

Star football player and football student at Peppersell High School in Floyd County. He had a 3.96 grade point average... "If I get a degree from Vanderbilt, I am going to be in good shape

long after football's over."

... Arrested Wednesday on charges of raping a 15-

... Scholarship was rescind

Second Chance Once headed for Vanderbilt, Dixon wound up at 1-AA Hampton, but not before he spent 15 months in prison.

on said,
ar-old girl . . . ” “ . . . Dixon told investigators the sex was consensual. . . . ”
“ . . . Bond was denied yesterday. . . . ” “ . . . Several jurors protested the prison term. . . . ”
“ . . . Dixon: ‘Being in prison is like being dead.’ ” “ . . . 15 years in prison . . . ”
“ . . . Rated nation’s best defensive end prospect by Rivals.com. . . . ” “ . . . a charge of felony rape . . . ”

Crime and Punishment

National Honor Society member. Star defensive end with his pick of SEC schools. **MARCUS DIXON** had plenty of choices in high school. Then he made one poor one for which he would pay a devastatingly high price

by **Andrew Lawrence**
Photograph by **Bill Frakes**

This is the story of how far Marcus Dixon had come. On the morning of Feb. 5, 2003, he stood before a small gathering of family, coaches and friends in the Pepperell High library to announce his college choice. He wore a megawatt smile, and why shouldn't he? He was an all-area defensive end—and this being pigskin-crazy Georgia, that's no small distinction—fawned over by college recruiters and schoolmates alike. The University of Georgia wanted him, as did Alabama, Auburn and pretty much the rest of the Southeastern Conference. And that's not all he had going for him. Kid had some kind of head on him. He'd scored higher than 1,200 on the SAT and boasted a 3.96 GPA and membership in the National Honor Society. ¶ Had some kind of story to share, too. Dixon's biological mother, only 15 when she gave birth to him, battled drug addiction. He never knew his father. He and his sister, Mionica, who is eight years younger, were left in the care of his maternal grandmother. At age 10 he became close to Ken Jones, one of the coaches of Marcus's Little League all-star team in Rome, Ga. Ken and his wife, Peri, would pick up Marcus's travel costs for all-star

Marcus Dixon

tournaments, drive him to practice and feed him afterward. Before long Marcus was staying overnight at the Joneses, sharing a bedroom with their 10-year-old son, Casey. Saved 'em a trip, says Peri. That year he asked Ken and Peri to adopt him; a year later they became his legal guardians. Living with the Joneses would be Marcus's salvation—though it would take time for friends and neighbors in Rome, a tiny quarry town 70 miles northwest of Atlanta, to warm to the idea of an African-American youngster living with a white couple. Upon learning that her son and daughter-in-law were planning to raise Marcus, Ken's mother, Patricia, moved out.

Marcus grew into a role model in high school, his outstanding performance in the classroom and on the football field allowing him to mingle easily in both black and white social circles. At Pepperell he played fullback and defensive end, and by his junior season the 6' 6" 250-pounder was rated among the top linemen in the country. Though he was offered scholarships by more successful programs, Dixon fell in love with Vanderbilt, welcoming the intellectual challenge of one of the nation's elite academic institutions and the long odds of reversing the football program's history of failure. "I want to play a part in turning this program around," he told the small crowd assembled before him on that February morning two years ago.

The underdog kid turning around the underdog program. Had a too-good-to-be-true ring to it.

This is the story of how far Marcus Dixon fell. How in May 2003 he found himself in a six-by-nine-foot cell, as inmate number 0001137365 at the medium-security Burruss Correctional Training Center in Forsyth, Ga., living among some of the state's most hardened criminals. Struggling with depression. Fielding the heartbreaking pleas of Peri. "Just don't do anything to hurt yourself," she begged him during one visit.

