

Prosecutors Continue To Go After Joseph Buffey Even After Another Convicted For the Crime

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Joseph Buffey served 15 years in prison for rape, even though the prosecutor had DNA results at the time of his conviction that cast doubt upon his guilt. Buffey didn't find out about those DNA results until after his guilty plea was finalized and he was sentenced to 70 years in prison – far longer than his public defender mistakenly told him he would get.

Harrison County prosecutors want to reinstate other felony charges after Buffey was allowed to withdraw his guilty pleas in the case.

When another man was convicted in the rape, the West Virginia Supreme Court ruled that prosecutors had improperly withheld evidence while Buffey was considering the plea bargain. That ruling allowed Buffey to withdraw his plea.

Buffey is now being represented by Benjamin Bailey of Bailey Glasser's Charleston, West Virginia, office. Buffey recently waived his right to a jury trial. Harrison County Circuit Judge John Lewis Marks Jr. will decide the case in a bench trial scheduled for October.

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