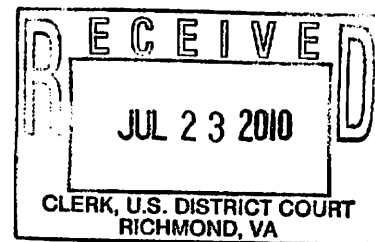


Declaration of Joseph Jesse Dick, Jr.

STATE OF MARYLAND)
) ss.:
 COUNTY OF HARFORD)



I, Joseph Jesse Dick, Jr., being duly sworn, declare as follows:

- 1) I, Joseph Jesse, Dick, Jr., am over the age of eighteen, am competent to testify, and have personal knowledge of the matters stated herein.
- 2) I am a former member of the United States Navy. I currently reside in Maryland with my parents Joseph and Patricia Dick.
- 3) I joined the Navy after graduating from Mergenthaler Vocational and Technical High School in 1995.
- 4) I was stationed on the U.S.S. SAIPAN which was based in Norfolk, Virginia. I began my duty on the U.S.S. SAIPAN in February of 1996 after completing the necessary training courses.
- 5) I was extremely proud to be serving my country in the Navy. For as long as I can remember, I wanted to follow in my father's footsteps and join the military. I hoped that by serving in the military, I would be able to help other people.
- 6) I have never been involved in any kind of violence. At the high school I attended, some boys engaged in physical fights. I never participated. I wanted no part of any kind of violence. I was frightened by it.
- 7) I served on the U.S.S. SAIPAN until January 1998.
- 8) After living on the U.S.S. SAIPAN for a few months, I moved to an apartment complex near the Naval Base. I shared an apartment with my shipmate, Danial Williams ("Mr. Williams"), and his wife Nicole Williams.
- 9) Michelle Moore-Bosko ("Ms. Moore-Bosko") and her husband, Billy Bosko, were our neighbors. However, I knew Ms. Moore-Bosko only in passing.
- 10) I have never been inside Ms. Moore-Bosko's apartment.

- 11) I was aware that a black male had assaulted a woman near or on the premises of my apartment complex in the weeks before Ms. Moore-Bosko was murdered. I believe that a group of men chased this man off the premises when he tried to enter. At the time, I was not aware that the man who was chased was Omar Ballard ("Mr. Ballard"). I had never met Mr. Ballard.
- 12) Shortly after Ms. Moore-Bosko was murdered, I heard a rumor that a black male was involved.
- 13) During the fall of 1997, I was questioned about Ms. Moore-Bosko by a Naval Criminal Investigative Service agent and possibly by a detective or a prosecutor. I told them truthfully that I had no first-hand knowledge about what happened to Ms. Moore-Bosko.
- 14) To the best of my recollection, sometime in December 1997, Detective Maureen Evans and Prosecutor Valerie Bowen interviewed me again. They told me that I had previously lied about the case. I was very confused and distraught because I knew I had told them the truth.
- 15) Sometime in early January 1998, I was informed by the Norfolk City police that they wanted to question me about Ms. Moore-Bosko's murder at the Police Operations Center. Before I was questioned, I spoke with Petty Officer M.D. Ziegler, my immediate supervisor; because I believed he had assigned me to duties on board the ship on July 7 and July 8, 1997. Petty-Officer Ziegler confirmed that I had been assigned to duty on board the ship at the time Ms. Moore-Bosko was murdered.
- 16) I was brought by NCIS to the Police Operations Center in Norfolk, Virginia on Jan. 12, 1998. I was nervous because I had no experience or contact with law enforcement. I had never been in any kind of trouble at all. However, I wanted to provide whatever help I could to the detectives. I also knew that I was on the ship during the time in question.
- 17) When the detectives began to question me, I informed them that I had been on the ship during the time the crime was committed, but they did not believe me. Detective Ford told me that he knew I was lying about being on the ship. Later, they told me that they had confirmed I was not on the ship. He would sometimes yell at me. I was very confused, as I knew that I had been assigned to duty and therefore would not have been able to leave the ship. I did not know what to do when the detectives refused to believe the truth.