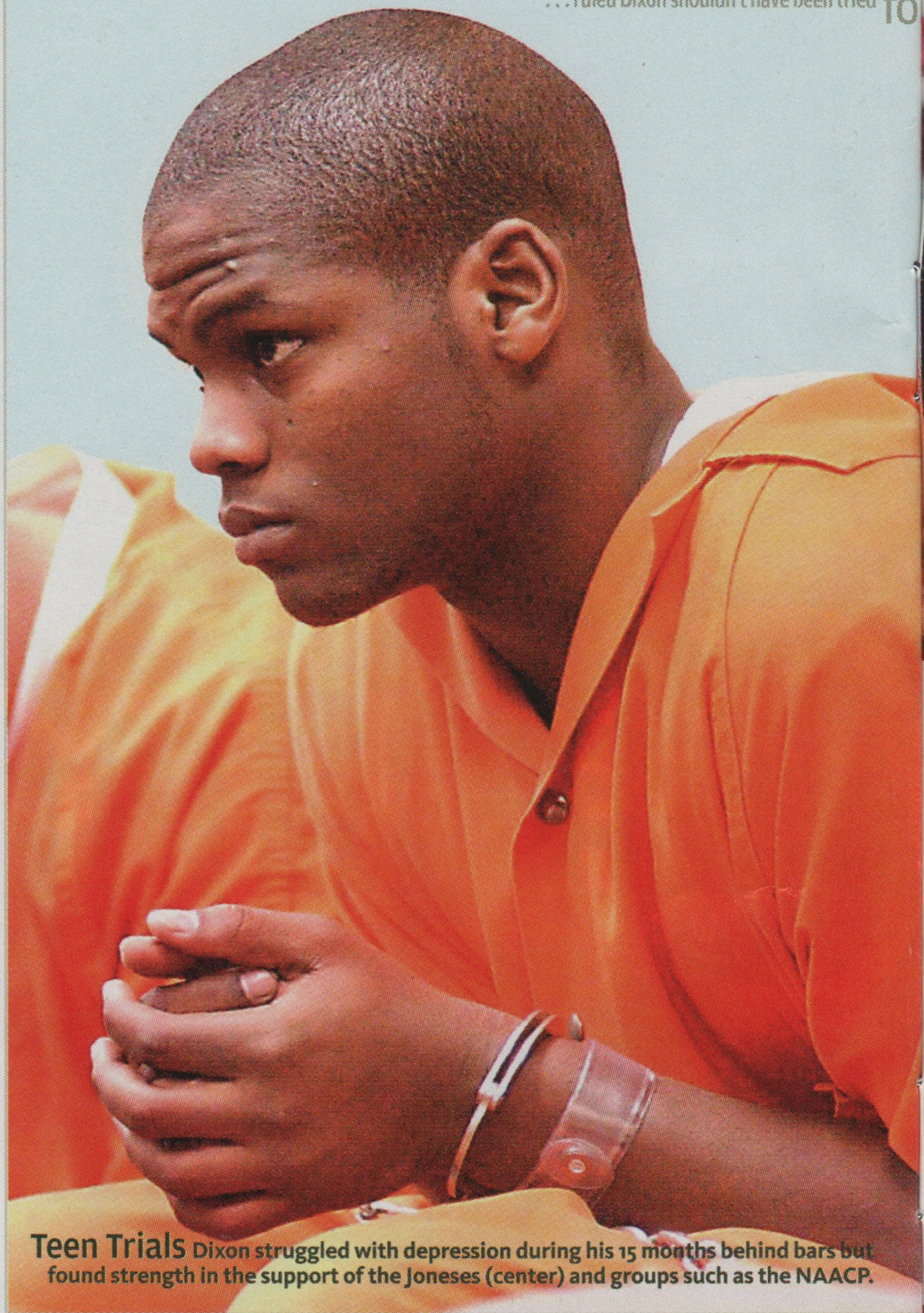
The story begins on the afternoon of Feb. 10, 2003, only five days after the crowning moment of his high school career. He was 18, a senior. She was 15, a sophomore. They shared a class—Family Commitment and Career—and, Dixon says, numerous flirtatious exchanges. In her court testimony Peri would say Dixon had told her that the two had discussed taking the relationship further. But the girl, who is white, wouldn't risk it. "I can't be seen with a black boy because my daddy will kill me," she'd told Dixon, according to Peri's testimony.

In an interview with *SI ON CAMPUS*, Dixon would not revisit the incident. However, in October 2003 he told HBO that the girl offered an alternative idea: That afternoon she'd meet up with Marcus outside the Pepperell gym, in one of the mobile trailers used as a classroom. Having just started a job as a student custodian, she had a key. After basketball practice Dixon entered the trailer, where the girl was running a vacuum across the room's blue carpet. According to Peri's testimony, the two started kissing and had consensual sex.

The girl, however, had a different story, alleging that Dixon—whom she said she barely knew—unexpectedly charged into the room, locked the door and asked her point blank if she was a virgin. When she replied, "Yes," she says Dixon backed her up against a desk, grabbed her by her forearms and stripped off her jeans and underwear. She says Dixon, who outweighed her by 140 pounds, then lifted her onto a table at the back of the room and raped her. The encounter lasted 30 minutes. "Better not say nothing," the girl said Marcus told her before he left the room.

