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Newsroom

Horwitz on Public Anger Over Woodmansee

ProJo columnist Bob Kerr quotes Andy Horwitz in seeking moderate voices amid the public furor over child killer Michael Woodmansee's imminent release from prison.

ProJo columnist Bob Kerr quotes Associate Dean and Professor of Law Andy Horwitz in his column: "[A tragedy gets badly used on the radio](#)":

March 16, 2011: If there is a way to make a sad, sick situation sadder and sicker, John DePetro is the guy to do it.

DePetro's exploitation of John Foreman in the emotionally charged hours after Foreman learned of the early release from prison of his son's murderer is despicable.

Foreman's vow that he would kill Michael Woodmansee if given the opportunity was certainly understandable, even forgivable, considering that Woodmansee, who confessed to the gruesome murder of Jason Foreman, might be released this summer — 12 years early due to good behavior. That the angry, anguished words were put on the air, on WPRO, then run again as promotional fodder, is disgusting. Ratings can't be that important.

It is probably safe to say there is no one in Rhode Island who thinks Michael Woodmansee should be serving anything but a life sentence. The murder of 5-year-old Jason Foreman in 1975 was gruesome almost beyond human comprehension. It is difficult to imagine what kind of life Woodmansee could have if he's released. If he is even thinking in terms of redemption, of putting the most human possible ending on an obscene and inhuman act, he has to be thinking about voluntarily committing himself to a psychiatric facility for long-term care and evaluation. That would spare a family and a state the terrible possibility of tragedy following on tragedy. It would also avoid strained attempts by the state to order him committed.

And it would end the potential for milking the misery.

When The Journal's Tom Mooney broke the story last week about Woodmansee's possible release this summer, it shocked Rhode Island. Woodmansee had been moved out of state and out of mind. His depravity seemed forever on the back pages.

Then the legal system kicked in. A policy of letting good time take years off prisoners' sentences — a policy enacted to help ease prison crowding — meant that the killer would serve 28 instead of 40 years. The chilling details were brought out again. People rallied in support of the Foremans and of keeping Woodmansee confined.

What is needed now are thoughtful, reasoned legal voices to take us back and move us forward and explain the things the law requires.

What is not needed is a master of ceremonies working the crowd.



Andrew Horwitz, president of the Rhode Island Association of Criminal Defense Lawyers, is still waiting to hear those thoughtful, reasoned legal voices. He worries that in extreme circumstances such as these, the rules will be changed in the middle of the game and the Constitution will be circumvented in response to public outrage.

“My sincere hope is that we, as a society, will not be tempted by very upsetting facts to twist and distort our legal and constitutional principles in order to get a desired end in the Woodmansee case,” **said Horwitz, who is also associate dean for academic affairs and professor at the Roger Williams University School of Law.** “If that occurs, while some may enjoy the short-term satisfaction of some sort of ‘victory,’ in the longer term we will all be the losers.”

That’s the kind of thing we haven’t heard much on the radio.

For full story, click [here](#).