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Newsroom

'Conviction': A Rhode Island Tale of Salvation

The Providence Journal interviewed Professor Larry Ritchie and Law Librarian Nan Balliot for a front-page story on the R.I. connections of the new feature, 'Conviction'.

["Movie 'Conviction' a R.I. tale of salvation,"](#) by Michael Janusonis, Journal Arts Writer

For NBC 10 WJAR's coverage of [the "RWU Law" connection](#) with the movie, click [here](#).

Sunday, October 10, 2010: Betty Anne Waters [RWU Law '98] knew right after the "60 Minutes" segment about her aired in 2001 that this was going to be more than just the one-day story she had expected it would be. Movie producers were calling her home in Bristol looking to tell her life story on film.



The TV segment detailed how Betty Anne, a high school dropout, had gone to college and then to law school in hopes of overturning the murder conviction of her brother, Kenneth, who had spent 18 years in prison.

"Almost right away the phone started ringing, and it didn't stop for a couple of months," recalls Betty Anne. "Now I don't know about Hollywood and I don't want to know about Hollywood. But Kenny took the phone calls and after a while he said, 'Betty Anne, there's going to be a movie about you.' And at that point I said I don't want a movie about me. If there is to be a movie, it's going to be about us."

Nine years later there is a movie — “Conviction” — about Betty Anne and her enduring faith in her brother’s innocence, which won his release in 2001 through the use of DNA evidence.

The film opens Friday in a handful of cities, rolls out to more on Oct. 22 and is scheduled to arrive in Rhode Island-area theaters Oct. 29.

Now Betty Anne is on the road promoting “Conviction” in interviews and TV appearances with director Tony Goldwyn and actor Sam Rockwell, who plays Kenny in the film.

Sitting on a sofa at the Four Seasons Hotel in Boston, Betty Anne speaks in a soft, calm voice that belies the against-all-odds persistence that propelled her toward her goal.

Asked if it had been a difficult decision to boil down her life story into a two-hour movie, the 56-year-old Betty Anne replies, “Well, yes and no. First of all, my brother wanted the movie, and what Kenny wants, Kenny gets. Already he was wondering about who would star in it, could we cast it? He was [just out of prison and] ready to live his life.

“I, on the other hand, was a little nervous because I’d heard horror stories about how it might not end up being the real story it’s supposed to be.”

She sought advice from Barry Scheck, head of the Innocence Project in New York, which takes on cases in which DNA evidence is used to free innocent people from prison. Scheck had been instrumental in helping Betty Anne free Kenneth.

He put her in touch with producer Andy Karsch. It was a perfect match. “With everybody who was calling, it was always, ‘Betty Anne, Betty Anne Waters’ and even my brother Kenny said, ‘It’s about you.’ But Andy said, ‘This movie is about Betty Anne and Kenny.’ So when he said that, I said I’m sold on Andy Karsch.” True to his word, she said Karsch made certain that Kenny was first ranked in the relationship depicted on screen.

After all, it was Kenny’s idea that Betty Anne would pursue a law degree and try to get him acquitted. Early in his life sentence for the 1980 murder of Katharina Brow in Ayer, Mass., Kenny attempted suicide. If Betty Anne would try to get him out, he promised, he would stay alive for however long it took.

“I started at CCRI,” she said, “just thinking it was something to keep him alive, not thinking that I would make it to law school. But you put one foot in front of another and it just happened.”



She

went on to Rhode Island College and then to the **Roger Williams University School of Law**.

Betty Anne and Kenny had seven other siblings, but they were only a year apart in age. “We were best friends,” she says. “It’s funny, now that I’ve done a few interviews I look back on some things that I’d forgotten about. I remember him being in second grade and I was in first grade. I was the good student. Kenny was not. And I remember his teacher bringing him into my classroom and saying, ‘Betty Anne, make him act like you!’ And I’d say, ‘Kenny, can’t you just behave? Can’t you do your homework?’ ”

Their sibling relationship is portrayed in “Conviction,” which ends shortly after Kenny is released from prison, but before his tragic death six months later; he died after falling backward off a fence while taking a shortcut to his brother’s house in the Silver Lake district of Providence.

Rockwell plays Kenny as an ever-mischievous character who sometimes erupts in anger, while Betty Anne, played by two-time Academy Award-winning actress Hilary Swank, is the determined, nose-to-the-grindstone character.

Although Betty Anne and Hilary don’t look a lot alike, they discovered they had the same goal-oriented attitudes and became fast friends. “I met her only a few months before filming started” in late 2008, Betty Anne recalls. “She shows up at my house and I open the door and she’s wearing the same outfit I have on! She has this black ribbed Banana Republic sweater, jeans and black boots, and I had the same thing on.”

They got along so well that when it came time to shoot the movie in Michigan, Swank insisted that Betty Anne be allowed on the set, a rarity when an actor is playing a real person. Betty Anne was there, off and on, for the six weeks of production.

"It was really weird," she says of the experience, "because you don't know what's going to end up in the film. You can watch them film one scene for eight hours and you don't know what part of it they're going to keep. But one scene that I have to tell you will always be dear to my heart was the day Kenny was released and Hilary came over to me, as I was watching it, in tears. She was looking for the good side that everybody says there is to every story, about the fact that Kenny went through all this and then died. I had to console her and say the thing is that Kenny didn't die in prison. He died free. I'll just never forget her concern. That's how compassionate she was."

Kenny's death was traumatic for Betty Anne. Tony Goldwyn, the director of "Conviction," said it wasn't until January 2002, more than three months after Kenny's death, that Betty Anne was composed enough to be able to talk to him. "She was amazing," he says. "I was very nervous. I drove up to Rhode Island expecting a woman who showed more scars. I was expecting a tough, formidable, almost intimidating woman. And when the door opened and there was Betty Anne, she was this sweet, humble, funny, self-deprecating, happy woman who refused to admit that she had done anything extraordinary. She just said, 'Oh, I just did what anybody would do to help her brother.' I realized I was dealing with a pretty extraordinary individual."

Prof. Larry Ritchie of the RWU School of Law in Bristol remarked on her "hell of an interest" in his classes dealing with criminal law, trial advocacy and evidence. He remembers her very well because of her earnestness and drive. At the time, he wasn't aware of why she had enrolled in law school. He found out only in her last year, but not from her. "I was flabbergasted to find out what she was doing and why she was doing it," he said.

Nan Balliot, a law librarian at the law school from which Betty Anne was graduated in 1998, recalled her as a good student who insisted on writing a class paper on the then-new subject of DNA evidence even though Balliot feared "she wouldn't find enough material for her paper because it was such a new area." Although she has never practiced law full time, Betty Anne does work on behalf of the Innocence Project. She's also a co-owner of Aidan's Pub in Bristol, which is depicted in the film. Kenny's death is not addressed in "Conviction." Goldwyn says such a scene was written, but it was scrapped when it was felt audiences, caught up in the inspirational part of the story, wouldn't want to have the rug pulled out from under them at the end.

Betty Anne agrees. Even though a lot of people know the final chapter of Kenny's story, she says the film "really is about his freedom. And if Kenny were here now he would be king of the mountain. He'd love this film."

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