

Jury Finds FAMU Ex-Student Guilty

Contributed by Erica Butler -- Black College Wire
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Unanimous verdict for conspiracy, aggravated identity theft, wire fraud for changing 650 grades

Rain and thunder pounded the U.S. Federal Courthouse Friday, March 27, while inside a 12-member jury determined the fate of one former Florida A&M University student.

The jury walked in one-by-one after two hours of deliberation, with emotionless expressions. Defense attorney Robert Harper tensely sat with his client as one member of the jury handed over the verdict. In a unanimous decision, 23-year-old Marcus Barrington was found guilty on five counts of conspiracy, aggravated identity theft and wire fraud. The former FAMU student sat quietly as the clerk read the verdict while his mother looked down at the table before her without showing emotion.

Harper asked U.S. District Judge Stephan Mickle if Barrington could remain free before his June 8 sentencing. The prosecution argued why the defendant should be immediately placed into custody until his sentence day.

"Because he's been convicted, I think flight risk is increased. Bond is revoked," Judge Mickle said.

One family friend broke down and cried as Barrington was taken into custody.

Tears rolled down the face of the middle-aged man, who didn't want to be identified. He stood crying and made his way past the gate that separated the public from the litigants to reach for Barrington, but U.S. marshals escorted the man back to the gallery.

"We have faith in the judicial system," said the family friend, as he exited the courthouse.

Barrington and two other former FAMU students, Lawrence Secrease, 22, and Christopher Jacquette, 27, were indicted last October for changing 650 grades that affected 90 students. Some students had failing grades changed to "A's" and students who had out-of-state tuition had their residency changed, which lowered their tuition fees.

FAMU lost more than \$100,000 as a result of the computer changes. Prosecutor Eric Mountin said early detection of the security breach saved the university from losing more money.

"Had the investigators not caught it when they did...the university could have suffered massive loss, massive injury," Mountin said.

The prosecutor said he feels that Barrington's attitude and lack of accountability for the grade changes may hurt him on sentence day. Mountin said Secrease and Jacquette's guilty pleas and help with the case might also be taken into consideration for their sentencing on April 20.

"There is no question," said Mountin regarding a possible harsher sentence for Barrington. "Not because he took the stand, but because he chose not to accept responsibility at any point. In the federal system, acceptance of responsibility is a significant consideration for the court in assessing punishment."

Defense attorney Harper called the case a tragedy after meeting with his client.

"No young man of this age 23, is happy being in custody and especially a college student with a future that he had of graduating from Florida A&M and going to graduate school," Harper said. "It's a sad situation to see him and all of these kids getting involved with something like this and calling it a crime. It's not comprehensible to me."

The next step for the defense is contingent on the sentencing, said Harper.

"From the result, we may or may not appeal to the court of appeals," he said.

Harper said the defense did the best they could to represent Barrington and win the case.

"It's always a tough case when you got co-defendants [Secrease and Jacquette] saying 'I'm guilty and so is [Barrington]'. So we fought hard and didn't win," the attorney said.

Harper said Barrington believed he was in the clear for the charges brought against him.

“In his mind, he was not only legally innocent, but factually also,” Harper said.

Barrington could face five years for unauthorized access and a minimum of two years for each count of identity theft. He could face a maximum prison sentence of 20 years for conspiracy.

The trial began Monday, March 23 and lasted until Friday with closing arguments from the prosecutor and defense attorney. Throughout the week, students testified against Barrington as well as Secrease and Jacquette. The defense had Barrington take the stand and deny all charges brought against him.

The main argument for the defense was that fingerprints were not taken when evidence was collected.

“There are some unturned stones, but I think that government is the person or the entity to turn those over,” said Harper, regarding possible action against students who paid to get their grades changed.

“The investigation is on-going,” Mountin said.

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Erica Butler writes for The Famuan, the Florida A&M University student newspaper, which originally published this article.