



Patty Carbone, Steven Crawford, Barry Laughman and, most recently this past February, David Gladden, have all thanked God for answering their prayers

in the unlikely form of Patriot News Reporter Pete Shellem. Shellem did what the court system was supposed to do but did not. He followed the evidence that led to their exonerations, never giving up until they got the justice he believed was deserved. In many investigations across the country, only the diligence of investigative reporters like Pete Shellem shed light on flaws in our justice system.

Shellem has received well-deserved accolades and awards for his perseverance and courage in exposing the truth. He knows if innocent people are convicted of crimes, the true offenders escape their due consequences of breaking the law and our communities remain at risk. It isn't a personal attack on those in authority but a call to accountability that drives him.

Justice & Mercy was privileged to talk to Pete about his role in investigating innocence cases:

What is your usual "beat"? Why do you keep pursuing information on certain cases beyond the usual story?

I do courts and legal cases mainly. Almost every day, I either cover Dauphin County Common Pleas, federal or the state's appellate courts. Criminal trials are usually one week a month. There's an old saying, "the newspapers can comfort the afflicted and afflict the comfortable" and I think that's what journalists should be doing.

After covering courts for years, you see little injustices that make you question the integrity of the system all the time, but some cases just cry out that something is seriously wrong. They're the ones that deserve the most attention.

What is the process you use in finding evidence that leads to exonerations?

I read the court cases and opinions by the judge and consult with others. My first report was on the Patty Carbone case. She stated that she killed

in self-defense and didn't take the offered voluntary manslaughter plea so the state accused her of first-degree murder. She got life in prison, which was sent back to the lower court twice by the Superior Court after appeal. After the second ruling in January 1998, the state attorney general's office appealed to the Pennsylvania Supreme Court but withdrew the appeal six weeks after the Patriot News reported on the case in August 1998.

Two forensics experts, Dr. Michael Baden, the former chief medical examiner for New York City, and Allegheny County Coroner Cyril Wecht, reviewed the evidence for the Patriot News and refuted the findings of the prosecution. In addition, I knew Skip Gochenour, a former police officer and private investigator for the defense in the Steven Crawford and Barry Laughman cases.

Skip believed these two defendants were innocent. Patty Carbone was finally released in October 1998 after taking a plea to third degree murder after 12 years in prison.

Why do you think DNA is finding so many innocent people in prison?

The only case I followed that used DNA to help exonerate was Barry Laughman, who was accused of raping and killing a distant relative, 85-year-old Edna Laughman, in 1987. According to experts, Barry Laughman has an IQ of about 70 and functions at the level of a ten-year-old. After police targeted him as the perpetrator, Laughman confessed although the evidence didn't fit. DNA testing was just beginning at that time and was not used in court cases. However, in 2003, I tracked down former Penn State anthropology professor Dr. Mark Stoneking. He had preserved the DNA extracted from the semen at the crime scene and the samples were compared to Laughman's DNA and showed the semen at the scene did not match Barry Laughman. Laughman was freed on November 21, 2003. DNA can show what went wrong with the cases such as lying about forensics, snitches and ineffectual counsel as well as false confessions.

What changes in our judicial system would you recommend, if any?

We should have taped confessions. Dauphin County District Attorney Edward M. Marsico, Jr. is now asking for taped confessions. The key is to hold people accountable. Prosecutors and police assert immunity from civil suits. If they commit deliberate perjury, they should have consequences. The sheer number of innocent people who have been wrongly convicted demands that we have better safeguards to keep the system fair and unbiased. In the past, authorities could go to a forensics lab and ask for certain evidence to support their case, essentially stacking the case in their favor. Independent labs would go a long way in avoiding these practices, but they are hard to establish.

Do you support compensation for exonerated persons who have been incarcerated?

There are two compensation bills introduced by the legislature for those wrongfully incarcerated, Senate Bill 714 or House Bill 765. The state doesn't offer financial settlements but did recently have an undisclosed agreement with Steven Crawford. There are ten DNA exonerees in Pennsylvania that spent decades in prison. The state Attorney General says that compensation is "a solution in search of a problem". To innocent people who spent their lives in prison, it is a problem.

What is your opinion on the newly formed Joint State Government Commission's Advisory Committee on Wrongful Convictions? Do you think practical outcomes that will lead to meaningful benefits to our system can be found? Do you believe the committee is fair or biased?

I think the committee with the members it has is unbiased and a good idea. The state needs to get the right perpetrators. Some authorities are obstructing the process and not admitting their mistakes. Police or prosecutors can target a certain person and ignore evidence contrary to their theory.

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**Part Private Investigator,
 Part News Reporter,
 Pete Shellem exposes errors in the system with a passion for "Truth, Justice and the American Way".**

Mike Fernandez/The Patriot News



Phoning For Facts...
 Pete Shellem on the job for justice

Interviewed by Jean Bickmire,
 Administrative Director,
 Justice & Mercy, Inc.

PETE **PERSISTENT**

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In the David Gladden case, for instance, the only testimony during the 1994 trial was from James Carson. Gladden was accused of beating, strangling and setting fire to the body of Geneva Long. Donald Walborn, a child molester, thief, arsonist and alcoholic, told police that Gladden admitted to the crime while in jail together. Later, Walborn was facing a rape for a 12-year-old girl and elaborated on the story to police that fingered James Carson as being with Gladden during the murder. Walborn didn't testify against Gladden but got a lenient sentence of five to ten years for his latest two rape cases. Carson said the police coerced him into testifying against Gladden. Gladden is borderline mentally retarded and functioning at the third grade level according to psychologists. The murder of Geneva Long was almost identical to the deaths of victims of serial killer Andrew Dillon whose alibi was found to be false during the Long murder. Gladden was freed from prison on February 16, 2007, after evidence produced by the Patriot News raised doubts about his guilt.

Is the current system biased against the poor? Are those charged believed to be innocent until proven guilty or already decided to be guilty?

The burden of proof is supposed to be on the prosecution but, once accused, it's a hard burden for defendants to overcome. The system is not inherently biased against the poor but defendants need experienced counsel to defend themselves in court.

Why do some say those exonerated with DNA evidence may not be innocent?

I don't think the court wants to admit that they were wrong.

Were you always interested in a career in the legal system?

I had thought about going to law school a long time back but I couldn't afford it.

Your wife Joyce has stated she is very proud of you. How does she inspire you?

My wife inspires me by putting up with me. These cases really bother me and I spend a lot of time ranting about them and she often gets the brunt.

Pete Shellem has worked at the Patriot News in Harrisburg since 1986. He authored a chapter in the Crime Classification Manual, 2nd Edition—2006, on wrongful convictions. The manual is a nationally known criminal justice guide for law enforcement officers and criminology students. Shellem has received numerous awards for his work. He graduated from Temple University in 1983 with a B.A. in Communications/Journalism.