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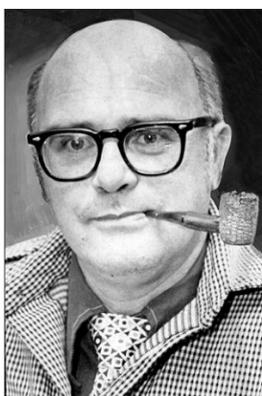
A VERDICT IN DOUBT

Charles Goldblum was wrongly convicted of murder 40 years ago, writes former PG staffer **David Bear**, who is editing a book on the case



Post-Gazette photos

Charles "Zeke" Goldblum, above, in 1976 and Clarence Miller in a photo dated 1978. Before he died, George Wilhelm identified Miller as the man who fatally stabbed him. But Miller in turn claimed Goldblum was the killer. Both men were convicted and imprisoned.



Making a Murderer," the recently released, 10-part Netflix documentary series that tracks a complicated murder case in Manitowoc County, Wisc., is generating considerable public attention across the country. The series harshly questions that county's criminal justice system, highlighting the apparent dysfunction of its police department and courts.

Unfortunately, this case is neither isolated nor without precedent.

Tuesday marks the 40th anniversary of one of Pittsburgh's more sensational murders, the investigation and prosecution of which took questionable turns.

On the snowy Monday evening of Feb. 9, 1976, just three weeks after the Steelers defeated the Cowboys in Super Bowl X, George Wilhelm, a 42-year-old former armored truck driver, was stabbed 23 times on the roof of the Smithfield/Liberty Parking Garage, Downtown, and thrown over the edge of the structure.

Instead of falling eight stories to the ground, Wilhelm fell just one, to the roof of the pedestrian bridge that still spans Strawberry Way, connecting the garage to the Duquesne Club and what was then Gimbel's Department Store.

Although mortally wounded, Wilhelm lived long enough to make a so-called dying declaration to the police officer who found him. "Clarence— Clarence Miller did this to me."

Taken into custody the next morning, Miller, 38, a city hall gofer who ran errands for local politicians, quickly fingered Charles "Zeke" Goldblum as Wilhelm's killer. A married tax lawyer at a prominent accounting firm and part-time lecturer at the University of Pittsburgh, Goldblum, 26, was also son of a rabbi at Congregation Beth Shalom in Squirrel Hill.

Based on Miller's assertions, police detectives visited Goldblum at his office that afternoon and, after an hour of questioning, took him into custody.

With two suspects behind bars in less than 24 hours after the crime, Wilhelm's murder seemed to be an open-and-shut case. Or was it?

Over the ensuing months, as city homicide detectives investigated the case, they developed a complex backstory for the homicide. It involved a fraudulent land deal perpetrated on the victim in 1974, as well as the arson of the Fifth Avenue Inn, a restaurant owned by Goldblum, just 10 weeks before Wilhelm's murder.

Nineteen months later, Goldblum was tried. The prosecution's case against him was based primarily on the testimony of Miller. Miller's testimony was augmented by what Goldblum's supporters believe are a series of police and prosecutorial missteps, including incomplete and faulty analysis of forensic evidence and failure to call a crucial witness.

But the damage was done. On Aug. 30, 1977, the jury found Goldblum guilty of first-degree murder. Sparing him the death penalty, the judge sentenced him to life imprisonment, plus 15 to 30 years. In February 1979, Miller was also convicted of Wilhelm's killing and given the same sentence.

Miller died in prison in 2006, but Goldblum remains incarcerated at State Correctional Institution Mahanoy in Schuylkill County.

Over the nearly four decades since Wilhelm's murder, Goldblum has steadfastly maintained that, although present at the crime scene, he was only a shocked witness to the killing. Furthermore, citing significant errors by police and prosecutors, as well as other suspicious subsequent developments, Goldblum has filed numerous post-conviction petitions, seeking a new trial, to have his sentence commuted or for clemency.

All of his appeals have been denied for reasons ranging from technicalities to skepticism about the issues and evidence his supporters and lawyers provided.

Prisoners frequently claim to be innocent, but many people originally involved with the case have since come to agree with Goldblum, including both the assistant district attorney who prosecuted him and the judge who sentenced him.

After re-evaluating the case years later, the prosecutor, F. Peter Dixon, stated in an affidavit that he had come to believe Goldblum "had nothing to do with the

murder of George Wilhelm, other than being a frightened witness to that murder and an accessory after the fact. ... Despite my best efforts in trying these cases, a miscarriage of justice has occurred."

Since 1989, the trial judge, Donald E. Ziegler, has written six letters supporting Goldblum's appeals. In a 1998 letter, Judge Ziegler said, "Charles Goldblum has now been confined to prison for over 20 years, and my uneasiness with the verdict of the jury has been expressed to the Board of Parole and a former governor on several occasions. It seems to me that the application for clemency should be granted at this time for the following reasons: (1) the length of incarceration; (2) the affidavit of the prosecutor; (3) the dying declaration of George Wilhelm; (4) the questionable credibility of Clarence Miller; (5) the written requests by the trial judge; and (6) the exemplary prison record of Charles Goldblum."

Similar conclusions were reached by Joshua Perper, the forensic pathologist who performed Wilhelm's autopsy; Cyril Wecht, the coroner at the time Goldblum was tried; and several other noted forensic experts who have examined the evidence.

These efforts and legal support notwithstanding, Goldblum has spent most of his adult life behind bars. Now nearing 67, he is in poor health and walks with a cane.

I first learned of this case in June, when a friend asked if I wanted to get involved with a book project. Although raised in the Pittsburgh area and now a longtime resident, I lived elsewhere during the 1970s and missed all of the considerable local notoriety generated by Wilhelm's murder, as well as the numerous twists and turns of the subsequent investigation and prosecutions.

Inclined to believe that police and prosecutors generally work within the law to help juries reach justified verdicts, I was initially skeptical of Goldblum's claims. But as I looked into the case and began sifting through the evolution of evidence and testimony, my assessment changed.

In addition to arguments presented at Goldblum's trial, his post-conviction legal actions both re-examined prosecutorial assertions and revealed new trails of evidence to be followed. Troubling law-enforcement practices and discrepancies between evidence and testimony emerged. Inappropriate criminal investigation practices were discovered. Evidence, including case files, disappeared.

In short, it became clear something was not right.

Numerous lawyers have been involved in Goldblum's case over the decades, both in his original trial and his long pursuit of redress. But much of the more recent credit for sleuthing out, recognizing and fitting together hidden pieces of the puzzle goes to James Ramsey, a former Pittsburgh police narcotics detective who became involved in Goldblum's case in 2005.

Using his knowledge of police procedures and personnel, Mr. Ramsey has discovered facts and inconsistencies that brought fresh perspective to the case. He is confident Goldblum was convicted unfairly, and he believes he has determined by whom and why.

"Willful Blindness," the book I am editing about the case, examines Wilhelm's killing and the prosecutions of Goldblum and Miller through the eyes of various observers. It includes documents and testimony from Dr. Wecht and Dr. Perper and chapters by Mr. Ramsey and Goldblum. Each makes different observations and emphasizes different aspects of the crime.

Like "Making a Murderer," the book documents a judicial process that went awry.

More broadly, it raises questions about a judicial system that refuses to acknowledge its own shortcomings. In Pennsylvania, as in most states, a life sentence means life, with little willingness to re-adjudicate or correct unjust verdicts.

How can a society that thinks of itself as humane justify the warehousing of people forever with no thought to reconsideration?

David Bear (bear7015@verizon.net) is the former Post-Gazette travel editor. He manages the website at freezeke.com.