

Conviction for killing overturned

Court aims criticism at jailhouse snitch

BY BRIAN BRUEGGEMANN
News-Democrat

An appeals court cited Madison County prosecutors' "striking relationship" with a prolific jailhouse snitch in overturning a man's conviction for murdering a Granite City man whose body was dumped in a grain silo.

The 5th District Appellate Court in Mount Vernon has ordered a new trial for Jeramey Brown, 30, of Granite City who has been serving a 75-year prison sentence for the murder of Michael Keller, a 40-year-old restaurant cook who was duct-taped to a chair, stabbed to death and dumped in an abandoned

grain silo after he interrupted a burglary at his home.

A prosecution witness at Brown's trial was Demond Spruill of Alton, a cellmate of Brown who was awaiting trial on charges of armed robbery, conspiracy to commit home invasion, aggravated discharge of a firearm and possession of a weapon by a felon.

The appeals court, in an opin-

ion written by Justice Clyde Kuehn, noted that Spruill had testified for Madison County prosecutors as a jailhouse snitch in five previous murder cases.

"Quite remarkably, against astronomical odds of random selection, this case, marked the sixth time that Spruill and an accused, whom Madison County prosecutors very much wanted to convict of murder, ended up

sharing a common cell," Kuehn wrote. "And, as fates would have it, Spruill claimed on all six occasions that the common cell proved to be a confessional."

The court overturned the conviction on grounds that Brown's court-appointed attorney, John Delaney, did not effectively represent Brown because Delaney

Please see KILLING, A2

KILLING | Appellate court's decision rips prosecutor for using jail witness and defense attorney

Continued from Page A1

did not try to keep from trial two tape recordings of conversations between Brown and Spruill and a map drawn by Brown, showing the residence of an elderly witness Brown wanted Spruill to kill.

The opinion, filed Friday, repeatedly lashes former Assistant State's Attorney Keith Jensen, while Delaney is never mentioned by name.

"Madison County prosecutors have allowed Demond Spruill a license to arm himself, plot home invasions, and shoot at people over the course of his career as a Madison County prosecution witness," Kuehn wrote. "Unques-

tionably, Spruill has been compensated handsomely for his testimony, with the most precious of commodities — his freedom."

Jensen, who left the state's attorney's office to take a job as an attorney for Illinois State Police, could not be reached for comment Wednesday.

Delaney said Wednesday he didn't challenge the use of Spruill as a snitch because it had been allowed before.

"I think it was a mistake by the prosecutor in his discretion to use someone so rotten," Delaney said.

Spruill admitted at the trial that he has provided Jensen with eight or nine jailhouse confessions.

"When we turn to an examination of Spruill's credibility, absent the tapes and the documents, our most immediate observation is the striking relationship between Spruill and Madison County prosecutors over the course of the past decade," the appellate opinion states. "Madison County prosecutors appear to have forged a symbiotic alliance with Spruill, an understanding of mutual benefit on matters criminal in nature."

Brown was convicted in January 2003.

At the trial, Spruill said he worked as a snitch in the Brown case only because he disliked anyone who would want to kill an elderly woman — the witness

targeted by Brown.

After having the recorded conversations with Brown and gathering the map, Spruill was released on a promise to appear in court later. The charges that were pending against Spruill were dismissed in 2003 by Jensen, who cited Spruill's assistance to law enforcement agencies.

The court specifically noted that Spruill somehow received a four-year prison term, two years less than the mandatory minimum term, after being convicted in 1993 of three felonies, including attempted murder, and that he somehow served only two years of an eight-year prison sentence he received in 1997 for

dealing cocaine.

Stephane Smith, a spokesman for the Madison County state's attorney's office, declined comment on details of the ruling but said the case is in the process of being assigned to a prosecutor.

"We anticipate we're going to obviously retry it," Smith said. "Obviously, we're disappointed."

Brown is expected to be released from a state prison to the Madison County Jail to await trial.

The appeals court ruled that Delaney should have moved to bar the evidence procured by Spruill because Spruill was in effect working as an arm of the

state, and Brown had a Sixth Amendment right to have an attorney present during any communication with state agents.

The co-defendants of Brown have been convicted and sentenced. Eugene Swafford got 50 years, Allen Hozian got 27 years, and Sylvia Swafford got 23 years but her sentence has been reduced to 15 years for cooperating with prosecutors.

Spruill is currently being held on new charges of armed robbery and home invasion.

Contact reporter Brian Brueggemann at 692-9491 or bbrueggemann@bmd.com.

PERSONAL MANAGER give you the cash for that

44