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Senator seeks compensation for wrongful incarcerations

by T.D. Brown, Capital News Service
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RICHMOND—Besides correcting people's vision, Sen. Benjamin Lambert III (D-9th) says he helps the state right its wrongs when blind justice produces bad results.

Lambert, an optometrist when not participating in the General Assembly, has sponsored four bills in the past three years seeking compensation for people who have been wrongfully convicted and imprisoned.

Most recently, he has taken up the cause of Beverly Anne Monroe.

Lambert's bill, seeking \$1.6 million for her, is pending before the Senate Finance Committee.

"When I present a claim to the committee, they say, 'How many more you got?'" said Lambert, a Democrat whose district includes parts of Richmond and Henrico County.

"I say, 'How many did you screw up on?'"

On Jan. 14, Lambert filed his bill seeking compensation for Monroe, a former Ashland resident who was convicted of first-degree murder by a Powhatan County Circuit Court jury in November 1992. She was sentenced to 20 years in prison.

After serving about seven years, Monroe was freed when a federal judge ruled in March 2002 that she had not received a fair trial. The 4th U.S. Circuit Court of Appeals upheld that ruling. Prosecutors in Powhatan County have decided not to retry Monroe.

Monroe, 65, now lives in Richmond. Lambert's bill says she "lost income and a promising career during her more than 10 years of prosecution and incarceration." It also says Monroe "suffered severe physical, emotional and psychological damage."

The appeals court said that the murder case against Monroe "can be fairly characterized as tenuous" and that "Monroe had presented a strong defense," Lambert's bill noted. It also cited court findings that the prosecution had suppressed evidence that cast doubt on its witnesses and would have bolstered Monroe's defense.

"I'm not a lawyer, just a legislator trying to take care of my constituents," Lambert said. "We were just trying to do what we could to help."

This is not the first time Lambert has pursued such a claim.

In 2002, he sought compensation for Jeffrey Cox of New Kent County.



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Cox had been incarcerated for more than a decade for a murder that subsequently discovered evidence revealed he did not commit. The General Assembly awarded Cox \$750,000.

In 2003, Lambert sponsored a bill on behalf of Marvin Lamont Anderson of Hanover County. Anderson served 15 years in prison and five on parole for rape—until a DNA test exonerated him. Gov. Mark Warner (D) granted Anderson an absolute pardon, and the General Assembly awarded him about \$1.2 million.

This session, Lambert is sponsoring claims bills for:

Julius Earl Ruffin, 50, of Suffolk. Ruffin was imprisoned for 21 years for a rape. DNA testing proved he was innocent, and Warner issued Ruffin a full pardon. Lambert is seeking a \$1 million initial payment for Ruffin, plus \$2 million to be paid over 30 years.

Monroe. Lambert wants the state to pay her a lump sum of \$400,000 by August and to award her monthly payments totaling more than \$1.2 million over the next 20 years.

Stephen A. Northup, Monroe's lawyer, said he certainly supports the bill.

"I think she deserves it," said Northup. "She lost everything as a result of this case. She lost her house, her savings account.

"Compensation bills are designed to help people like Beverly receive a least some payment for what they were put through," he said.

Lambert had been in contact with Monroe during her incarceration and while she was free on appeal. The senator said she wanted him to look into her case.

Monroe has always maintained her innocence in the 1992 death of Roger de la Burde, her lover and a wealthy Powhatan resident. De la Burde, 60, was found with a single gunshot wound to the head on a couch in his home. Authorities initially considered the death a suicide.

Lambert, who joined the Senate in 1986 after serving eight years in the House, said he is optimistic about his claims bills. However, they may face an uphill battle this year because of the state's budget problems.

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