

JIMMY DENNIS

INNOCENT MAN ON DEATH ROW



Check out these websites:

www.jimmydennis.com

www.jimmydennis.org

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www.ccadp.org/jimmydennis.html

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Stolen Away from His Family Since 1991 Despite the Facts:

No Confession

Witnesses' Descriptions Don't Match Jimmy

No Physical Evidence

Jimmy Was a Stranger to Victim and to Witnesses

No Gun

Jimmy's Alibi is Supported by Witnesses

Prosecutor's Witness Recanted and Had Reason to Lie

No Motive

SAVE JIMMY DENNIS, AN INNOCENT MAN ON DEATH ROW

PLEASE NOTE: The information presented on these pages comes from the trial transcript, appeal brief, and statements given to the police and to lawyers. We have these documents, and our information is derived directly from these sources. Every detail has been scrutinized. However, we don't insist that you take our word for it. We would be pleased to give you an opportunity to study the case for yourself.

How Can You Help? Become an educated spokesperson for Jimmy by learning the facts of his case. Spread the word. Tell your family members, friends, and acquaintances that you know about an innocent man on death row named Jimmy Dennis. Find opportunities to speak about Jimmy. If you would be willing to distribute literature, wear a "Free Jimmy Dennis" button, bracelet, or t-shirt, sign a petition, receive monthly email updates on Jimmy's case, or put a bumper sticker on your car, let us know. Also, if you would be interested in helping us advertise about Jimmy's case in major newspapers in Philadelphia in the future, please contact us.

Please consider giving to Jimmy's defense fund. Checks or money orders can be made out to The James A. Dennis Legal Expense Trust. The address is The James A. Dennis Legal Expense Trust, Sun Trust Bank Dept. 28, Washington, D.C., 20042-0028.

Lastly, if you have any questions or comments, if you would like to receive monthly email updates on Jimmy's case, or if you would be willing to sign a petition on Jimmy's behalf, please contact us:

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Why We are Convinced that Jimmy Dennis is Innocent of the Murder of Chedell Williams

On October 22, 1991, a young woman of Philadelphia named Chedell Williams went to a subway station called Fern Rock to buy a transpass. At approximately 1:50 p.m. she was approached by two men, one of whom demanded her gold earrings and shot her. These two men then raced to a getaway car, where a third accomplice sat in the driver's seat. By all accounts, the crime took place in mere seconds, and in those few seconds, Miss Williams tragically lost her life. She was only 17.

Jimmy Dennis was convicted of this crime and given a death sentence, yet he has steadfastly maintained his innocence. After several months of thoroughly studying his case, collecting and reading the documents (including police statements, the trial transcript, and appeal brief), we have concluded that the facts in this case fully support his innocence. There simply is no reason to believe that Jimmy Dennis had anything whatsoever to do with this murder. In the meantime, we have exchanged many letters with Jimmy, and even traveled to Waynesburg, Pennsylvania, to meet him personally. He has languished on death row since 1992 (not including a year that he spent in jail awaiting trial), confined to his cell for 22 to 23 hours a day. We are horrified by the idea that the Commonwealth of Pennsylvania intends to kill an innocent man. Indeed, we don't even want to think about that. Instead, we are persuaded that if enough people knew the facts of this case, there would be an enormous outcry for justice that would not only assist in preventing Jimmy's execution but would also help in securing his release.

At the time of his arrest, Jimmy was 21 years old. As a member of a music group called *Sensation*, Jimmy had a promising future. He was looking forward to the birth of a child. His daughter was born about a week after Jimmy was imprisoned; sadly, he has never spent a full day with her.

1. Jimmy was a complete stranger to the victim and witnesses.

No evidence was presented at the trial to connect Jimmy with the victim and/or with the witnesses.

2. There is no physical evidence linking Jimmy Dennis to this crime.

No car - The getaway car was described by witnesses as a gold or tan 4-door Chevy Malibu or Caprice with a Pennsylvania license plate ending in 988. Jimmy neither owned a car nor had a license. The vehicle used in the crime was never connected in any way to Jimmy, nor was it ever located.

No weapon - The gun used at the crime was never recovered, nor was any gun found among Jimmy's possessions.

No fingerprints - A button was torn from Miss Williams' clothes. Either the state never tested the button for fingerprints or the results were never made known to the defense.

