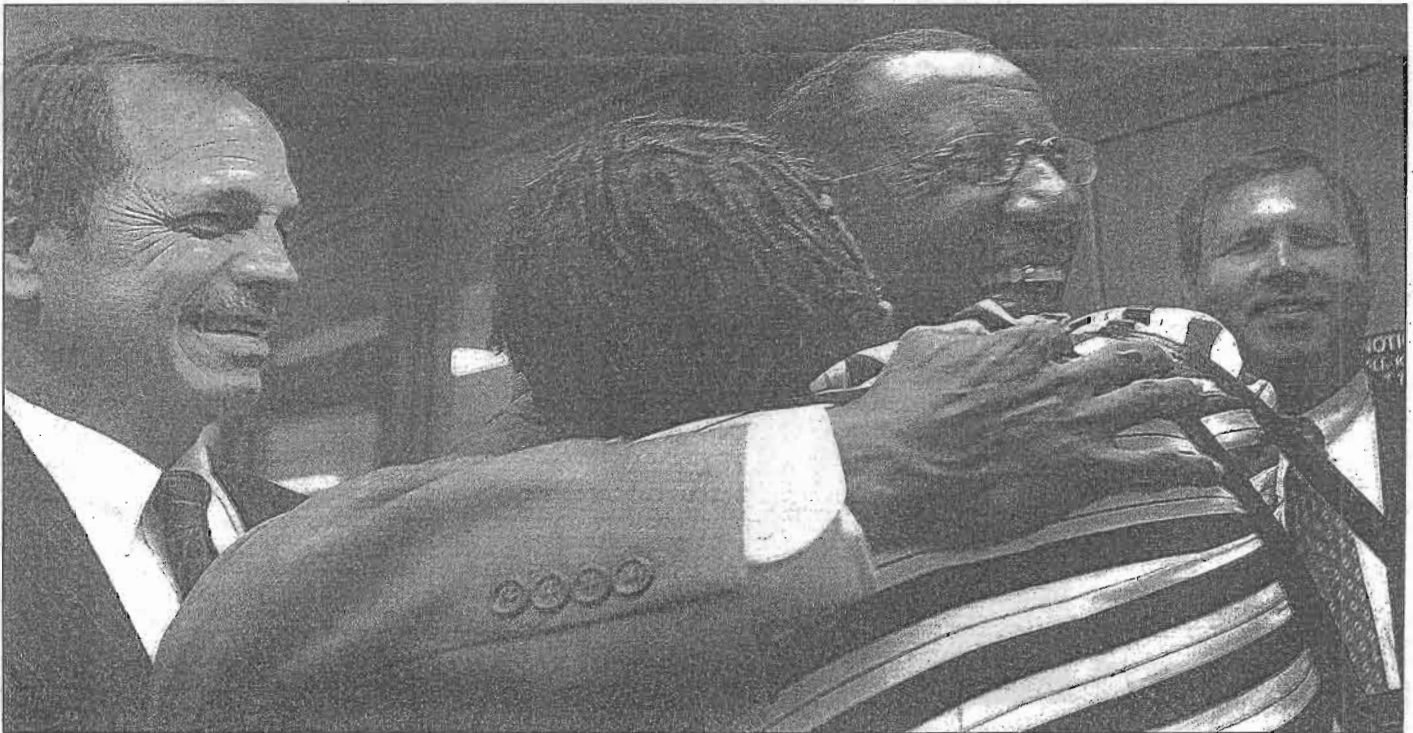


# The Columbus Dispatch

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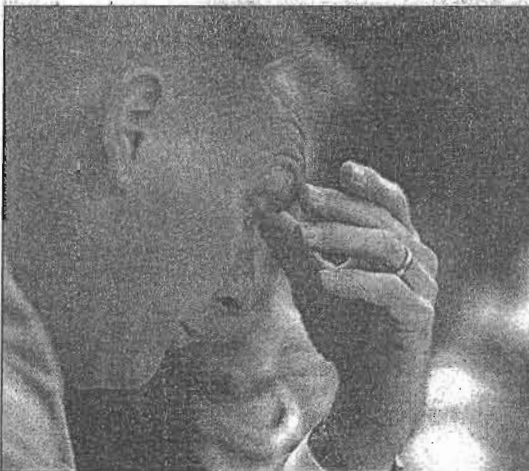
## Finally, freedom

Former Death Row inmate 'overjoyed' upon his release from prison



TIM REVELL | DISPATCH PHOTOS

Flanked by his attorneys, Rick Kethcam, left, and James D. Owen, Timothy Howard embraces his girlfriend, Mary Ann Carr. "I feel like crying," he said.



