



Muneer Deeb

On July 14, 1982, the bodies of three teenagers were found slashed and stabbed to death in a park near Lake Waco, in Waco, Texas.

Raylene Rice, 17, and Jill Montgomery, 18, were nude, with their hands tied behind their backs. Both had been raped, slashed and stabbed multiple times. Kenneth Franks, 18, was fully clothed and had been stabbed at least 20 times.

Rice's car was found at another nearby park, where the three had told Franks' father they were going the night before.

At the time, police said the murders were among the most gruesome ever committed in central Texas. The case went unsolved for several weeks. In the late summer of 1982, Truman Simons, a narcotics investigator in the McLennan County Sheriff's Department, asked to be put in charge of the case.

Simons' work on the case, as well as another murder in Waco four years later, would become the subject of criticism for his use of jailhouse informants. Ultimately three men convicted of murder following investigations by Simons would be exonerated.

He almost immediately focused on 23-year-old Muneer Deeb, a Jordanian immigrant who operated a convenience store in Waco. Simons developed the theory that Deeb contracted the murder of one of his employees, Gayle Kelley, because she had rejected his advances and was dating Franks.

Because Kelley bore a striking resemblance to Montgomery, Simons believed that the murders had been a case of mistaken identity.

Deeb had taken out a \$20,000 insurance policy on Kelley, as he did for all his employees. Kelley had named Deeb the beneficiary of her policy.

Simons found witnesses, including Deeb's business partner, who said that Deeb made comments after the murders that they deserved to be killed – although Deeb had said, after making the statements, that he was joking.

Deeb was arrested on September 13, 1982 and was held in custody for five days. He was released after passing a three-hour polygraph examination.

During this time, Simons arrested three other men for the murders—David Wayne Spence and Gilbert and Anthony Melendez. He claimed that Deeb had agreed to pay \$5,000 to Spence to kill Kelley, and that when the defendants saw Franks with the two young women, one of whom resembled Kelley, at Koehne Park, they abducted them, leaving Rice's car behind, and took them to Speegleville Park where the murders occurred.

Deeb was arrested again on November 14, 1983 and was indicted for Montgomery's murder.

The trial was moved to Johnson County due to the publicity about the case.

State: Texas

County: McLennan

Most Serious Crime: Murder

Additional Convictions:

Reported Crime Date: 1982

Convicted: 1985

Exonerated: 1993

Sentence: Death

Race: Other

Sex: Male

Age: 23

Contributing Factors: False or Misleading Forensic Evidence, Perjury or False Accusation

Did DNA evidence contribute to the exoneration?
No

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At the trial, Deeb testified in his own behalf and denied any involvement in the murders. In rebuttal, the prosecution called Darryl Beckham, an inmate who testified that he had numerous conversations with David Spence at the McLennan County Jail.

Beckham said that Spence told him Deeb was angry because Franks and Kelley were romantically linked and that "he had to do something about it." Beckham said Spence said Deeb hired him to kill Kelley.

On June 30, 1985, Deeb was convicted and sentenced to death. The Melendez brothers pleaded guilty and testified against Spence, who was tried separately. They received life prison terms. Spence was convicted and sentenced to death.

In late February 1986, Spence's mother, Juanita White, received a letter from one of the inmates who testified against Spence, apologizing for lying. She contacted Spence's lawyer, who told police. On the morning of March 2, 1986, White was found raped and beaten to death in her home.

Police arrested Joe Sidney Williams, 19, and Calvin Washington, 30, the following day after police said they were in possession of the Juanita White's car.

Williams was tried first and was convicted on June 20, 1987. He was sentenced to life in prison.

Washington was convicted on December 11, 1987 and also was sentenced to life in prison.

In the mean time Deeb, in prison, began studying law (he would later become a licensed paralegal). In June 1991, the Texas Court of Criminal Appeals overturned his conviction. The court ruled that Beckham's testimony was inadmissible hearsay and should not have been admitted against Deeb at his trial.

In November 1991, Waco police officer Jan Price, who was initially assigned to be the lead investigator in the White murder, gave a sworn statement saying she believed that Washington and Williams were innocent.

In her statement Price said that after White's body was found and police finished their investigation at her home, the house was secured. But a neighbor reported that the house was broken into after police left, and when Price investigated, she found that whoever broke into the house had ransacked White's personal papers, which were kept in the bedroom that Spence used when he still lived with his mother.

Price said that within weeks of White's murder, she developed a suspect—a man named Benny Carroll, who not long after White was sexually assaulted and killed, had committed a similar crime in the same neighborhood.

She said that when she told prosecutors in the McLennan County District Attorney's office about her investigation, she was told that Simons was in charge of the White murder.

Price also said in her affidavit that she later learned that Simons had cut a deal with a jail inmate for his immediate release in return for attempting to get Washington to make incriminating statements.

She said her investigation turned up evidence that Simons routinely met with jail inmates in the District Attorney's Office and fed them information to help them fabricate false statements and present them as truth.

"I was convinced...that Simons' 'investigation' included numerous promises to jail inmates and the outright fabrication of evidence against the 'unlucky' suspects, Calvin Washington and Joe Sidney Williams," Price said in the affidavit.

On October 14, 1992, the Texas Criminal Court of Appeals set aside William's conviction, ruling that testimony was improperly admitted at his trial. He was released from prison and the charges were dismissed on June 30, 1993.

Deeb went on trial a second time and was acquitted on January 12, 1993.

Spence was executed on April 3, 1997, proclaiming his innocence on the gurney. DNA tests on hairs found on the terry cloth strips used to bind the hands of Montgomery and Rice eliminated Spence, as well as the Melendez brothers.

Meanwhile, Washington continued to fight to prove his innocence and obtained a court order for DNA testing of evidence in the case. In 2001, the tests concluded that blood on a shirt found at his home was not the victim's blood—as had been asserted at his trial. DNA tests on semen recovered from White's body excluded both Washington and Williams.

Instead the semen was linked Benny Carroll, who had committed suicide in 1990.

Washington was released from prison on July 5, 2001, and he was pardoned by Governor Rick Perry on October 9 of that year. He later received \$374,999 in compensation.

– Maurice Possley

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**Muneer Deeb, Texas
Convicted 1985; Released 1993**

Mr. Deeb was sentenced to death after being convicted of a triple murder. According to the prosecution, Mr. Deeb hired a man named David Wayne Spence to kill a woman with whom Mr. Deeb had been romantically involved, and on whose life Mr. Deeb had taken out an insurance policy. According to the prosecution, Spence had mistakenly killed the wrong person, and had then killed the two witnesses to the crime. Although Mr. Deeb had passed a three-hour polygraph examination, exhibiting "no deception at all," a zealous detective pursued Mr. Deeb with a passion. With the testimony of two jailhouse informants who claimed to have heard confessions, Mr. Deeb was sentenced to die, as was David Spence. Mr. Deeb decided to represent himself after his conviction, and won himself a new trial. At that new trial, the jailhouse informants did not testify and Mr. Deeb was acquitted.
