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It Took A Year  
To Prove  
He Was Innocent

Bob Calverley  
Knight-Ridder Newspapers

DETROIT - It wasn't until Garner Bailey was convicted of the crime that police began to believe he was innocent.

Bailey, 26, was set free Monday, one year to the day after he was arrested for an armed robbery police now are convinced he did not commit.

In the last year, Bailey has spent three months in jail awaiting trial, seen a good friend, his younger brother and his girlfriend all arrested because they tried to help him, and watched his already poor family slide deeper into debt to pay his legal fees.

On Nov. 21, 1976 two men and a woman armed with a pistol and a knife entered a West Side residence and robbed 11 people, most of them elderly. Three weeks later, one of the victims saw Bailey sitting in a West Side lounge - around the corner from the robbery site - and told police he was one of the robbers.

The crime had not been reported to police until Bailey was picked up because the victims were too frightened. After his arrest four persons positively identified Bailey as one of the robbers and another victim made a tentative identification.

Bailey's best friend, Laurence Adams, went to court to testify that he had been with Bailey at least part of the time when the robbery occurred. One of the witnesses against Bailey told the prosecutor that Adams was one of the other robbers and Adams was arrested in court. He is awaiting trial and spent a month in jail before posting bond.

Bailey comes from a close-knit family whose support for him never wavered, according to his mother.

So it wasn't unusual that Odell Bailey, Jr., 20, came home from college to attend his older brother's pretrial hearing.

At the end of the hearing Odell went up to an elderly woman who was one of the strongest witnesses against his brother and asked her if she was absolutely sure that she was correct. Garner Bailey's girlfriend stood beside him as he asked.

The elderly woman then told the judge that she had been threatened. Odell Bailey and the girl were arrested. He spent two days in jail but the girl was released almost immediately. No one would corroborate the elderly woman's claims.

"I told my daughter after that not to go down to court or they'd have her in jail, too," said Mrs. Bailey.

Garner Bailey was convicted of unarmed robbery.

"I just couldn't understand the jury because there was no concrete evidence," said Bailey.

"I was steady working and they thought I robbed \$15 and some jewelry," he said.

If the jury didn't have doubts, Lt. Hal Berriman of the 4th Police Precinct, one of the original investigating officers, had many. Bailey, had no prior criminal record, lived with his family and had a steady job. Berriman couldn't understand why Bailey would go to the lounge where he might be so easily recognized if he had pulled the robbery.

“I had a feeling he was innocent,” said Berriman. “It was the first time in 17 years I’ve had that feeling about someone who was convicted.”

Berriman kept working on the case with his superior’s approval. He now says he has a lead on who might have committed the robbery and says that one of the suspects looks very much like Bailey.

Bailey has taken a polygraph test which his family paid for. It showed he had no knowledge of the robbery. With the results of that test and Berriman’s testimony, Judge Joseph A. Gillis dismissed all the charges against Bailey.

“I’m just so happy today,” said Mrs. Bailey. “If nobody else believed in him, we did. We’re in debt up to our neck, but we’re so happy.”

See Same story, as distributed by the AP in The Argus-Press, Dec. 13, 1977

“Year-Long Battle Ends in Freedom.” at

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