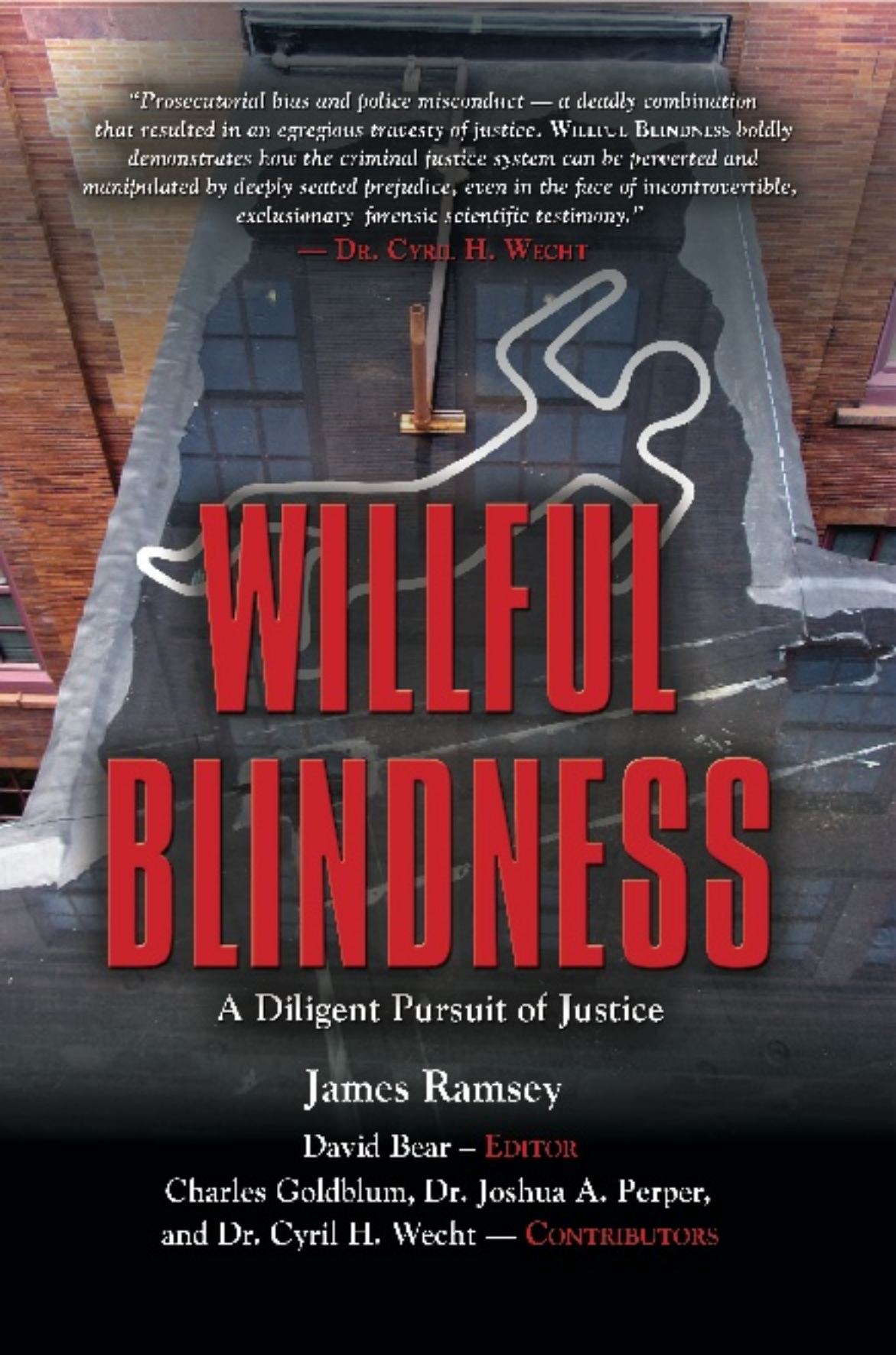


"Prosecutorial bias and police misconduct — a deadly combination that resulted in an egregious travesty of justice. WILLFUL BLINDNESS boldly demonstrates how the criminal justice system can be perverted and manipulated by deeply seated prejudice, even in the face of incontrovertible, exclusionary forensic scientific testimony."

