

DEATH PENALTY INFORMATION CENTER

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FOR IMMEDIATE RELEASE
Wednesday, November 16, 2005

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HAROLD WILSON IS 122nd DEATH ROW INMATE FREED

After 16 years, Pennsylvania Man Acquitted of All Charges

WASHINGTON, DC – More than 16 years after a Pennsylvania jury returned three death sentences against Harold Wilson, new DNA evidence has helped lead to his acquittal. Yesterday, Wilson became the nation's 122nd person freed from death row according to the Death Penalty Information Center (DPIC). During his 1989 capital trial, Wilson was prosecuted by former Philadelphia Assistant District Attorney Jack McMahan, a man best known for his role in a training video that advised new Philadelphia prosecutors on how to use race in selecting death penalty juries.

“This case is further evidence that the death penalty risks executing innocent people,” said Richard Dieter, DPIC Executive Director. “Fortunately, Wilson had the advantage of DNA evidence and expert lawyers the second time around. Otherwise, he might be dead today. As the nation faces the 1000th execution since the death penalty was reinstated, it is imperative that this whole process be re-evaluated.”

In 1999, Wilson's death sentence was overturned when a trial court determined that his defense counsel had failed to investigate and present mitigating evidence during his original trial. A later appeal led the Pennsylvania Supreme Court to call for a new hearing because of evidence that McMahan used racially discriminatory practices in jury selection. In 2003, a trial court found that McMahan had improperly exercised his peremptory strikes to eliminate potential black jurors and granted Wilson a new trial, a decision that the District Attorney's office did not appeal. The court held that the death penalty could not be sought in his new trial. The jury in this most recent trial acquitted Wilson of all charges on November 15, 2005, after new DNA evidence revealed blood from the crime scene that did not come from Wilson or any of the victims, a finding suggesting the involvement of another assailant.

Wilson is the second person to be freed from death row this year, and the sixth Pennsylvania death row inmate to be freed since 1982. DPIC released a report in October entitled “Blind Justice” about the problems of the death penalty from the perspective of jurors.

To arrange an interview with DPIC's executive director, please contact Brenda Bowser Soder at (202) 289-2275 or bbsoder@deathpenaltyinfo.org.

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