

9 Million Dollar Jury Verdict for Billy Ray Johnson won by Civil Rights Group assisted by jurist psychologist, Dr. Jan DeLipsey– A Loud and Clear Message against Racial Intolerance

On Friday, April 20, 2007 a Linden, Texas jury returned a 9 million dollar verdict on behalf of Billy Ray Johnson, a mentally disabled black man who was ridiculed, assaulted and left for dead on a desolate country road by four white men.

Dr. Jan De Lipsey, jurist psychologist with Dallas based Litigation Edge, joined forces with the Southern Poverty Law Center in Montgomery, Alabama and Longview lawyer, Glenn Perry to bring a successful close to this highly publicized and tragic story of bigotry, intolerance and injustice against Billy Ray Johnson.

Over 400 Cass County jurors were summoned to appear in Linden Texas on Friday, April 13th to fill out a three page questionnaire. Actual jury selection with a panel of 114 began the following Monday. Judge Ralph Burgess allowed an extensive voir dire brilliantly executed by Glenn Perry starting with “Lets have an honest conversation.”

After three hours of candid and sometimes painful conversation across a variety of issues, nearly 50 jurors were excused because of strong prejudgments both for and against the plaintiff that would have unfairly affected their verdict.

“Had the panel of 114 not been so forthright in voir dire, we could never have found a fair group of 12 jurors to render a judgment in this important case” said Dr. DeLipsey “I knew that when the 12 jurors took their place in the jury box that Billy Ray Johnson would finally get the full measure of justice he deserved. Although the news reports have talked about the 11 woman – 1 man, 11 white- 1 black jury, selecting this jury was

not about race or gender. My only focus was only on finding 12 honest people who had the courage to be fair.”

On September 27, 2003, Johnson, who was characterized in testimony as a 42 year old mentally slow but independent black man, was lured to a pasture party attended by several young white adults inside the city limits of Linden Texas. While at the party, Johnson was humiliated and told that the Ku Klux Klan was coming to get him. Sometime after midnight, the taunting turned violent when, at the encouragement of others, one of the defendants, who was twice the size of Johnson slugged him in the face rendering him instantly unconscious. After leaving Johnson on the ground for nearly an hour, his comatose body was then tossed into the bed of a pick up truck and hauled to a trash dump on the side of a deserted road in the cold morning hours. When Johnson’s body was finally discovered, medical tests revealed that he had suffered permanent and debilitating brain damage. Since the attack, Mr. Johnson has been confined to a series of hospitals and now resides in a local nursing home.

This small East Texas town has been the focus of nation-wide attention because Mr. Johnson’s four assailants had seemingly eluded justice in previous criminal prosecutions conducted in 2005. In those prosecutions, two of the defendants were cleared by local juries of felony charges and instead were convicted of misdemeanors. The other two defendants plead guilty to misdemeanor charges. None of the defendants received more than 60 days in the county jail thus triggering a wave of public outrage and racial tension that stretched across the nation.

After the controversial criminal sentences, the case came to the attention of the Southern Poverty Law Center, a Montgomery, Alabama based non profit organization which provides free legal services to victims of racial and social intolerance. SPLC co-founder and chief trial counsel, Morris Dees, recruited Dr. DeLipsey to assist the trial team in seeking real justice for Mr. Johnson through the civil action.

Last week's civil trial attracted national media coverage from ABC news, Court T.V., USA Today and numerous other news agencies. The courtroom was filled with cameras, reporters and spectators watching the five day trial unfold through vigorous cross examination of all four assailants and the testimony of law enforcement investigators and medical experts.

In closing argument, Mr. Perry reminded the jury that they had come together as the conscience of the community and that their verdict would write the final chapter in this saga of unconscionable conduct.

Three hours later, at three o'clock on Friday afternoon, the jury returned a unanimous verdict to a full courtroom of solemn spectators awarding Mr. Johnson slightly over 3 million dollars for past and future medical expenses and 6 million dollars for past and future physical pain, mental anguish and physical impairment.

As the verdict was read aloud the lone black juror locked arms and hands with the white juror sitting next to her visibly united in their verdict. Immediately after the trial, the tearful jury told reporters and spectators that they hoped their verdict would send a loud and clear message that callous and inhumane treatment of any person regardless of color or station in life would not be tolerated.

Dr. DeLipsey's pro bono work on this trial along with that of the non-profit Southern Poverty Law Center and the pro bono work by Glenn Perry means that all proceeds collected will go directly into a trust for Mr. Johnson who requires close medical care and nursing supervision for the rest of his life.

"This case has been the highlight of my career and reaffirmed my faith in our justice system" said Dr. DeLipsey, "Each time one person stands up for what is right they send a ripple of hope that can wash down the walls of oppression and intolerance. When I

first started on this case and visited the Civil Rights Memorial at the Southern Poverty Law Center in Alabama, I took these words to heart. Today we saw 12 ordinary people show extraordinary moral courage. They would not stand for racial or social intolerance and they sent a message of hope not only for Billy Ray Johnson, but for their community and our nation.”