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What's next for Shane Lamb after he admits lying in Johnsborg murder trial?

Questions surround legal ramifications of retraction

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Legally, what's Shane Lamb's future now that he's admitted to lying on the witness stand?

Perjury could be the least of Lamb's problems if prosecutors seek first-degree murder charges.

Lamb said his testimony, which helped convict Mario Casciaro for the murder of 17-year-old Brian Carrick, was a lie. In a sworn statement, Lamb now says neither he nor Casciaro had anything to do with Carrick's murder.

Lamb was given complete immunity from murder charges for his testimony against Casciaro.

"I realize that as a result of making this statement and signing this affidavit, my immunity deal may be deemed null and void," Lamb's statement reads. "Still, I am making this statement and signing this affidavit voluntarily because I believe it is the right thing to do and because Mario is innocent and should not be sitting in jail based on my false testimony that I was forced to give in order to receive my immunity deal."

A number of things need to occur for that agreement – signed in 2010 in the presence of his attorney – to be revoked.

The deal hinges on two words: truthful and testimony. Lamb now says he lied, but he previously only told one version of events each time he's taken the stand. The only way for his deal to be rescinded is if he testifies to something else.

Casciaro's case is still pending an appeal. If it's reversed – and his appellate attorney believes it will be for lack of evidence – and it's sent back for a new trial, and Lamb again takes the stand and tells a new version of events, prosecutors could seek a murder charge.

And they likely can use his own testimony against him. By his own admission, Lamb said he threw the punch that likely killed Carrick.

The latest news also doesn't mean an automatic reversal for Casciaro's murder conviction, legal experts say.

"The court views with great suspicion recanted testimony because there are a thousand and one reasons – good, bad and otherwise – why people recant," said Phil Prossnitz, a Woodstock-based defense attorney and former McHenry County felony prosecutor.

"The obvious problem with recanted testimony is it raises the suggestion that the witness, at one time, was lying. It raises the suggestion that one version of events was a bold-faced lie."

What remains to be seen is which of Lamb's version of events is to be believed. He first told authorities

and later a grand jury in 2007 that he didn't know anything about Carrick's disappearance. When presented with the immunity deal three years later, he told authorities and jurors that he punched Carrick because Casciaro sent him to collect on a drug debt from the missing teen.

Now, Lamb again says his earlier grand jury testimony was the truth.

Casciaro's defense attorney at trial, Brian Telander, attempted to use these facts to attack Lamb's credibility as a witness, saying he was "lying about lying about lying."

"He can't tell the truth about anything," Telander said during the trial's closing arguments. "His name should have been Pinocchio."

It's unclear what motivated Lamb to recant, although in written letters to the Northwest Herald he said he was "bullied" by the state attorney's office, which he said is corrupt. He declined to speak with a Northwest Herald reporter when approached recently at the McHenry County Jail.

Speculation over Lamb's recantation has swirled for weeks. A private attorney recently took over Lamb's pending case on weapons charges from a public defender. That attorney, Paul DeLuca, has worked with Casciaro's appellate attorney, Kathleen Zellner.

DeLuca and Zellner worked together on a case that cleared a Will County father for the 2004 rape and murder of his daughter. Kevin Fox was charged with the crimes, but DNA evidence failed to link him to the crime. He eventually was cleared of all charges.

Neither Zellner nor DeLuca responded to calls for comment.

Lamb's retraction also comes on the cusp of an episode of ABC's "20/20" on the Casciaro case, which is set to air Friday. Lamb – who's been in custody at the McHenry County Jail since April on new weapons charges – has had a number of phone conversations with a producer from "20/20." The Northwest Herald was provided with recordings of their phone calls through a Freedom of Information Act request.

Although local prosecutors have yet to speak publicly on the legal ramifications of Lamb's retraction, they acknowledged that recanted testimony is nothing new.

In fact, the appellate court upheld a McHenry County murder conviction in which another key witness recanted on the stand.

Kenny Smith was convicted for the 2001 murder of Raul Briseño outside his restaurant in McHenry. In that case, Justin Houghtaling gave statements implicating himself and Smith. Houghtaling pleaded guilty and was sentenced to 20 years in prison in exchange for his testimony against Smith.

However, Houghtaling recanted, and Smith's case twice was reversed and remanded back for trial. The appellate court eventually upheld Smith's third conviction.

In its ruling, the higher court said: "A conviction supported by a prior consistent statements ... may be upheld, even though the witness recants the prior statement at trial."

Smith is serving 67 years and is currently in Stateville Correctional Center.