- 18) Detective Ford continued to shout at me during the interrogation. He repeatedly told me that I was lying.
- 19) Detective Wray did not shout at me, but he continuously told me to stop lying and to tell the truth. I tried to explain that I was telling the truth, that I had no involvement in the crime, but neither Detective Wray nor Detective Ford would believe me.
- 20) I agreed to take a polygraph test because I knew that I was not involved and hoped that the polygraph test would convince the detectives that I was innocent. However, after I took the polygraph test, Detective Ford told me I had failed and that I lied when I said I was not involved. Again, I was confused and extremely upset because I had told the truth to the polygraph examiner. After they told me I failed the polygraph exam, I told the detectives again that I had been on the ship.
- 21) I also told the detectives the rumor I had heard about a black male having committed the crime. I did not know Omar Ballard at that time. I had never met Omar Ballard, but I had heard that a black male had been arrested for a rape in the area and that he had admitted to committing the crime. I thought that the crime to which he admitted might have been the rape and murder of Ms. Moore-Bosko.
- 22) Detective Ford continued to tell me that I was lying and that he would use the hoses on me in order to force me to tell the "truth."
- 23) He told me repeatedly that he knew I had been involved in the crime and that I was going to receive the death penalty.
- 24) Detective Ford told me the only way I could avoid the death penalty was to tell him the truth. I tried repeatedly to explain that I was telling the truth. He continued to tell me that I was going to get the death penalty.
- 25) The detectives forced me to look at pictures of Ms. Moore-Bosko after she had been stabbed.
- 26) I did not think I could end the interrogation. I did not understand that if I asked for a lawyer, they would be required to stop asking me questions. I also thought that if I did not cooperate with them, I would receive the death penalty.
- 27) Detective Ford interrogated me for eight hours. After about six hours, I could no longer stand the pressure and his threats of the death penalty.

- 28) Finally, I gave up telling the truth and told Detective Ford what I thought he wanted to hear. I stated that Danial Williams and I had raped and killed Ms. Moore-Bosko. I made up the details as I imagined a rape and murder might occur, when in fact, I had no knowledge of how the crime was committed. When they asked me how she had been killed, I guessed that she had been killed with a kitchen knife. I was able to guess because of the pictures the detectives had shown me. In those pictures, Ms. Moore-Bosko looked as though she had been stabbed.
- 29) Eight hours later, the detectives asked me to sign a statement. I did not believe I had any choice but to sign it, and did so to avoid the death penalty. Even though I signed the statement, I didn't think that I would be held responsible for the crime because I knew my DNA would clear me.
- 30) When Detective Ford was questioning me, I came to see my situation as hopeless even though I knew I was innocent. I would have said anything in order to end the interrogation.
- 31) After I signed the statement, I was taken to the Norfolk City Jail. I did not call my parents immediately because I felt that this was my problem and that I should handle it. However, when I did call my parents, I immediately told them that I did not commit this crime. I explained that I had told Detective Ford what he had insisted upon hearing even though it was not true.
- 32) My parents hired Michael Fasanaro as my attorney. After Mr. Fasanaro learned that I had signed a statement, he would not believe me when I told him that I was innocent. He told me and my parents that the only way for me to avoid the death penalty was to plead guilty and cooperate with the prosecutors. I did not feel I had any choice but to listen to him if I was to avoid the death penalty.
- 33) My parents were also afraid that I would receive the death penalty and therefore encouraged me to do what Mr. Fasanaro told me to do. I did not want to upset my parents more than they already were.
- 34) While I was being detained pretrial, a cell mate, Timothy Gurley ("Mr. Gurley"), urged me to write letters to different people, including to Danial Williams' wife, Nicole Williams, about the crime. He said I should try to convince Nicole Williams that others were involved in the crime. I thought that he knew of ways to help me, so I listened to his suggestions. However, he was working for Detective Ford and turned my letters over to him. I later

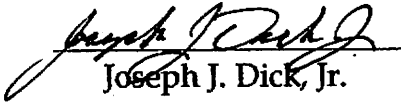
learned that Nicole Williams had died of cancer at the time Mr. Gurley convinced me to write to her.