No earrings - The gold earrings that were allegedly stolen from Miss Williams were never found, and there is no evidence that Jimmy ever had them in his possession.

3. There is no evidence to connect Jimmy with a previous incident in which the earrings were stolen.

Chedell Williams' former boyfriend, Walter Gilliard, testified at the trial that Miss Williams' earrings had been stolen previously, in June of 1991, just four months prior to her murder. Mr. Gilliard testified that Miss Williams had pointed out to him who stole the earrings, and that Jimmy wasn't this person. (Mr. Gilliard stated that he learned on the street who purchased the earrings from the thief, and he had repurchased them for Miss Williams for approximately \$125.00.)

4. Jimmy, who is 5'4", doesn't match the eyewitnesses' descriptions.

The evidence against Jimmy was largely dependent on the eyewitness testimony of three people who were strangers to Jimmy: Zahra Howard, Thomas Bertha and James Cameron. All three identified Jimmy as the shooter at the trial, despite the fact that Jimmy's physical characteristics don't match their original descriptions.

Zahra Howard, who had accompanied Miss Williams to the Fern Rock Station, told police that the shooter was as tall as or taller than the detective who interviewed her. According to police notes, this meant that the murderer was 5'9" or 5'10". Miss Howard testified at a preliminary hearing that she saw the shooter's face for 5 seconds.

Thomas Bertha testified at the trial that he told the police the shooter was 5'9" and weighed approximately 180 pounds. Mr. Bertha testified at a preliminary hearing that he saw the shooter's face for just 1 second.

James Cameron didn't give a description of the murderer's height and weight in the original police statement, but his description of the shooter's jacket doesn't match that of Zahra Howard. Mr. Cameron stated that the assailant wore a red sweat suit and a black jacket, but Miss Howard told police that the murderer had on a red sweat suit with white stripes down the sleeves. Mr. Cameron testified at a preliminary hearing that he saw the shooter's face for 20 seconds.

Jimmy Dennis' height was established at the trial as 5'5" with dress shoes (which the judge noted had heels). Pennsylvania's Department of Corrections website (which provides a listing of every prison inmate in Pennsylvania) states that Jimmy is 5'4." Jimmy weighed approximately 130 pounds at the time of the murder. Witnesses described the shooter as having a very dark skin tone unlike Jimmy's lighter complexion. Yet, the prosecutor, Roger King, told jurors to dismiss such details. He told them it wasn't a case about weight, race and height but rather about the right to take public transportation.

5. As DNA evidence has helped to prove over and over again, eyewitness identification involving strangers is notoriously unreliable.

When shown a photo spread and asked to identify the murderer, Zahra Howard selected Jimmy's picture and stated, "*This one looks like the guy, but I can't be sure.*" When the police detective asked, "Can you be sure that this is in fact the guy that shot Chedell?", Miss Howard replied, "*No.*"

When shown a photo spread, James Cameron stated, "*Number one looks familiar, but I can't be sure.*"

6. Shanaqua Ramsey, a high school friend of Zahra Howard, has given a statement that Miss Howard told her that she was not sure she picked out the right person from the photo spread.

According to Miss Ramsey, Miss Howard said that she really did not get a good look at the person because all she saw was "*pulling and tugging.*"

7. The defense did not call any of several witnesses of the murder to testify at the trial, including David LeRoy, Dr. Clarence Verdell, and George Ritchie. These witnesses either failed to identify Jimmy as the assailant or identified someone else.

David LeRoy, a hot dog stand owner who witnessed the crime, described the assailant as 5'10" and wearing a red and white jacket or red jacket with a white shirt. However, he insisted that the crime happened so fast that he "*only caught a glimpse of these males.*" He refused to select anyone from the police officers' photo spreads, saying, "*I will not make an identification that could wrongly affect someone's life.*"

Dr. Clarence Verdell selected another suspect from the photo spread. Furthermore, Dr. Verdell states that there were as many as ten other witnesses giving descriptions to the police on the day of the murder.

George Ritchie described the assailants as being 5'9" or 5'10" in height and weighing approximately 170 to 190 pounds.

Yet Mr. LeRoy, Dr. Verdell, and Mr. Ritchie were NOT called to testify.

