

In October 1986 23-year-old medical student Lori Roscetti was raped and murdered in Chicago. Three months later Chicago PD detectives sweated a confession from 17-year-old

Chicago Pays \$8 Million To End Roscetti Four Lawsuit

By JD Staff

Marcellius Bradford to the crime. Bradford said that he and his friend Omar Saunders (18) watched as Calvin Ollins (14) and his cousin Larry Ollins (16) raped and then killed Roscetti. Bradford exchanged his testimony against the three for a guilty plea to kidnapping and a 12-year sentence.

After an intense interrogation the Chicago PD was able to also get a confession from Larry Ollins, although he recanted it as coerced before his trial. Saunders and the Ollins cousins were all convicted in 1988 and sentenced to life in prison. The press dubbed the four young men the Roscetti Four.

Bradford was released in 1994 after serving 6-1/2 years of his sentence.

In 2001 DNA testing excluded the four men as Roscetti's attacker. The exculpatory DNA tests were supported by disclosures that the prosecution's forensic expert, Chicago PD Crime Lab technician Pamela Fish, gave false

trial testimony to bolster the case against the three teenagers who went to trial. DNA expert Edward T. Blake characterized Fish's testimony as "scientific fraud." (See accompany article.)

The Ollins cousins and Saunders were released in December 2001 after almost 15 years of wrongful imprisonment. The irony of the DNA test results is that prior to Saunders' trial his lawyer filed a motion in 1987 for DNA testing that was denied by the trial judge. If the testing had been granted the four men would have been spared spending a total of more than 50 years wrongly imprisoned, and the confessions of Bradford and Larry Ollins would have been promptly exposed as false.

In October 2002 Illinois Governor George Ryan pardoned the four men on the basis of their actual innocence. In 2003 they were awarded \$120,000 each in compensation by the State of Illinois.

The four men also filed a federal civil rights lawsuit against the Chicago PD, Fish and other public employees involved in the case. In 2003 Calvin Ollins settled his suit for \$1.5 million, and in December 2006 Bradford

Pamela Fish Aided Prosecutors To Procure Many Wrongful Convictions

Pamela Fish played a key role in at least three wrongful convictions in Chicago before her false testimony in the Roscetti Four case was exposed. She was instrumental in the wrongful convictions of John Willis (convicted in 1992 of sexual assault and exonerated in 1999); Donald Reynolds (convicted in 1988 of sexual assault and exonerated in 1997); and Billy Wardell (convicted in 1988 of sexual assault and exonerated in 1997).

settled his suit for \$900,000.

Based on the recommendation of a federal mediator, in April 2007 the City of Chicago agreed to pay Larry Ollins and Saunders \$4 million each to settle their lawsuit. The settlement ended the civil proceedings related to the false arrest of the four teenagers twenty years earlier for Roscetti's rape and murder.

Sources:

\$8 million for pair cleared in killing, By Fran Spielman, *Chicago Sun-Times*, April 12, 2007.

\$8 million deal is in pipeline 2 more freed inmates ready to settle in 1986 murder case, By Mickey Ciokajlo, *Chicago Tribune*, April 11, 2007.

Center on Wrongful Convictions at Northwestern School of Law, www.law.northwestern.edu/wrongfulconvictions



Merritt cont. from p. 8

statement that he told her "that some investigators showed him photos of the Davis murder scene before the trial at the time he was in the Live Oaks jail." She added, "Gerald never mentioned John Merritt killing anyone."

Incredibly, to denigrate Merritt's defense, Terhune told the jury, "The judge is going to tell you, straightforward, that one of the things that you can use to determine whether or not someone is telling the truth, is whether or not they had been convicted of a felony." Merritt had indeed been convicted of felonies, but so had Terhune's two witnesses. With this statement to the jury, instructing them that felons were not to be believed, the prosecution blew away the one weak leg their entire case rested on. (A few sentences later, Terhune says of his two felons, "I suggest to you, that there was not one reason presented to you, ladies and gentlemen, not to believe their testimony.")

Terhune also noted in his closing argument, "Now the testimony and the evidence was that law enforcement did everything possible to get every single bit of evidence that they possibly could, to be able to identify the person who did this." Yet we now know this simply was not true.

At one point in his closing argument, prosecutor Terhune told the jurors their role was to consider "the weight of the evidence," a synonym for the "preponderance of the evidence" normally used in civil cases. The weight of the evidence—51 percent is enough to tip the scales—is sufficient to win when bickering friends and neighbors go to court in the types of cases featured on the "Judge Judy" program. This message to the jury might have been nothing more than an unintentional slip on Terhune's part, yet is consistent with the casual, careless way the state conducted the entire case.

The trial transcript and depositions provide a disturbing look at a justice system willing to use nothing more than the conflicting testimony of richly rewarded felons to convict a man of first-degree murder, while literally ignoring solid physical evidence. The Merritt conviction thus has implications that go far beyond this single case. If a man can be found guilty and initially sentenced to death so cavalierly, one wonders how many others have been wrongfully convicted and how many innocent people have been executed. (The extent of the systemic failure even surprised as seasoned a criminal-law veteran as Grisham, who, after chronicling the Ronald Williamson case, told an interviewer, "My eyes were opened to the world of wrongful convictions ... unfortunate-

ly, they happen all the time in this country, and with increasing frequency.")

Merritt's case is now being considered by the Florida Innocence Initiative. [JD Note: *Justice: Denied* contacted the Florida Innocence Initiative, about John Merritt's case. As of early July 2007 they are in the process of reviewing his case transcripts and other information, to decide whether to accept his case.]

John Merritt can be written at,
John Merritt 058704
Hardee Correctional Institution
6901 State Road 62
Bowling Green, FL 33834-9505

His outside contact is Christina Barrauda. Her email address is, christina.barraud@gmx.ch

Reprinted with permission of the author and condensed from the original article. Edward Olshaker is a freelance journalist whose work has appeared in *The New York Times*, *History News Network* and other publications. His book, *Witnesses to the Unsolved*, is an exploration of the uses of parapsychology in criminal investigation, was named a 2006 Independent Publisher Book Awards finalist in the True Crime category.

