

Release leaves loose ends

Barber's killer unlikely to face prosecution.

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JEFFERSON CITY Minutes after his client, Joseph Amrine, was released from jail Monday, attorney Sean O'Brien stood on a sidewalk outside the Cole County Courthouse taking questions from reporters and reveling in Amrine's first taste of freedom in 26 years.

Then O'Brien was asked, "Who killed Gary Barber?" The attorney's slight grin turned into a stern look.

"Terry Russell killed Gary Barber," O'Brien replied without hesitation.

O'Brien isn't the first person to levy that accusation against Russell, who's serving four life sentences at a state prison in Cameron for robbery and second-degree murder in St. Louis. Over the years, court documents and petitions to save Amrine also have pointed a finger at Russell. But the Cole County prosecutor who pursued a new trial against Amrine said charges against Russell or anyone else are unlikely without physical evidence emerging.

Minutes before Amrine walked out of the Cole County Jail, Prosecuting Attorney Bill Tackett announced that 17-year-old blood evidence tested at a New Orleans laboratory couldn't positively link Amrine to Barber's murder.

On Oct. 18, 1985, Amrine was an inmate at the state penitentiary in Jefferson City, along with Barber and Russell. According to court documents, after Barber was found stabbed to death, Russell told investigators and later testified in court that Amrine confessed to the murder. Two other inmates testified seeing Amrine stab Barber.

Petitions supporting Amrine identify other witnesses, including Officer John Noble. The prison guard said it was Russell he saw engaged in "horseplay" with Barber in the prison's recreation room as Barber dropped a knife and began bleeding. Noble, however, was not called upon to testify at trial a fact that O'Brien, who didn't take the Amrine case until 1996, criticized Monday.

Six other inmates testified Amrine was playing cards at the time of the murder. No physical evidence linked Amrine to the crime, but the jury convicted him of the murder in 1986.

The three witnesses who testified against Amrine later recanted, including Russell. Russell was a few months away from being released from prison