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Frankly, the Attorney General has the power to move on his own without waiting for defendants to file habeas corpus petitions to release those defendants in recognition that the law under which they were convicted no longer exists.

It is good that the Attorney General decided to open up about his reasons for appealing the habeas corpus release from the Monroe County Court. Otherwise, the decision is left open to interpretation that improper motivations crept into the process, like political advantage and personal ego.

However, the legal reasoning is so flawed that those interpretations – political motivation and ego – are likely to remain in the public consciousness.

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In case, Mr. Baker wonders why he ran into such a firestorm of protest he should consider these facts:

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Baker defends Wilson appeal

Freeing teen could lead to the release of 1,300 sex offenders, he says

By [JEREMY REDMON](#), [JAMES SALZER](#)

The Atlanta Journal-Constitution
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"As attorney general, I took an oath to uphold the laws of this state," Baker said during news conference he called to explain why he is appealing a judge's order to free Wilson. "And in taking that oath I don't have the luxury of taking the law into my own hands, or picking which cases to defend."

Baker, who has come under intense political pressure to back off his appeal, said the Monroe County Superior Court judge overstepped his authority Monday when he granted Wilson's appeal and changed his felony conviction to a misdemeanor without the requirement that he register as a sex offender.

Baker said he worries about how there are more than 1,300 men and women in state prisons now who have been convicted of the same charge as Wilson: aggravated child molestation.

"This ruling, if its stands, would have the potential to reduce or set aside the sentences of a significant number of those convicted felons," Baker said. "The ruling also has the potential to allow convicted child molesters already released from prison to avoid having to register on the state's sex offender registry."

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Wilson's case stems from a New Year's Eve party involving drugs and alcohol in 2003. Wilson's friends rented neighboring hotel rooms in

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That tape became key evidence in the case. Wilson was ultimately convicted of aggravated child molestation, a charge that carried a minimum 10-year prison sentence under the law at the time. Wilson, now 21, has spent more than two years of that sentence behind bars.

His attorneys say Wilson's sentence is grossly disproportionate and violates the Constitution. And they point to how the Legislature changed the law last year to make similar acts a misdemeanor, punishable by up to a year in prison.

Baker's comments came on a day full of new developments in Wilson's case. Gov. Sonny Perdue also weighed in Thursday, echoing Baker's concerns about legal precedents. He said the judge's ruling could impact others convicted of similar crimes, including the others who reached plea deals in the Wilson case.

"I think the attorney general is rightfully concerned about what happens to the other 1,300 people incarcerated for aggravated sexual molestation," the governor said. "If I were them, I would have my lawyer at the door tomorrow presenting my writ of habeas for the same crime."

Also on Thursday, Wilson's attorney went on the offensive against the Douglas County officials who originally prosecuted Wilson, accusing them of "bizarre" tactics and intimidating the mother of the 15-year-old victim in the case. At a news conference in her Midtown law office, B.J. Bernstein criticized the prosecutors for showing up at the home of Veda Cannon Wednesday after they learned she had talked to The Atlanta Journal-Constitution about concerns she had with the case.

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McDade did not respond to a telephone call for comment.

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"First, we believe the initial sentence of 10 years was abusive and excessive," the statement says. "Second, the decision of the Georgia Attorney General to appeal the decision that would have resulted in the release of Mr. Wilson can only serve to perpetuate the injustice to Mr. Wilson."

The Rev. Joseph Lowery, a veteran civil rights activist and former Southern Christian Leadership Conference president, made the statement public as part of press conference announcing plans for the SCLC's annual conference and 50th anniversary celebration here in August. He also sounded off on the Wilson case Thursday, accusing Baker of "wrecking" a state criminal justice system.

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