

Jessica Venable

There may be readers who are tired of my stories about Jessica Venable and, to a lesser extent, David Bush. There are those who believe with all their heart and compassionless souls that all of those who are in prison are guilty of the crime(s) they were charged with and the punishment is never severe enough.

Then they hear about a case like James Bain and don't know what to think. Or believe. Like 245 prisoners before him, Bain was exonerated of a crime through DNA. Project innocence represented this man and proved he could not have committed the heinous crime of which he was charged and convicted. Bain was recently released from prison after serving 35 years for a crime for which he had always maintained innocence.

The twin stories I have been covering are different from each other. I believe, and have always believed, that Jessica Venable committed no crime and should not have been placed in the untenable position of having to plead guilty to committing a crime. She was poorly represented by a public defender who is overworked, underqualified and unprofessional. He encouraged her to take a plea arrangement wherein she would be sentenced to a term of 6-12 years in Lusk.

His encouragement to plead guilty was the result of his incompetence and laziness. His name is Mitch Guthrie. He is *assigned* cases. He does not work for them. Defendants do not choose him. They do not hire him. Defendants are required to accept his services when they are indigent and need a public defender to represent them. Personally, I would sooner have a first year law student represent someone I cared about than Guthrie. This case alone has destroyed his reputation as a competent attorney. If he ever had a chance to become one.

The young bullrider's death

It is my policy on these pages to avoid commenting on personal tragedies such as the recent death of a young man often being referred to as a "bullrider."

In the interest of full disclosure, I have met one of the young men charged in the bullrider's death. I know his father much better and cannot imagine the anguish the family is going through. I will not add to that pain on these pages.

I will, however, comment about the contemptible things written and allowed to remain on the daily newspaper's website. One scurrilous accusation begins, "assuming they're guilty" or something close to that. Assuming they're guilty? On that basis, you can go on to anonymously post libelous things about the others who are at least peripherally involved in the tragedy. Libel does apply to website postings.

Forums have a great potential that is almost never realized. Instead of an intelligent written discourse, the forums (blogs, to some) resort to name calling, accusations and needless speculation with no bases in fact.

In Jessica Venable's case, she was at least the second Cheyenne woman who was abused by this same man - the man who ended his own life by pursuing Jessica across a living room after handing her a steak knife and when she suddenly turned, terrified that he was about to strike her on the back of the head once again, he ran into that knife she was carrying.

The serial abuser had been given chance after chance by the Laramie County justice system, only to return time after time and abuse his female mate again. In Wyoming, men get two free passes to physically assault women. If charged at all, the man is charged with a misdemeanor each of those first two times. Often, the DA's office finds a way to combine two beatings, dismiss the charges or reduce them to something other than domestic abuse or battery on a household member. In this specific case, the man had been charged six times. Six times with three of those his "Third Offense" which should have been a felony.

But, the guy was never charged with, tried for or convicted of a felony. Each time, charges were dismissed or reduced. Each time, he spent minimal time in the local jail, then returned to again and again physically assault Jessica Venable.

Finally, when Jessica inadvertently ended the abuse by an unintentional, albeit fatal act, the Laramie County DA's office decided to seek justice. Not against the abuser but against the abused.

Incredibly, Jessica was initially charged with first degree murder. FIRST DEGREE MURDER! There was not a shred of evidence that she had premeditated her act. She hadn't planned it. She didn't mean for it to happen. She had been on the receiving end of physical abuse repeatedly and prayed that the "system"

I do not blame only the idiots who post deliberately false and defamatory statements about the deceased. I blame the Tribune-Eagle for allowing those posts to remain. Any level of reasonable and responsible editing would pull those words down or never allow them to be seen.

I do not condone illegal drug use and I am not very fond of abuse of prescription drugs, either. I don't see a lot of difference from one who uses cocaine and one who can become hooked, with a doctor's knowing consent, on Oxy Contin or the like. I have never suffered an addiction but I have seen how difficult it was for even the most determined addict to kick the habit.

In cases like this one, I have the time to let the facts sort themselves out. It will be a greater tragedy, of course, to see the lives of five people destroyed. For now, we should offer our sympathies to the family of the bullrider. And condemn those who make unfounded and unproven allegations, anonymously, of course, on a forum. Man up, punks. Identify yourself when you trash another.

would protect her. It did not. The system was a marriage between the prosecution and her assigned public defender. They conspired to quickly extract a guilty plea from a naive, law-abiding and trusting woman. A woman whose trust was betrayed not only by a man who intruded into her house and onto her person but a legal system with a goal of gaining a conviction - often by plea agreement.

