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Editorial

Free Genarlow Wilson Now

Genarlow Wilson loves reading mystery novels and can't wait for the next Harry Potter book. The 20-year-old former high school football player and honor student works in a library, the perfect job for a young bookworm. Unfortunately, that is where the good news ends and a genuine horror story of this country's legal system begins.

The library in Georgia where Mr. Wilson works is in prison. He is two years into a sentence for engaging in consensual oral sex with a 15-year-old girl at a New Year's Eve party when he was 17. He won't be eligible for parole until he has served 10 years, essentially sacrificing his remaining youth to an obvious miscarriage of justice.

As Shaila Dewan reported in *The Times* this week, Mr. Wilson has been convicted of aggravated child molestation even though he and the girl were both minors at the time. Even if he could win an early release, Mr. Wilson could not go home to his family. He would have to register as a sex offender and would be prohibited from living with his 8-year-old sister. It is all the more disgraceful because the Georgia Supreme Court last week refused to hear his appeal.

The sexual act took place during a party involving sex, marijuana and alcohol, all captured on a graphic videotape. But that does not make Mr. Wilson a child molester. When high school students engage in consensual sexual activity, that is not the same as an adult molesting a teenager or a teenager molesting a child.

What makes this case more absurd is that if Mr. Wilson and the young woman had sexual intercourse, he would have been guilty only of a misdemeanor and not required to register as a sex offender, thanks to a provision in the law meant to avoid just this type of draconian punishment for consensual youthful indiscretions, the "Romeo and Juliet" exception. And since Mr. Wilson's conviction, the law has been changed to exempt oral sex as well. But the courts say that can't help Mr. Wilson retroactively.

His lawyer is planning to file a habeas petition seeking his release. The courts need to grant it and expunge his record so that Mr. Wilson can return to his family and his once promising academic career. Legislators in other states should take notice and make sure that their own laws do not catch children in dragnets designed for predatory adults.

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