She related the incident to a classmate and, at the urging of a second friend, reported it to two school officials, who contacted the police on Feb. 12. That evening, after a medical examiner confirmed bruises on her arm and vaginal tears and bleeding, Dixon was led away from his home in handcuffs and put in jail. The next day he was suspended from Pepperell, and a month later Vanderbilt rescinded its scholarship offer. Once an icon in Rome, Dixon was suddenly a pariah. The same newspapers that had once lavished readers with fawning stories of Dixon's football success now carried such headlines as **VANDY RECRUIT CHARGED WITH RAPE AND STAR ATHLETE'S RAPE TRIAL INFLAMES FLOYD COUNTY.**

... Heavyweights such as Oprah Winfrey, Bryant Gumbel and Marian Wright Edleman have effectively used their voices in mainstream. ... "a felony that, as part of a 'Seven Deadly Sins' law passed by the Georgia Supreme Court, said his 'hands [were] tied by the Legislature. ...' " ... Georgia Supreme Court ruled Dixon shouldn't have been tried fo



Teen Trials Dixon struggled with depression during his 15 months behind bars but found strength in the support of the Joneses (center) and groups such as the NAACP.

County prosecutors brought six charges against Dixon: rape, aggravated assault, false imprisonment, sexual battery, misdemeanor statutory rape and aggravated child molestation. The trial lasted four days, and on May 15, 2003, the 12-person jury, nine whites and three African-Americans, found Dixon not guilty on the four charges involving force. They found him guilty of statutory rape and aggravated child molestation. The latter charge, a felony, was particularly damaging—and controversial. The aggravated child molestation law, strengthened by the passage of the state's Child Protection Act in 1995, had, until Dixon's trial, never been applied in a case involving teenagers whose age difference was three years or less. Tyrone Brooks, the state representative who helped write the law, says it was intended to protect children from adult predators, not to police teenage sex. "The intent of the law is good," Brooks told SIOC, "but it leaves too many loopholes for prosecutors to punish children who engage in consensual sexual activity."

FROM LEFT: WILLIAM T. MARTIN/ROME NEWS-TRIBUNE/AP; RIC FELD/AP; GREGORY SMITH/AP

... 1995, carries a 10-year minimum sentence . . . Jurors also found him guilty of aggravated child molestation, a charge that many or all of them thought was a misdemeanor . . .
... decision could prove as momentous as the Rodney G. King, Abner Louima or O.J. Simpson cases . . .
... aggravated child molestation . . . Marcus Dixon enrolled at Hampton University . . .



“If I had known the penalty, I probably wouldn’t have [convicted Dixon],” juror Bill Blackstock told reporters after the sentencing.

Brooks, who is African-American, believes that the unprecedented application of the law in this case can be traced to the racial climate in Rome. Heavily damaged by Union forces during the Civil War, the town still flies the Confederate flag. Nathan Bedford Forrest, a Confederate general and an early leader of the Ku Klux Klan, is memorialized in a towering stone monument in a downtown cemetery for leading the resistance against Union attack.

Soon after Dixon’s arrest Ken and Peri Jones were stunned to hear the sentiments of longtime friends and neighbors. “Why are you defending him?” a friend asked Peri’s niece. “He’s just a n-----, and that’s what n-----s do.” Ken says much of his family stopped talking to him. That fall a message painted on a telephone booth outside a grocery store read KKK KILL MARCUS.

The prosecution denied that race was a factor. Under the aggravated child molestation statute, the issue was not consent but the ages of the parties involved and whether the minor was physically harmed. And there was plenty of evidence of physical harm, they argued. While the members of the jury were unconvinced of forcible entry, they could not ignore the girl’s injuries.

Unbeknownst to the jurors, however, was

how much time Dixon would have to spend in prison for a conviction on that charge. On May 23, 2003, Judge Walter J. Matthews sentenced Dixon to 15 years in jail, with no hope of parole for 10—the minimum sentence under the law. “If I had known the penalty, I probably wouldn’t have [convicted Dixon],” juror Bill Blackstock told the *Atlanta Journal-Constitution* after the sentencing. Another juror, Kathy Tippet, said, “I wanted to call his parents and tell them we made a mistake.”

This is the story of how Marcus Dixon found redemption. On May 24, David Balser was thumbing through the *Journal-Constitution* over breakfast when he came upon the story of Dixon’s sentencing. “I actually thought they got it wrong,” says Balser, a \$400-an-hour corporate attorney who works part time as general counsel to the Georgia Democratic Party. “It struck me as odd that a jury acquitted the guy of rape and other forcible sexual crimes and yet he was being sentenced to 10 years.” Balser called Fred Simpson, one of Dixon’s lawyers, to confirm that what he’d read was true. When Simpson assured him it was, Balser volunteered to help with the appeal. Never mind that he had never tried a criminal case before. Given the considerable re-

sources of Balser’s law firm, Simpson, with Dixon’s blessing, consented. “On one hand I wanted to say no,” says Simpson. “It was a big case, and I thought I had tried it well. But on the other hand I knew I owed it to Marcus.”