- 35) Detectives Ford and Wray, and Commonwealth Attorney Valerie Bowen questioned me again on April 27, 1998. Mr. Fasanaro met with me before I spoke with them. He told me that the detectives knew that Eric Wilson ("Mr. Wilson") had been involved in the crime as well, and that I should cooperate by describing what Mr. Wilson had done. Because I had not participated in the crime, I did not know who was involved, but I decided to cooperate because I feared the death penalty. Even though I knew that my DNA did not match the DNA at the crime scene, my lawyer continued to tell me that I would receive the death penalty if I did not cooperate. Therefore, I told the detectives and Ms. Bowen that Mr. Wilson had been involved along with Mr. Williams and me.
- 36) I was questioned by Detectives Ford and Wray again on June 16, 1998. They insisted that others were involved along with Mr. Williams, Mr. Wilson, and me. Once again, I felt I had no choice but to cooperate, even though I had no idea who committed the crime. I told them that six men were involved. I mentioned the name of George Clark because I thought I had met someone by that name at a bar I used to go to with Mr. Williams. When the detectives could not find anyone with that name, they showed me a picture of Derek Tice ("Mr. Tice"). I agreed that he was the man I had called George Clark because I was afraid that my deal would fall through if I disagreed.
- 37) In August 1998, I testified in the preliminary hearing against Richard Pauley and Geoffrey Farris, even though I did not know who they were. They were arrested after Mr. Tice. My lawyer informed me that I was to testify that they had been involved as well. One of the detectives, or prosecutor D.J. Hansen, told me their names. Therefore, I was able to identify them at the hearing.
- 38) Even after the detectives found Omar Ballard, the detectives, the prosecutors, and my lawyer told me that I would receive the death penalty if I did not plead guilty and cooperate. Therefore, I entered my plea bargain and agreed to cooperate with state officials. I thought this meant that I would have to speak to them about the case. I did not understand that it meant also that I would have to testify in court.
- 39) I testified in the trials against Mr. Wilson and Mr. Tice, again because I was told my cooperation was a condition of my plea agreement. I believed that if I did not continue to implicate Mr. Wilson and Mr. Tice that my plea agreement would be revoked, and I would face the death penalty. Before Mr. Tice's second trial, I had decided to tell the truth and to explain that neither

Mr. Tice nor I had been involved. Mr. Tice's lawyer visited me in prison, and I told him that I planned to tell the truth. However, after his visit, prosecutor D.J. Hansen and Detective Ford spoke with me. They frightened me again and reminded me I would face the death penalty if I did not testify as I had in the past. As a result, I did not tell the truth at Mr. Tice's second trial. I continued to tell the same false story about myself and others.

- 40) I had no involvement in the crime committed against Michelle Moore-Bosko, and I had no idea who committed the crime until the detectives found that Omar Ballard's DNA matched the DNA of the killer.
- 41) I had no involvement in the rape and murder of Ms. Moore-Bosko. Any statements I made to the contrary are completely untrue. In addition, any statements I made implicating Danial Williams, Derek Tice, or Eric Wilson in Ms. Moore-Bosko's rape and murder are completely false. At the time that I made these statements, I was under a great deal of pressure. I feared that I would lose my deal with the Commonwealth if I did not cooperate, and at times told myself that I must have been involved. I have since come to know that I had no involvement in this horrible crime.

I swear that the above are true and accurate statements.


Joseph J. Dick, Jr.

Dated: 21 July 2010