James Cameron said that there were as many as 50 witnesses to the crime. Sergeant John Fetscher testified that he could

conservatively estimate that hundreds of people would have been present at the station at the time of the crime, **yet only three** (Zahra Howard, James Cameron, and Thomas Bertha) testified at the trial.

8. Jimmy lacked a motive to rob or murder anyone.

George Pratt was a promoter, producer and manager in the production and entertainment division of G. W. Management Incorporated. He had his own record label. Mr. Pratt testified that at the time of Jimmy's arrest, he had a verbal contract with Jimmy and was in the process of completing a written contract with him to produce gospel music.

The *Sensation* group members gave statements and trial testimony that the group practiced singing and dance steps from 4 ½ to 9 hours every single day.

9. Charles Thompson retracted his statement to the police and his testimony at trial.

Charles Thompson was a member of Jimmy's singing group *Sensation*.

On November 8, 1991, Charles Thompson gave a statement to the police that he had seen Jimmy with a gun on the night of the murder during the singing group's rehearsal. Mr. Thompson also testified to this at Jimmy's trial in 1992. On January 24, 1996, Mr. Thompson retracted his statement and his 1992 trial testimony, explaining that his original statement was a result of intimidation. In his recantation, he states that he was handcuffed to a chair and badgered for hours by five police officers, who were insisting that he implicate Jimmy or face murder charges himself. He ultimately decided to tell the police officers "*what they wanted to hear and just get out and not be charged with anything.*" He insists that he has never seen Jimmy with a gun, and that he attempted to retract his statement prior to the trial. Mr. Thompson explains: "*It was in my conscience, I couldn't sleep and get it out of my mind. It was like a monkey on my back.*" However, Mr. Thompson states that the prosecutor, Roger King, told him that nothing could be changed in his statement.

10. Charles Thompson had motive to lie about Jimmy.

At the time of his statement to the police in 1991, there were charges against Mr. Thompson for assault of a pregnant woman. These charges were dropped prior to Jimmy's trial. At the time of the trial in 1992, Mr. Thompson had been charged with a felony involving drugs. Mr. Thompson confessed in his recantation that he was expecting help with his drug case because he was helping them (the prosecution).

11. Police did not immediately arrest Jimmy after getting Mr. Thompson's statement, nor is there any mention of Charles Thompson in the arrest warrant.

Charles Thompson gave his statement to the police on November 8, 1991. Though his statement later became a focal point in the trial, there is no mention of Mr. Thompson's statement in the arrest warrant dated November 22, 1991. This corroborates Mr. Thompson's recantation; that is, the fact that the police don't include Thompson's statement in the arrest warrant supports Thompson's insistence that his original statement was coerced. There also is no reasonable explanation as to why the police didn't immediately arrest Jimmy after obtaining Thompson's November 8 statement. In fact, Jimmy wasn't arrested until November 23. Furthermore, any evidence mentioned in the arrest warrant was available to the police as early as October 28.

12. All of the other members of Jimmy's singing group testified at the trial that Mr. Thompson was lying and that they never saw Jimmy with a gun.

These other members are Marc Nelson, James Smith, and Willis Meredith.

13. Where are the accomplices?

Though there were a number of other potential suspects, and witnesses agreed that three people were involved, no one else was ever charged with this crime.

14. Jimmy's case was not properly investigated by the defense. The lack of preparation is evident in the fact that numerous witnesses who should have been called to testify on Jimmy's behalf were not contacted.

In 1991 Mr. Lee Mandell, Jimmy's attorney, had 46 active court-appointed cases, not including his private practice.

15. Jimmy never confessed to this crime. He has maintained his innocence since day one.

Jimmy was unwilling to accept any plea bargains or deals.

16. Jimmy's alibi is supported by at least three other individuals.

Willis Meredith, LaTanya Cason, and James Murray all verify Jimmy's alibi.

