

# Pa. death penalty faces protest

## Sixteen exonerated death-row inmates protested at Independence Hall against the state death penalty.

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Against the backdrop of Independence Hall, 16 men from across the country who once faced the death penalty but have been exonerated called on Pennsylvania yesterday to halt executions.

"If it had been up to the State of Pennsylvania, I would be dead today," said Harold C. Wilson, 49, a South Philadelphia man acquitted by a jury in 2005 after spending 16 years on death row in a triple murder.

As each man, along with one who was freed after being sentenced to life in prison in Illinois, came to the microphone to introduce himself, a bell was rung. After their brief remarks, they signed a "declaration of innocence."

"If the death penalty doesn't deter, if the death penalty is more expensive" than life in prison, said noted lawyer Barry Scheck, "... and you have the risk of executing the innocent, is it a good policy? No."

The former death row inmates, lawyers and activists held the news conference to announce the creation of the Pennsylvania Moratorium Coalition to lobby for a suspension of executions while its imposition and administration is studied.

Since the death penalty was reinstated in Pennsylvania, three men have been executed while six others who were sentenced to death have been subsequently cleared and released, Scheck said.

"Either try to fix it or get rid of it, but stop pretending there's nothing wrong," said Kurt Rosenberg, director of Witness to Innocence, an advocacy group for exonerated former death row prisoners.

The last person executed in Pennsylvania was Gary Heidnik in 1999. Currently, there are 225 people on death row, according to the state Department of Corrections.

In 2003, Gov. Rendell said he opposed a moratorium after a committee appointed by the state Supreme Court proposed a halt, noting that race plays a major, "if not overwhelming," role in deciding whether to impose the death penalty.

An aide to Rendell yesterday said the governor's position had not changed, though Rendell continues to believe that the system can be improved by assuring that defendants have high-quality attorneys and access to DNA tests.

One of the speakers was a former prosecutor from Texas who said he now believes he may have sent an innocent man to his death.

Sam Millsap Jr. was the district attorney of Bexar County, which includes San Antonio, and his office successfully secured the death penalty in 1985 against Ruben Cantu, who was executed in 1993.

In 2005, a series by the Houston Chronicle raised serious questions about Cantu's guilt.

The questions were enough to reverse Millsap's longtime support of the death penalty.

"Ruben Cantu received a perfect trial. The system in the Ruben Cantu case worked exactly the way it was supposed to work," Millsap said.

"... And one of the things we have to acknowledge is, he may well have been innocent," Millsap said.

New Jersey's legislature has taken steps to abolish capital punishment after a commission found that the death penalty is costly to taxpayers and served no legitimate intent.

In Pennsylvania, however, the only move afoot is an advisory commission created by a resolution authored by State Sen. Stewart J. Greenleaf (R., Montgomery) to study cases in which convictions have been overturned by DNA evidence or other issues.