George H. Ellis, chief counsel for Franklin County Prosecutor Ron O'Brien, said he will appeal Judge Michael H. Watson's decision to reverse Howard's murder and robbery convictions.

By Alan Johnson  
THE COLUMBUS DISPATCH

Taking his first walk as a free man in 26 years, Timothy Howard found a tarnished penny on a S. High Street sidewalk, dug at it with the toe of his shoe, then bent to retrieve it.

It was heads up — and Howard's lucky day.

As of 10:55 a.m. yesterday, the Columbus man — once sentenced to death for the murder of a bank guard during a Dec. 21, 1976, East Side robbery — no longer was a prisoner.

"I'm glad I'm out," Howard said seconds after emerging from the Franklin County jail. He was greeted by a cheering, smiling throng of family and friends, including his girlfriend, Mary Ann Carr, who finally gave in to tears after holding back all morning.

"It's been a long time," Howard said. "I feel great."

Howard, 49, was freed within an hour after Judge Michael H. Watson of Franklin County Common Pleas Court set a \$10,000 bond in connection with his 1977 murder and bank-robbery convictions. A week ago, Watson overturned Howard's convictions, citing evidence previously undisclosed or unavailable at trial.

At times, Howard seemed overwhelmed by the avalanche of attention. But he was seldom at a loss for words.

"I just feel overjoyed," he said. "I feel like crying."

"One thing I learned: Everything counts in life."

Three hours later, Howard, his legal team and family members celebrated his release over lunch at the Columbus Fish Market. Howard had lobster tail and a Heineken, which he said he'd only seen on television.

"No. 1, I never had lobster before," Howard said. "And No. 2,

I'm not paying for it."

Watson defended his ruling of last week, saying it was "the right decision . . . based on the facts as I found them."

When the judge announced the case was over, Howard's supporters, who packed the courtroom, applauded.

Howard's financial and legal backer, James C. McCloskey of Centurion Ministries in Princeton, N.J., immediately wrote a check for the required \$1,000, 10 percent of the bond.

"It just doesn't get any better," McCloskey said. "This is a great day, long overdue."

Howard was the 27th person McCloskey's organization has helped free from prison, some from Death Row.

Gary Lamar James, Howard's co-defendant in the murder of bank guard Berne Davis, 74, could be the 28th man freed,

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# FREEDOM

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McCloskey said. Both men claimed their innocence from the beginning. Howard spent years pursuing records and new evidence from police, prosecutors and the FBI.

"We have to remember we're halfway home," McCloskey said. "We're going back and get Gary. We're like the Marines. We don't leave anyone behind."

On his first day of freedom, Howard was all smiles as he rode with his attorneys to the Whitehall home of his sister, Gwen Freeman. Howard said he will live there temporarily.

He immediately had three job offers — cutting hair at the barbershop where his son works, washing and detailing cars for one of the Byers dealerships, and preparing food for a catering company.

All day, Howard was asked to pose for pictures, first with family members, then with lawyers, almost always with McCloskey, his prime benefactor.

Standing in the kitchen of his sister's home, Howard appeared puzzled for a moment, his senses trying to adapt to a world far different from the impersonal life he lived for more than a quarter-century in prison.

"Everything looks small," he said. "I'm used to being in prison where everything is big."

"It's great having him back again," Freeman said while pouring cups of iced tea for her guests.

There were old friends, too, including Willie Carter, a childhood friend from the East Side.

"I got you a special fishing pole," he told Howard. "This is great. Unbelievable. I didn't have as much faith in the system as he had."

Howard's sons, Dawan and Timothy Jackson, were clearly relieved but quiet during much of the day.