LaTanya Cason, who was merely an acquaintance of Jimmy's, is considered a disinterested witness. *She unintentionally gave false information at Jimmy's trial.* Ms. Cason and Jimmy remembered seeing each other in the afternoon on the day of the murder after they both exited the "K" bus at Henry and Midvale Avenue. Jimmy knew that he saw Ms. Cason at approximately 2:00 p.m. Ms. Cason testified that after leaving work that day, she ran some errands, cashed a check and did some shopping. She estimated that

she saw Jimmy about an hour to an hour and a half after cashing her check. Her check receipt was stamped 13:03 in military time. Falsely believing that 13:03 meant 3:03 p.m., Ms. Cason testified at the trial that she saw Jimmy between 4:00 and 4:30 p.m. Now that she is aware that 13:03 in military time is 1:03 p.m., she has given a statement that she would have seen Jimmy between 2:00 and 2:30 p.m., which supports Jimmy's alibi. *Also, Ms. Cason testified that she likely worked until 2:00 p.m. that day. However, this was not possible, given that her check was stamped at 1:03 p.m. Though the prosecutor and police had a copy of the check receipt, her false assumptions were not corrected.*

17. Police were pressured to find a murderer.

This was a high profile case in Philadelphia. The city was outraged that yet another young person had been killed as a result of senseless violence. The local media focused on this crime with numerous stories in the *Philadelphia Inquirer*, the *Philadelphia Tribune*, and the *Philadelphia Daily News*.

18. The pre-trial publicity had made an assumption of Jimmy's guilt.

For all practical purposes, Jimmy had already been tried by the press. Despite this, the trial was held in Philadelphia. One juror even mentions in a statement that other jurors slept during various parts of the trial. This took place without any instruction from the judge, as such instruction is absent from the transcripts.

19. The conduct and words of Roger King, the prosecutor, were so inflammatory that Pennsylvania's State Supreme Court nearly overturned Jimmy's case on the basis of Mr. King's remarks such as the following:

"We're talking about the right to take public transportation. . . Cause this is what this case is about, ladies and gentlemen. It's not about race, it's not about size and height."

"And as I said in my opening, stick a fork in him and turn him over. He will be done when you say he is done."

In 1998 three out of seven Pennsylvania State Supreme Court justices voted in favor of Jimmy. One additional vote would have granted him a new trial.

20. The angle of the bullet wound suggests a murderer who was as tall as or taller than the victim.

According to the postmortem report, the direction of the gunshot wound was *"rightwards, slightly downwards and backwards."* David LeRoy, who witnessed the murder, gave a statement that the murderer was *"a little taller"* than the victim. Though it was never mentioned at the trial, Chedell Williams was 5'10".

21. There is evidence of documents that were never turned over to the defense.

In some cases, it is known that specific individuals gave statements to the police, but their statements have never been produced for the defense to review.

22. Numerous individuals appeared at Jimmy's trial and testified to his good conduct and character in the community.

Unfortunately, Mr. Mandell did not give all of the people below an opportunity to testify. In the interest of time (which should not have been a consideration, recognizing that Jimmy's life was at stake), Mr. Mandell had several of Jimmy's friends and family members agree in unison that they could attest to Jimmy's good character in his community without actually having them take the stand. In any case, all of the following individuals either testified on Jimmy's behalf or publicly vouched for Jimmy's good character at his trial:

Elder Ruben Timothy Jones
Grady Hanna
Tony Dennis
Elder Joseph Tigger
Lisha Hood
Janice Gentry
James Murray
Thomas Meadows
Marc Nelson

Lawrence Merriweather
Terrence Hanna
Antoinette Smith
Juanita Dennis
Edward Franklin
James Smith
Elder George Pratt
Derek Nixon
Steward David

Aretha Hanna
Frank Jones
Willis Meredith
Stella DiGiacchio
Darryl McFadden
Hope Dennis
Darryl Cooper
Gregory Dennis

Jimmy's pastor, Elder Ruben Timothy Jones, stated that he knew Jimmy all his life and that Jimmy was a member of his church, the Christian Tabernacle Church of God in Christ. He testified that Jimmy had been an active member of the choir and in the last couple of years had attended the church's services "about every time the door opened."

23. Though this final point is not objective evidence, we have had the opportunity to read over 100 letters from Jimmy and to meet him in person. We are privileged to know Jimmy and consider him a good friend. Our intense study of his case in the last few years and our own personal knowledge of his character have caused us to conclude that not only is Jimmy Dennis innocent, but also that the world has been far worse off in his absence. Jimmy is a beautiful person of incredible substance, a true gem who has a lot to offer to all of us, and yet he has been assigned to die. In fact, a death warrant was signed by a former governor of Pennsylvania, and an execution date was once set for him.