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## After 30 years in Detroit journalism, I can't stop thinking about this story | Opinion

**Devin Scillian** Guest columnist

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In December, when I was cleaning out 30 years' worth of notebooks, folders and clippings from my desk at WDIV-TV (Channel 4), I realized there were quite a few stories I never got around to completing. Not surprising, really — I'm constantly jotting down ideas and scribbling in notebooks.

Most of those ideas will never make it across the finish line. But if I had one regret, as I filled several huge boxes with three decades of work, it surrounds a guy who is waking up behind bars at the Saginaw Correction Facility this morning, just as he has every day for the last 14 years.

**Mario Willis**, now 43, is still in prison, and it still haunts me.

Willis was convicted of second-degree murder and arson in a 2008 fire that killed a Detroit firefighter. But to me and many others, it's never made much sense.

Maybe it's the exuberance I felt at having just the smallest role in helping free **Ray Gray**. One of Michigan's longest serving inmates, Gray walked out of prison in 2021 after 48 years of pleading his innocence in the murder of a Detroit drug dealer. And with Mario's case, here I was again, just a bit player behind the deep and dedicated work of people like **Bill Proctor**, the former WXYZ reporter, **Eddie B. Allen Jr.** at the **Metro Times**, and, most tenacious of all, Mario's mother Maxine.

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Her Farmington Hills basement is the most insanely organized and detailed evidence room you can imagine, towering testimony of a mother's love, faith and hope for her son.

Maybe I thought [my stories on Local 4](#) could add just enough weight to the scales of justice to tip them to righteousness in what, to me, seemed an obvious miscarriage of justice. But my reporting on the case turned out to be no more persuasive than the tireless work already applied by Bill, Eddie and Maxine.

But there is now a sliver of light at the very far end of the tunnel, and a hearing tomorrow will determine whether that light brightens or remains hazy and distant.

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## A horrendous tragedy

First, the facts.

And they are devastatingly sad because the November 15, 2008 incident at the center of the Mario Willis odyssey took the life of Walter Harris, a deeply loved and respected Detroit firefighter.

Harris was killed trying to put out the hot spots from the blaze that had engulfed an empty house owned by Willis' then girlfriend.

Rightfully, when we lose a first responder in the line of duty, in this case an immensely popular veteran of the force and a father of six, the investigation must be rigorous and thorough. And you can understand the desire to have someone pay for a loss so profound. Also, let's face it, there was a time in Detroit when it would be more surprising if a fire in an empty building *wasn't* arson.

But here, the case never made any sense.

Mario Willis and his then-girlfriend, now his wife, owned several properties, and often hired a handyman named Darian Dove.

In a 2014 affidavit, Dove described what happened that fateful night.

He had taken a woman to the empty house on East Kirby for a late night rendezvous. And to keep warm, he had lit a small fire using gasoline and some wood. But, Dove said, the plastic gas can was too close to the fire. It ignited, and the fire quickly raced out of control. He called 911, and shortly thereafter a collapsing roof sent Harris to his death.

There it is. On the face of it, a terrible accident with a horrendous consequence.

But that's not the story jurors heard.

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## A shifting story

I can't get around the sticky part of the story, which is the fact that Dove changed his version of events several times.

Who knows why?

Dove would eventually say that his interrogators told him he might be forgiven for the fire if he said he was paid by Mario to set it. He says he gave in to that promise, and ended up telling investigators that Mario had paid him \$20 to burn the place down. And that's the version jurors heard.

Dove would later return to his original story, that it was a horrible accident, that Mario had nothing to do with the fire, but by then it had cost them both dearly. (Dove is serving a sentence for second-degree murder for his role in whatever happened that night.)

In 2010, a jury sided with the arson theory presented by the prosecution, and Mario, a bright and promising young Detroit with just parking tickets on his record, was sent to prison.

But there are problems that destroy the very foundation of the prosecution's theory.

## **A case that never made sense**

First, it's a strange scenario indeed when a supposed arsonist calls the fire department. I don't think I've ever heard of that happening.

Second, and painfully, a fact never fully explained to the jury, Mario did not have fire insurance of his own on the property. He stood to gain absolutely nothing by setting it ablaze. A premeditated crime relies on motive, and here, there is absolutely none. (He owned four other properties that *were* insured against fire; they would've been far better candidates for an attempt at insurance fraud.)

What the jury did hear from Detroit Fire Department arson investigator Rance Dixon was that the fire couldn't have been accidental because there was no one inside the house to cause it. (This must have been a surprise to Dove.)

Dixon also testified that his review of the burn pattern evidence pointed to gasoline being poured on the walls to intentionally set the fire.

But a new review of the evidence by a Grand Rapids arson investigation specialist sees Dove's original claim as the much more reliable version of events.

In a 36-page review, Marc Fennell of MDF Forensics claims jurors were misled by the DFD's flawed narrative. His conclusion?

"No investigator could credibly conclude this fire was arson, based on the evidence available to the State's investigator at trial. This is as true today as it was at the time of Mr. Willis's 2010 trial."

## **A new hope**

It's the very kind of authoritative finding that Mario and Maxine have longed for.

In January, they presented it as evidence that Mario deserves exoneration at best, a new trial at worst. Adding to the momentum is a new ally for Mario's cause in the

form of Detroit Police Commissioner Cedric Banks, who has urged a new look at the facts, like those presented by Fennell.

At tomorrow's hearing in circuit court, the Wayne County Prosecutor's office is expected to argue that they need another three months to respond to a filing they've already had for two and a half. (If you need an indication of the prosecutor's view of the appeal, their filing refers to Fennell as "an alleged fire investigation expert.")

The prosecutor's office argues that they need to hire their own arson investigator to review Fennell's findings. This is interesting, because it suggests that they feel they need more than the evidence they presented at trial using DFD's own arson experts. As Bill Proctor asked me, "Why isn't that enough now?" (Among the Detroit Fire Department's team of experts is Charles Simms, current DFD Fire Commissioner – and a former investigator who happens to be the one who interrogated Mario those many years ago. Simms has declined requests for an interview from me and the Metro Times' Eddie Allen.)

Now, I get it. It's really difficult for any prosecutor to find fault with the way their office managed a previous case. But the existence of conviction integrity units isn't just for show. Mistakes are made. Ray Gray can tell you all about that.

The deeper mistake is letting it go uncorrected. Can I wait another three months to extinguish the regret that remains from the story I can't stop thinking about?

Of course I can. But I'm not sitting in a Saginaw cell.

*Devin Scillian is a veteran journalist, author and former Detroit news anchor, serving Detroit viewers for 30 years on WDIV-TV (Channel 4). Submit a letter to the editor at [freep.com/letters](http://freep.com/letters), and we may publish it online and in print.*

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