"Did you sleep last night, Dad?" Timothy Jackson asked. "I couldn't sleep. Last night, I couldn't stop smiling."

McCloskey later handed Howard a cellphone to take a call. Howard listened briefly, took the phone from his ear, stared at it in amazement for a moment, then began talking.

Later in the day, Howard visited his ailing mother, Cecelia Howard, 83, at an E. Broad Street nursing home.

He capped off his first day of freedom with a joyous reunion last night at the 94th Aero Squadron with family and sup-



► To view  
WBNS-10TV video  
chronicling Timothy  
Howard's first  
day of freedom  
after 26 years  
in prison, go to  
[www.dispatch.com](http://www.dispatch.com).

RIGHT: Cecil  
Crockett shares a  
hug with Howard,  
his childhood  
friend. The two  
enlisted in the  
Marine Corps  
together in 1971.



LEFT: James D. Owen, one of Howard's lawyers, and James C. McCloskey display a jumpsuit Howard wore during his imprisonment. McCloskey's organization, Centurion Ministries of Princeton, N.J., helped free Howard from prison. McCloskey wrote the \$1,000 check for Howard's bond.

asked him to take a polygraph test after Watson's ruling last week, did not oppose the bail request. However, George H. Ellis, O'Brien's chief counsel and an original prosecutor in Howard's old case, said his office filed notice that it will appeal Watson's reversal of Howard's conviction.

No grounds for the appeal were stated. There is no time limit for O'Brien's appeal.

James D. Owen, one of Howard's attorneys, scoffed at the idea of a new trial.

"There isn't a snowball's chance in hell that Ron O'Brien would have the backbone to retry this case," Owen said.

Of all the questions Howard fielded yesterday, one stood out as easiest to answer.

Did he miss anything at all about prison after all those years?

"No," Howard said firmly.  
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porters, including Judge John P. Bessey of Franklin County Common Pleas Court, one of Howard's attorneys at his 1977 trial along with Leo Ross.

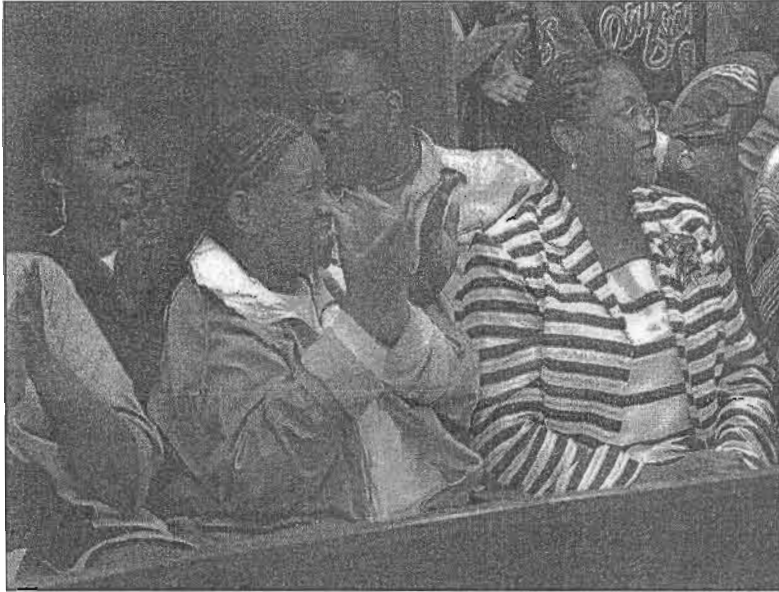
Howard and Bessey embraced warmly. "You never leave your clients," said Bessey, who testified on Howard's behalf at a hearing in December.

"Leo and I never felt that Tim did it. It went beyond the feeling you have about a client."

Bessey said he was glad to see Howard free, but added, "Can you imagine everything he's missed?"

