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District Attorney Suzanne Valdez's Statement on *State of Kansas v. Albert N. Wilson*

Lawrence, Kan. – On March 16, 2021, the Honorable Sally D. Pokorny, District Judge, ruled that during the trial proceedings in this matter, Mr. Wilson was denied his right to effective assistance of counsel and granted him a new trial.

That same date, I issued a statement informing that I and Deputy District Attorney Joshua Seiden would review the Court's ruling, as well as other relevant materials in this case. In that same statement, I reaffirmed this Office's commitment to pursuing equal and equitable justice for all affected parties in all cases.

In addition to the review Mr. Seiden and I conducted, I enlisted our Special Victims Unit to evaluate this matter and to provide recommendations as to how to proceed.

Shortly after Mr. Wilson was granted a new trial, we engaged in significant and substantial discussions with Mr. Wilson's counsel, Joshua Dubin and Michael Whalen. Though we asserted and advocated for our respective positions, all counsel negotiated in good faith. It would be in the best interest of all parties – as well as the community – if the matter could be resolved short of trial.

As time passed and negotiations continued, it became increasingly clear that absent a creative, non-standard resolution, this matter was destined to be retried. In keeping with this Office's trauma-informed approach to criminal prosecution, we sought the survivor's input and gauged her expectations and objectives. She wanted to address Mr. Wilson directly and to convey to him the impact this entire experience has had on her.

This Office has recently engaged in a number of criminal case mediations, facilitated by Retired District Judge Kevin Moriarty. Additionally, we are in the process of developing a restorative justice component to function alongside our existing Alternatives to Incarceration programming. The survivor's wishes aligned with these initiatives, but there were many moving parts. I suggested restorative justice to the survivor – assuming it could be accomplished – and she was supportive.

It would take a great deal of coordination, cooperation, and diligence on the part of a number of people to bring this process to fruition. We approached Retired Judge Moriarty, and he graciously agreed to facilitate the restorative justice process in this matter. We conferenced



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with Mr. Dubin and Mr. Whalen, who relayed this proposition to their client. Mr. Wilson agreed to participate in this process.

Earlier this week, Retired Judge Moriarty facilitated a restorative justice session between the survivor and Mr. Wilson. To protect the sanctity of the process and the privacy and dignity of the parties, all involved agreed that what occurred during that session shall remain confidential.

Justice comes in different forms, and there is no "one size fits all" approach when it comes to resolving delicate, difficult matters. By and large, justice is dictated by the unique intricacies of each individual case and the objectives and expectations of the parties. The unique intricacies of this case led the parties to a resolution by way of restorative justice.

In light of all that has transpired, today I formally moved to dismiss the matter of *State of Kansas v. Albert N. Wilson*, consistent with this Office's commitment to give survivors a voice in our pursuit of equal and equitable justice for all affected parties in all cases.

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