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Youth director convicted of 12 counts of sodomy

By KIM WESSEL, The Courier-Journal

A Lexington civil-rights leader who founded a non-profit agency to help poor youths was convicted yesterday of sodomizing six boys during the 1970s and 1980s.

After deliberating for about 4 1/2 hours, a Jefferson County jury found Ron Berry guilty of 12 counts of third-degree sodomy. It recommended that he serve three years in prison.

Berry's trial was moved to Jefferson County because of the extensive publicity surrounding his two previous trials in Fayette County, both of which ended in mistrials.

Berry, 56, declined to comment outside the courtroom. His lawyer, William Johnson, said they were disappointed in the verdict. He said his client still maintains his innocence.

"It was a difficult case," Johnson said. He called such cases -- those involving allegations of sexual abuse -- "frightening."

"It's so easy for someone to accuse you of sexual misconduct," he said. "And it's so hard to defend against it."

Ray Larson, the Fayette County commonwealth's attorney, said the jury returned the appropriate verdict. "We're pleased to have the case concluded," he said.

Berry was accused of sodomizing the six boys, who ranged in age from 12 to 15, while he was the executive director of Micro-City Government, the agency he founded in 1969. He has been on voluntary paid leave since he was first charged in 1997.

At his first trial, in 1998, the jury deadlocked. A mistrial was declared at his second trial after a prosecution witness mentioned that Berry had taken a lie-detector test, which is not admissible as evidence.

Berry became well-known in Lexington during civil-rights protests in the 1960s, and over the years he has been active in many causes. City leaders have often called on him to help quell racial strife.

At trial, Johnson argued that Berry was falsely accused and that the alleged victims -- now adults, some of them felons -- were out to cut deals in their own criminal

cases. In his closing argument, Johnson told the jury that it was Berry's word against theirs.

Johnson argued, too, that they falsely accused Berry for money. In January, Lexington agreed to pay \$450,000 to settle a federal lawsuit brought by four of the men in the case who claimed the government knew Berry was sexually abusing boys but did nothing about it.

Johnson pointed out that the accusers changed their stories and some of the dates that alleged events took place.

He reminded the jury that Berry "saved a lot of lives," referring to the thousands of poor Lexington youths Berry helped through Micro-City Government. The organization, partly funded by tax dollars, has a mock city government, offers part-time summer jobs, sponsors other activities and gives out free lunches, among other things.

In his closing argument, Mike Malone, the first assistant Fayette County commonwealth's attorney, said prosecutors weren't trying to take any of that away from Berry. "The defendant has done a lot of good . . . but he's not entitled to abuse children," he told the jury.

Malone, Larson and Erwin Roberts, who now works for the U.S. attorney's office but was an assistant Fayette County commonwealth's attorney during Berry's first two trials, accused Berry of offering money, favors and gifts to the boys in exchange for sex.

Fayette Circuit Court Judge Lewis Paisley is scheduled to sentence Berry on April 28.

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