Balser was not the only one who took a deep interest in the case. Oprah Winfrey wrote to Dixon in prison and sent him books. The Children’s Defense Fund, along with 12 other advocacy groups, filed an amicus brief with the state supreme court on Dixon’s behalf. “Under the laws of many states,” the brief read, “the conduct in this case either would not be criminal or would not be subject to a lengthy prison term.” The NAACP staged rallies throughout Atlanta, demanding that the verdict be reversed. A candlelight vigil was held outside the Georgia Supreme Court in January 2004, on the eve of Balser’s appeal. Meanwhile, Dixon passed most days in jail reading the Bible or playing cards. He received almost daily updates from Ken and Peri on the appeal and took heart in the groundswell of support he was receiving.

On May 3, 2004, the State Supreme Court, by a 4–3 margin, overturned Dixon’s conviction of aggravated child molestation. Writing for the majority, chief justice Norman Fletcher said that the aggravated child molestation law had “intended to punish Dixon’s conduct as a misdemeanor rather than child molestation.” A Floyd County judge ordered Dixon’s release that day.

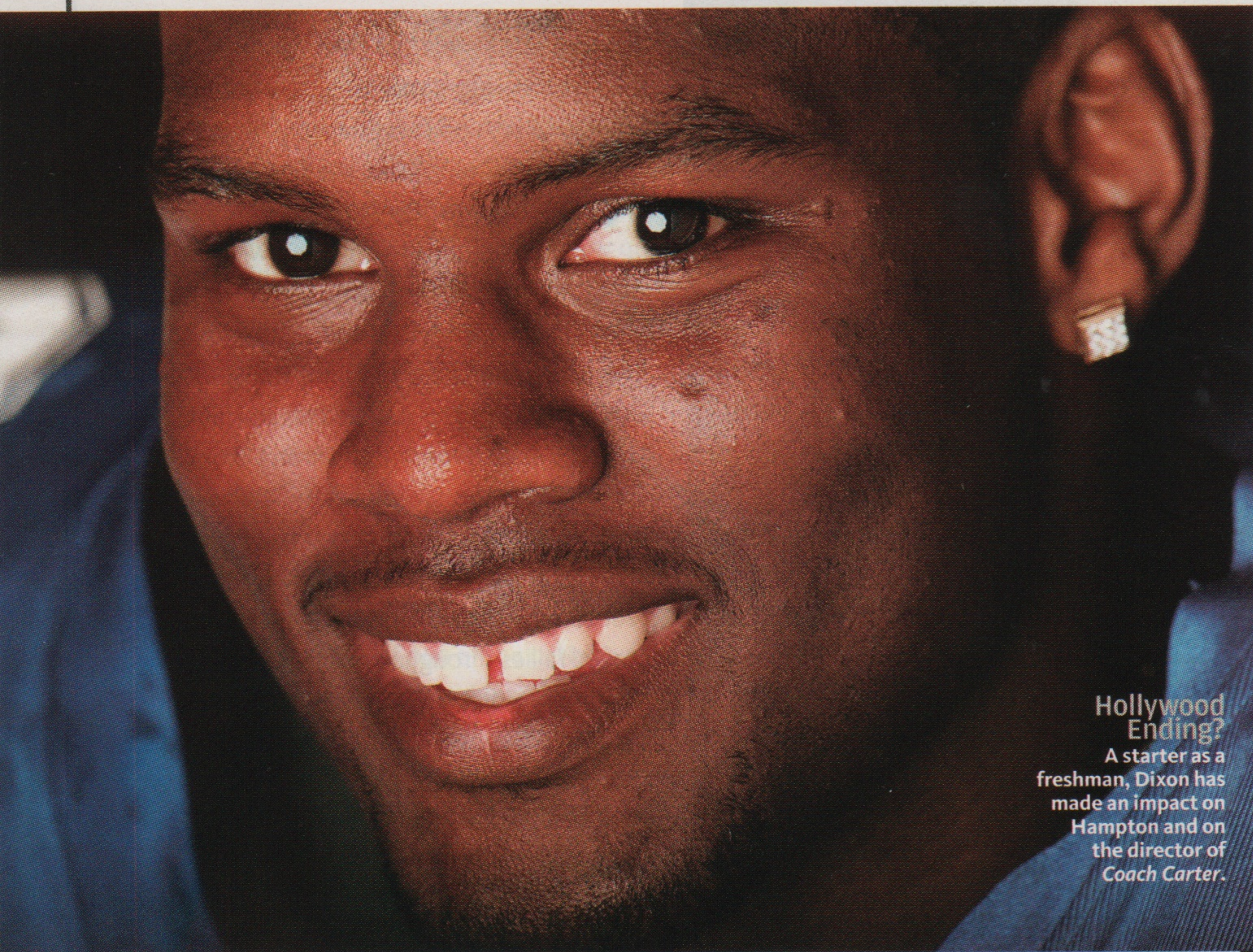
This is the story of how Marcus Dixon found himself at Hampton University, a historically black, Division I-AA school on the Virginia Tidewater. Less than a month after his release, Dixon—who earned his GED in prison—began receiving feelers from college programs. Albany State and Grambling State, two I-AA programs, were among the first to make inquiries. Oprah tried to sell Dixon on academically prestigious Morehouse. But Middle Tennessee State had the decided edge, having maintained a correspondence with Dixon during his 15-month incarceration. “We wrote him notes, tried to keep him believing,” says the school’s coach, Andy McCollum. “We believed in the kid, and everybody we talked to really felt the same way.”

