

CHRONOLOGY OF QUESTIONABLE EVENTS AND DECISIONS WHICH LED TO
THE MURDER CONVICTION OF CHARLES GOLDBLUM

1. Mr. Goldblum and his co-defendant, Clarence Miller, were both present at the scene of the crime at the time of the assault. It was disputed as to who the assailant was. They each claimed that the other was the assailant.
2. The police and prosecutions chose to use Miller as a prosecution witness at Goldblum's trial. Miller testified that Goldblum was the assailant and that Miller did not participate in the attack.
3. In his testimony, Miller admitted that the clothing he wore had blood on it from the killing, and that he got rid of this clothing. In addition, his neighbor testified to witnessing Miller discarding bloody clothing.
4. The police searched Goldblum's home and found the clothing that he (Goldblum) wore on the night of the killing. Except for a small invisible speck, there was no blood on Goldblum's clothing.
5. Miller had scratch marks on his face and arms, indicating that he (Miller) had been in an altercation. Goldblum did not have scratches or bruises.
6. The victim had defensive wounds on his hands, meaning that the attack was by one person only, that the victim was not held down by one person while the other assaulted him. Had the victim been held down, he would not have had defensive wounds on his hands. This is fairly basic. Homicide detectives regularly deal with this kind of thing.
7. No attempt was made to analyze the material found under the fingernails of the victim.
8. It was undisputed that the victim, Wilhelm, was in the driver's seat of the car when the stabbing began, that Miller was in the right front seat and Goldblum was in the back seat. Blood spatter was found on the dashboard of the victim's car. Detective Freeman testified that this spatter had tails on the right side. According to all the experts, this meant the party in the right front seat stabbed the person in the driver's seat.
9. The blood spatter was scraped off the dashboard and kept as evidence. At trial, the Commonwealth claimed that no picture was taken of the spatter before it was moved. The crime scene detective, Salvatore Crisanti, testified in a deposition several years later that it was always standard procedure to photograph evidence before moving it. At the time of the deposition, he was not sure whether a picture had been taken or not.

10. According to some experts, a picture of the blood spatter would have been determinative to a certainty in identifying the assailant.
11. The victim made a dying declaration to a police officer naming Clarence Miller. The exact words were, "Clarence Miller did this to me."
12. Shortly after Miller's arrest, he failed a polygraph.
13. The Police and Coroner archives are kept as follows:
 - A. The primary investigative file is maintained in triplicate by the homicide detectives. Each copy of the file was several inches thick.
 - B. The Mobile Crime Unit which collects forensic evidence at crime scenes, maintains a separate independent file that documents and records their activities.
 - C. The police photo lab which develops the pictures taken by the Mobile Crime Unit maintains a separate independent file.
 - D. The County Coroner maintains archives. Its offices are not part of city government. The Coroner works with all the police departments in Allegheny County.

These four archives were maintained in four separate locations with four different supervisions.

14. In the early 1990's, counsel for Mr. Goldblum requested that the city of Pittsburgh produce its files and records for the death of George Wilhelm. The city responded that the records were missing.
15. Goldblum's attorneys made arrangements for Mr. John Balshy, a crime scene specialist to review the record of the Coroner of Allegheny County. Mr. Balshy went to Coroner's Office on December 18, 1995 to review the records. At the time the archive was intact. Mr. Balshy was not allowed to see parts of the record, which by law are open files. In January of 1996, Goldblum's lawyers were informed that the entire Coroner's file was missing. Therefore, between December 18, 1995 and the day of discovery in January of 1996, the Coroner file disappeared without explanation. It is important to note that in January of 1996, Cyril Wecht took office as Coroner. Prior to this, Dr. Wecht reviewed the case on behalf of Goldblum's attorneys and concluded that Miller was the assailant.
16. The Allegheny County Police conducted an investigation of the missing records from the Coroner's Office. Some years later when Goldblum's lawyers requested

the file for this investigation, the County responded that the file had been purged within a few years after the investigation. While two detectives spent a week investigating, the lead detective, Elizabeth Hoover, claimed that no file had been created, that only a memo was written, and that within a few years after the investigation of an important County Office, this memo was purged.

