

WILLIAMS COULD USE RULING TO WITHDRAW GUILTY PLEAS

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Confessed serial killer **Leslie Williams**, angered over having to go to trial on a rape charge, may take advantage of a recent Michigan appeals court ruling to throw out his four murder convictions and force all the cases to trial.

Williams' attorney, Lawrence Kaluzny, said Wednesday that even before he knew of the court ruling Williams was talking seriously about trying to withdraw his guilty pleas.

He quoted Williams: "If they are going to play games with me, maybe I shouldn't be pleading. Maybe I should attack everything. I want to attack the voluntariness of my confessions, I want to attack everything."

Williams, 39, faces trial Dec. 14 in Oakland County Circuit Court on charges of sexually assaulting Theresa Burk, then 22, of Walled Lake in April 1991. Williams admits he assaulted and tried to rape Burk, but says he never penetrated her.

Kaluzny said Wednesday that Williams is willing to plead guilty to attempted rape and to being a habitual offender, which would get him another life sentence without parole.

Williams is serving four mandatory life sentences without parole for raping and murdering Cynthia Jones, Kami Villanueva and Michelle and Melissa Urbin between September 1991 and January 1992. He also received life sentences for three other assaults.

Gerald Poisson, chief assistant prosecutor for Oakland County, said allowing Williams to plead to a lesser charge in the Burk case "makes the victim a liar. . . . She wants her day in court. And we think what she wants is far more important than what **Leslie Williams** wants."

In the appeals panel decision that opens the door for Williams, the court found that Richard Stewart, a Detroit teenager who pleaded guilty to a drug trafficking charge with a mandatory life sentence, shouldn't have been allowed to plead guilty by his attorney. The court overturned his conviction and ordered a trial.

Even though the evidence against Stewart was overwhelming, the court said Stewart's attorney should have taken the case to trial.

"While the evidence against defendant was admittedly strong and defendant's chances of prevailing at trial were obviously slight," the court said, "defendant had little reasonable choice in light of the prosecution's refusal to consider a plea bargain to a lesser offense but to proceed to trial and hope that either the prosecutor committed an error . . . or that the jury felt benevolent and acquitted the defendant."

The ruling will affect only a few criminal cases in Michigan because defendants rarely plead guilty to crimes with mandatory life terms.

But that is little comfort to Poisson, who said the decision "turns the criminal justice system into a game. We may now have to go through a charade of a trial even when the defendant wants to plead guilty and accept responsibility. Why should these families have to go through this ordeal?"

Kaluzny agrees. But he wonders why Poisson doesn't use the same rationale to spare Burk the trauma of testifying at trial. Williams, he said, "just feels the prosecution is being really unfair in evaluating the rape case," Kaluzny said. "I'm not sure why he'd be so adamant unless he truly felt he did not penetrate her."

Burk said Wednesday that she hasn't decided whether to testify. She said she is still recovering from the trauma of testifying against Williams at a preliminary hearing.

"I don't want to go back there and face the same thing. It will just bring more depression and hurt inside." On the other hand, she says, "I know in my heart what the truth is. I want to go back and fight him. I want to let him know that I won and he lost."

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