief.

The tone of *The Innocent Man*, by John Grisham, is one of righteous indignation toward the unfairness in the criminal justice system and the death penalty.

The plaintiffs allege that the defamatory attacks are motivated by the defendants' desire to "further efforts to abolish the Death Penalty."

**The Dismissal:** September 18th, 2008

[Federal Judge Dismisses Libel Lawsuit Against John Grisham](#)

**What the Judgment said about the Responsibility of the readers –**

Where the genre of a book is criminal justice non-fiction and the author's tone is one of moral outrage and takes a position critical of the public officials involved, ---

the reader is put on notice to expect imaginative expression, rhetorical hyperbole, exaggeration, speculation and personal judgment by the author.

In other words, the reasonable reader is notified by the subject, format and tone of the book to expect a substantially true, yet biased account.

In this regard, this court's reasoning is that these books concerning our criminal justice system garner the highest federal and state constitutional protection because they are rationally connected to the authors' quest for political change. They are political speech

**The Dismissal:** September 18th, 2008

[Federal Judge Dismisses Libel Lawsuit Against John Grisham](#)

Books have been published and speeches/interviews have been given about this case and about death penalty litigation and its aftermath.

Those books and those speeches/interviews have in turn given rise to the present lawsuit.

The present lawsuit has prompted motions to dismiss for failure to state a claim.

**What two words best describe a claim for money damages by government officials against authors and publishers of books describing purported prosecutorial misconduct?**

Answer: **Not plausible.**

## **Request for Reinstatement:** November 8, 2008

Plaintiffs ask court to reinstate Grisham suit

Plaintiffs in a libel lawsuit filed against best-selling author John Grisham are asking a federal appeals court to reinstate their case. U.S. District Judge Ronald White dismissed the case in September, but the plaintiffs have appealed to the 10th U.S. Circuit Court of Appeals in Denver.

As Of February 23, 2009, there has been no ruling

In 2006, the New York Times published an article written which discussed the release of the wrongly convicted which concluded that 99.9 % of the felony convictions were proper.