17. Goldblum's Counsel was informed that the Mobile Crime Unit and Police Photo Lab files on the Wilhelm murder was missing by the City of Pittsburgh.
18. During the trial, Goldblum's Lawyer was approached by the attorney for Thadeus Dedo, who was also accused of participating in the land fraud. Mr. Dedo's attorney told Goldblum's counsel that if given immunity, Dedo would testify favorably on Goldblum's behalf. Goldblum's attorney asked the trial court to grant Dedo immunity. Judge Ziegler declined because he felt that he did not have the legal power to grant immunity on the request of defense counsel in a criminal trial. The court asked Mr. Dixon if the Commonwealth would grant immunity. Naturally, Mr. Dixon declined. A month or two after Goldblum's trial, the charges against Dedo were dismissed under the speedy trial rule.

Dedo was then approached by Goldblum's investigator. He (Dedo) refused to say anything and gave the impression that he (Dedo) was afraid of Detective Freeman. Note that at this point, Dedo was no longer in legal jeopardy.

Years later, the trial prosecutor F. Peter Dixon executed an affidavit in which he stated that he felt that Goldblum was not guilty of murder and the land fraud. At Goldblum's last hearing before this Board, Mr. Dixon expressed regret for refusing to grant this immunity and told the Board that he (Dixon) felt that Goldblum did not receive a fair trial because Mr. Dedo was precluded from testifying.

No one has given an explanation for this sequence of events. Dedo, once out of legal jeopardy, with nothing to lose, refused to talk to Goldblum's investigator. The Commonwealth did not request an extension of time from the trial court to bring Dedo and his co-defendant to trial, which would have tolled the speedy trial rule. Perhaps, this failure was no more than an oversight. In the absence of the other facts listed in this chronology, this would be far more plausible.

19. Within a week after his arrest, Miller was given a polygraph by Sgt. Modispacher of the Pittsburgh Police Department. Miller was found to be lying. Notwithstanding this failure, the police decided to proceed with Mr. Miller as their primary witness against Goldblum. At this time, Sgt. Modispacher was the only police detective who had been trained and certified to perform polygraph examinations.

After this polygraph examination, the Pittsburgh Police decided to have two more detectives trained to administer polygraphs. One was Detective Stottlemeyer.

Several months later, a second polygraph examination was given to Miller. This was given by Detective Stottlemeyer who had been recently trained and certified. This time, the police allege that Miller was for the most part telling the truth about the killing but was deceptive about some things. According to Detective Stottlemeyer, during this interview Miller admitted to participating in the assault by holding down the victim. No memo was prepared at the time of the second polygraph exam and concurrent interview. It was prepared by Detective Stottlemeyer several months later at the time of Miller's trial.

By the time this memo surfaced at the time of Miller's trial, Goldblum's trial counsel, H. David Rothman, had left the case. It was well known to Mr. Dixon that the relationship between Goldblum and Rothman had become acrimonious. Goldblum had decided to hire a different attorney to represent him on appeal, which Rothman was not happy about. The District Attorney's Office would have been notified of the change in counsel. Nevertheless, Dixon sent a copy of Stottlemeyer's memo to Rothman.

Rothman, without consulting Goldblum, sent a letter back to Dixon in which Rothman wrote that he (Rothman) would not have used this information to impeach the credibility of Miller as a witness, so that any mistake was harmless. Keep in mind that Miller testified at trial that Goldblum committed the assault alone and that Miller took no part in the assault. Rothman's reasoning in his letter back to Dixon was that this admission by Miller would have reinforced the idea that Goldblum took part in the assault. Rothman's reasoning must be evaluated in light of the other evidence. Wilhelm had defensive wounds on his hands. Miller's clothing was bloody while Goldblum's was not. In light of these facts and the dying declaration, Rothman's explanation has to be questioned.

During the direct appeal, Mr. Rothman filed a pleading with the appellate court in which he disputed a claim of ineffective assistance of counsel which is very rare. In this pleading, Mr. Rothman expressed his concern that he might be sued for malpractice.

Several years later, a deposition was conducted of Sgt. Modispacher, who brought a master log to the deposition. This master log listed Modispacher's first polygraph. The second polygraph, alleged to have been conducted by Stottlemeyer was not recorded. Stottlemeyer was also deposed and could not explain this and his failure to prepare a memo at the time of the second polygraph with its concurrent interview.

By themselves, none of the above facts are conclusive. However, when considered together, they are a most troubling sequence. At the very least, this chronology provides a basis to call for a full and meaningful inquiry.