

NEWS

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Newark Drug Dealer Convicted in Retaliation Murder of
Government Witness; Jury to Consider Death Penalty Next Week

(More)

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TRENTON – A federal jury today convicted a Newark man on all counts related to his conspiracy to murder a confidential witness in a drug case against him and drug trafficking, U.S. Attorney Christopher J. Christie announced.

Because the U.S. Attorney's Office is seeking the death penalty against 37-year-old William Baskerville, the case will now move on to the "penalty phase," in which the same jury will consider whether Baskerville should be put to death or serve a mandatory sentence of life without parole in federal prison.

"It is indeed a rare instance when we encounter a criminal so remorseless, cunning and dangerous to civilized society," said Christie. "It is our view that Baskerville is one such individual. We will now await the jury's second verdict on how Baskerville should be penalized for his atrocious conduct."

The jury, which began deliberations late last Thursday, had two full days of deliberations since then and returned its verdict today at about 10:30 a.m. before U.S. District Judge Joel A. Pisano in Trenton. Testimony in the case began on April 4.

The jury will reconvene on May 7 to hear the government's presentation of evidence and testimony in support of "aggravating factors" in favor of a death sentence. That would be followed by the defense's submission of evidence and testimony in support of mitigating factors favoring a life prison sentence. The jury would then hear closing arguments, be charged with the law and deliberate on the sentence to be imposed.

Baskerville was convicted at trial of one count of conspiracy to murder a witness; one count of conspiracy to retaliate against (murder) a government informant; conspiracy to distribute more than 50 grams of crack cocaine, and six counts of distribution of more than five grams of crack cocaine.

Baskerville became eligible for the death penalty because of the conspiracy to murder a government witness and because the murder was in retaliation for the witness' cooperation against him. Among other factors that make Baskerville eligible for the death penalty is his lengthy criminal history, including state convictions for armed robbery and drug trafficking.

Baskerville was originally arrested in 2003 on charges that he sold crack cocaine to Kemo Deshawn McCray, a federal cooperating witness. Testimony and evidence revealed that Baskerville, while in jail pending trial on those charges, ordered members of his family to hire a hit-man to kill McCray.

McCray was shot three times in the head as he was crossing the intersection of South Orange Avenue and 19th Street in Newark on the afternoon of March 2, 2004. The

shooter, Anthony Young, a drug trafficking associate of Baskerville, pleaded guilty to murdering McCray and testified against Baskerville at trial. Young, who remains in custody, pleaded guilty to murder conspiracy and has yet to be sentenced. He faces a maximum penalty of life in prison.

The plot to murder McCray actually began on Nov. 25, 2003, the day Baskerville was arrested and detained on the federal drug charges. Baskerville was able to determine that McCray's cooperation with the government led to his arrest. Baskerville then contacted his family members and ordered them to kill McCray so that McCray would not be able to testify against him on the federal drug charges.

Baskerville provided the name of McCray to his then defense counsel Paul Bergrin so that Bergrin could pass that information on to Baskerville's brother Rakim and cousin Hakeem Curry, both of whom were drug associates of William Baskerville.

Bergrin then had conversations with William Baskerville's family members in which he identified McCray as the cooperator in William Baskerville's case. Bergrin told them that William Baskerville would be convicted if McCray testified, but promised that William Baskerville would not get convicted if McCray were dead. According to testimony from Young, Bergrin stated at one point, "No Kemo, no case."

Rakim Baskerville and Hakeem Curry then hired Young to murder McCray, paying him \$15,000 to commit the murder. Both Rakim Baskerville and Curry are now serving life sentences for their federal drug trafficking convictions last summer.

The case was prosecuted by Assistant U.S. Attorneys Joseph Minish and Robert Frazer. Christie credited Special Agents of the FBI, under the direction of Acting Special Agent in Charge Pedro Ruiz, with the investigation leading to Baskerville's conviction.

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Defense Counsel: Carl Herman, Esq. West Orange