That summer Dixon accepted a scholarship offer from McCollum, but in July, a week

... full athletic scholarship to play football at the historically black Virginia school . . .

Marcus Dixon

... finished the season with 38 tackles, including nine for losses, and he led the Pirates with two forced fumbles . . .”



Hollywood Ending?
A starter as a freshman, Dixon has made an impact on Hampton and on the director of *Coach Carter*.



teaming with Paramount Pictures to develop a movie based on Dixon's life that he hopes to begin shooting next summer. "As well-adjusted as he was, this popular kid was still treated differently when it came down to his involvement with a young, white classmate."

Unfortunately, if Dixon were to benefit financially from his story, it would be a violation of NCAA bylaw 12.5.2.1, which "precludes the use of a student-athlete's name or picture to promote and/or endorse a commercial product or service, including a commercial film." Dixon, however, simply wants to repay his guardians. Ken and Peri exhausted their life savings on lawyers' fees, other ancillary legal fees and 15 months of near-nightly \$7 collect calls from prison. Living mostly off credit cards, they've racked up some \$60,000 in debt.

Despite his desire to help the Joneses, Dixon doesn't want to jeopardize his eligibility. His transition to campus life, he says, has been seamless. As a freshman he had a 3.5 GPA. Most of his social life is centered around the football team, though he has female friends. Upon spotting one of them across the quad during an afternoon stroll in late July, he whipped out his cell phone and dialed her digits to chide her for not waving to him. A serenade of "Hiiii, Maaarcus" from several female students greeted him at an off-campus Laundromat later that evening. But the last thing Dixon wants is to be known around campus as a player—of the off-field variety, that is. "Flirting's cool," he says. "But I can't let it go beyond that. It'll be a long time before I trust women again. I learned my lesson." **G**

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before he was due to arrive in Murfreesboro, Peri received a phone call from Middle Tennessee State athletic director James (Boots) Donnelly, who expressed reservations about the media circus Dixon's presence in a Blue Raiders uniform might generate. According to McCollum and the Joneses, Donnelly proposed awarding Dixon an academic scholarship for his freshman year and holding him off the football team until his sophomore year. "I wanted to give him an opportunity to settle in and just be a student," says Donnelly, who left the job last winter. "With as much national publicity as he was going to receive, throwing him out there in a uniform would have been an injustice."

Dixon turned to Hampton, which had also been recruiting him and welcomed him with open arms. His first day back on the football field, in August 2004, will remain forever etched in his mind. "It was great to put pads on again," he says. "I was a little

nervous. I didn't really know what it was like, playing college ball." It didn't take long for Dixon to get his feet under him, and he cracked the starting lineup midway through the season. "Once he got more comfortable in his environment and started to trust us, that's when you started to see him come into his own on the field," says Pirates coach Joe Taylor. The Pirates won the Mid-Eastern Athletic Conference and finished with a 10-2 record. Dixon had 38 tackles, three sacks and two forced fumbles.

This is the story of how Marcus Dixon attracted the notice of Hollywood. Thomas Carter is the director of such box-office hits as *Save the Last Dance* and *Coach Carter*, but Dixon's story, he says, was the first to reach him on a personal level. "I saw this story and I just remember being in high school when black kids and white kids were just beginning to go to school together," says Carter, a Texas native who is