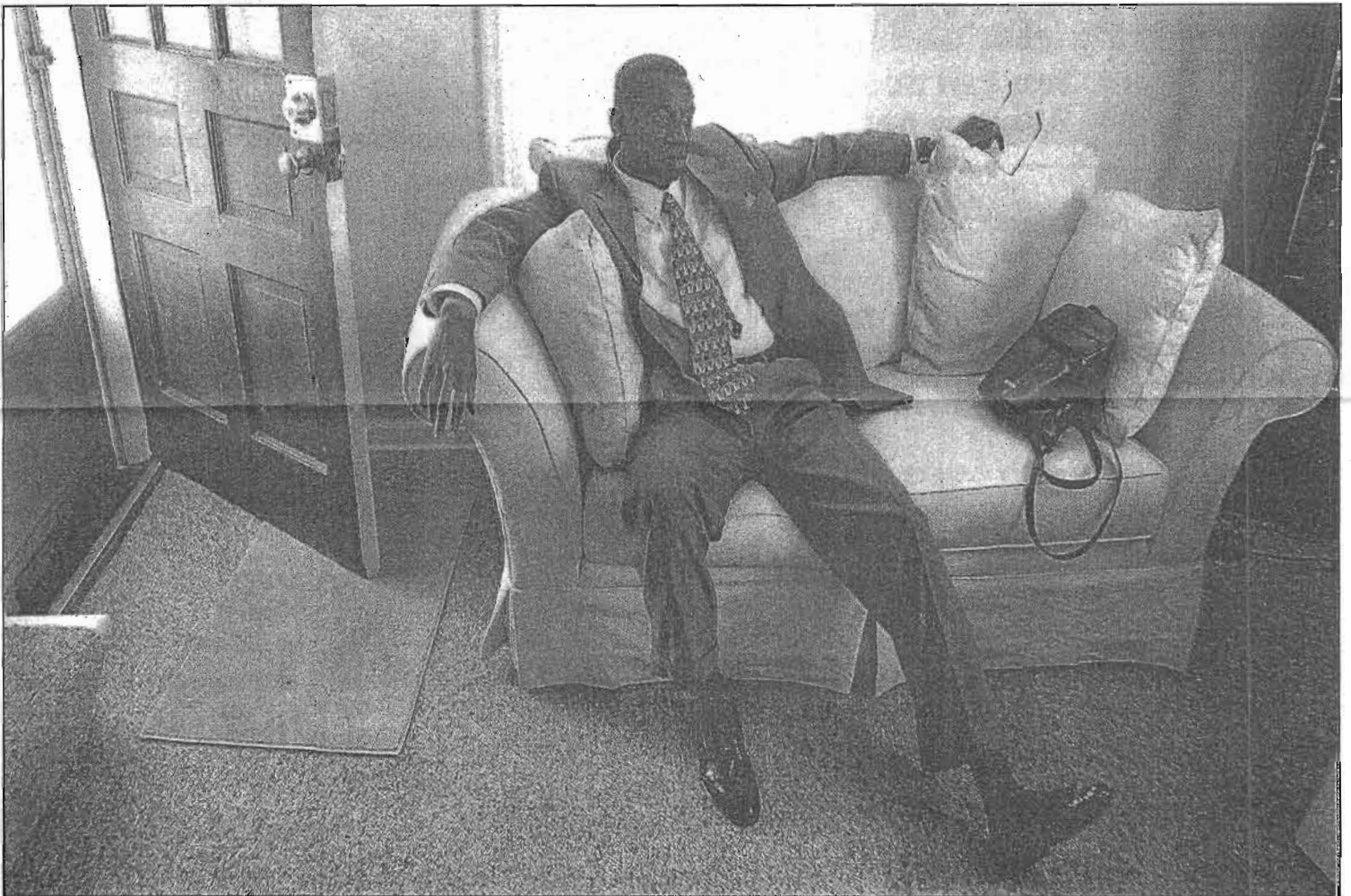
Franklin County Prosecutor Ron O'Brien, who fought Howard's release and

# FIRST DAY OF FREEDOM



**ABOVE:** Franklin County Common Pleas Judge Michael H. Watson overturned Timothy Howard's conviction last week and set his bond yesterday.

**LEFT:** Howard's sister Gwen Freeman, left, and his girlfriend, Mary Ann Carr, were among his family and friends in the courtroom yesterday rejoicing as Watson declared the case over.



**In the midst of a busy day, Howard enjoys a quiet moment on the couch at his sister's home in Whitehall.**