Jessica wanted to go to trial. Her public defender did not. That would have required him to prepare. He or an investigator working on the defense would have had to interview the supportive witnesses who came forward for Jessica. Witnesses who badgered the defense team to take their statements, to meet with them and hear what they knew of the abusive relationship in that house next to theirs. The defense refused. That would be too much work. The DA's office offered a plea deal. If Jessica would plead guilty to manslaughter, the DA's office would drop the first degree murder charge (which they had no chance in hell in proving) and recommend a prison sentence on the low end of the scale.

Jessica Venable is a trusting, innocent, sweet person who had never been arrested before. She had never been in the system. Told that she risked a conviction by the man hired with your money to represent her interests, and that juries were unpredictable and she could go to prison for 20 years if convicted, Jessica again trusted a man. A man who had only his self interests at heart. An attorney unfit to practice law. An attorney who probably could not get a job in the private practice of law in Cheyenne.

He did not present her options as being between the obvious risk of a jury conviction, because juries are unpredictable, but a confidence that the prosecution had

no case and even a redneck jury in Cheyenne would not convict her once they heard the evidence and were introduced to the deceased man's record of serial domestic violence against women which, at least in one instance with Jessica, required hospitalization to treat her injuries.

No, this attorney has no confidence. Each accused he can convince to take a plea agreement and do it quickly, without fuss and muss, allows him to move away from that case and avoids his having to prepare for a trial or investigate his client's protestations of innocence.

Plea agreements are designed for the guilty. They are intended to be used on guilty people who will cop a plea and save the State the expense of a trial with a foregone conclusion. Guilt is not in doubt. For that money savings, the prosecution will sweeten the pot with a lighter (or no) sentence and everyone involved benefits at least some by the arrangement.

Jessica Venable committed no crime. Men are often allowed to plead to reckless endangerment when they beat the hell out a woman. Some watered down charge like that was the worst they should have used against Jessica. First degree murder? Let's hope the DA cannot sleep at night remembering what he did to force an innocent woman into taking a plea deal when she should never have been charged with any crime. If there is justice within the moral system, that will be the burden he will continue to carry. And the public defender who convinced Jessica to accept a plea agreement and stand in front of a judge and plead guilty when all she did was react to an oncoming aggressor, there is no punishment fitting or adequate for his betrayal of a vulnerable client - a woman who suffered her worst abuse, not at the hands of the man who repeatedly beat her, but from the system.

The Jessica Venable Compassion Fund

Several readers of the Cheyenne Herald have asked me to let them know when they could contribute funds to help Jessica Venable buy the necessities she otherwise would have to do without while she's confined. To provide money for her personal account in the Lusk Women's Center, one has to be on the approved visitor's list. I have been approved and have forwarded the first money donated by Cheyenne Herald readers and my wife and myself to her. If you want to help, please send a check to the Cheyenne Herald at the address below. I will convert donations to the necessary money order to send up there in her name. She is assured of having adequate money to at least buy the basic things she's had to do without - through the generosity and concern of Herald readers to date - but if you also want to be involved, you can now do so. You can also send her a card or note. Contact me for her mailing address. And, on behalf of Jessica, I thank you.

LCCC tips

I appreciate the well-prepared and lengthy documents that have been forwarded to me about what is going on in the confines of Laramie County Community College.

One of the difficulties in pursuing these leads, and they are detailed for the most part, is that if they involve employee terminations, unless a lawsuit was filed in Laramie County District Court, the secretive CEO of LCCC can withhold that information under Wyoming statutes. And while allegations have been somewhat specific, they never include names of those who may have been paid settlements on wrongful termination claims against LCCC. If the anonymous sources can provide me names, I at least have a chance to investigate further. Otherwise, it is virtually impossible to proceed.

The exceptional LCCC student newspaper, Wingspan, is doing an excellent job of disclosing questionable decisions and behavior. Even the WTE has briefly touched on the problems. I appreciate those who believe the Cheyenne Herald is the only local media capable of ferreting out the truth but I must have specifics and also a contact for the source. For almost eight years, I have protected source's identities. That will never change. Trust me and maybe I can help you. Or get to the bottom of things.