— DR. CYRIL H. WECHT



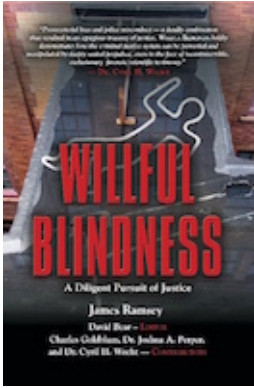
WILLFUL BLINDNESS

A Diligent Pursuit of Justice

James Ramsey

David Bear — EDITOR

Charles Goldblum, Dr. Joshua A. Perper,
and Dr. Cyril H. Wecht — CONTRIBUTORS



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Willful Blindness documents a fascinating, cautionary case.

Willful Blindness: A Diligent Pursuit of Justice

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See page x for brief biographies.

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Cover photo - Rooftop of the pedestrian bridge over Strawberry Way on which the murder victim, George Wilhelm, was discovered. Photo credit: David Bear

Editor's Foreword

“Making a Murderer,” the Netflix documentary series that tracked a complicated murder case in Manitowoc County, Wisconsin, has generated 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, February 9, 2016 marked the 40th anniversary of one of Pittsburgh’s more sensational murders, the investigation and prosecution of which took many 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 rooftop level of the Smithfield/Liberty Parking Garage, Downtown, and thrown over the edge of the structure.

Instead of falling eight stories to the ground, Wilhelm landed one story below, on the roof of the pedestrian bridge that still spans Strawberry Way, connecting the garage to the Duquesne Club and what was then Gimbels 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.”

The police acted quickly. Within several hours and with the help of the victim's family, they had identified the Clarence Miller in question.

Taken into custody the next morning, Miller, 38, a city hall factotum who ran errands for local politicians, quickly fingered Charles “Zeke” Goldblum as Wilhelm’s actual 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 the 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.

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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?

As city homicide detectives investigated the case over the ensuing months, they developed a complex backstory for the murder. It came to involve a fraudulent land deal perpetrated on the victim in 1974, as well as the fire that destroyed 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 perjured testimony was augmented by a series of police and prosecutorial missteps, including incomplete and faulty analysis of forensic evidence and failure to call crucial witnesses.

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.

On June 9, 1979, nearly two years later, Miller was also convicted of Wilhelm's killing and given the same sentence. In the interim, however, Miller remained a free man on the streets.

Re-arrested upon his conviction, 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 both police and prosecutors, as well as other suspicious developments, Goldblum has subsequently filed various post-conviction petitions, seeking a new trial, to have his sentence commuted, or for clemency. All of his appeals have been denied, primarily for procedural reasons ranging from technicalities about deadlines to skepticism about the issues and evidence his supporters and lawyers provided.

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

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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 letters supporting Goldblum’s appeals. In a 1998 letter, Judge Ziegler wrote, “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
6. The exemplary prison record of Charles Goldblum

Similar conclusions were reached by Dr. Joshua Perper, the forensic pathologist who performed Wilhelm’s autopsy; Dr. 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 67, he is in poor health and walks with a cane.

I first learned of this case in June, 2015, 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

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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 obvious 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" examines Wilhelm's killing and the prosecutions of Goldblum and Miller through the eyes of several different observers. Each circles through the basic elements of the case, but makes different observations and emphasizing different aspects. Yet while coming from different perspectives, they reach similar conclusions. This multi-dimensional depth provides something like a parallax of proof.

In addition to the personal recollections of Charles Goldblum and investigation reports of Jim Ramsey, other chapters in the book include the sworn testimony of noted forensic pathologist Dr. Cyril Wecht, as well as the transcript of a lengthy interview he gave regarding Goldblum's case. There is also a detailed re-analysis of the entire body of evidence, written by forensic and medico-legal consultant Dr. Joshua Perper, the pathologist who conducted Wilhelm's autopsy.

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

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most states, a life sentence means life, with little willingness to re-adjudicate or correct unjust verdicts.

Despite myriad anomalies with its original case, the Commonwealth has consistently denied any prosecutorial wrongdoing, and its courts have rejected all of Goldblum's petitions for justice. He has filed several times for clemency, but the Board of Pardons granted only one full hearing of the case, on May 6, 1999.

More recently, Goldblum requested to be transferred to Israel, which already granted him citizenship based on his claims of innocence. The director of the Board of Pardons also denied that request without explanation.

The reality is that, legal argument or actual guilt notwithstanding, anyone who has received a life-sentence in Pennsylvania is unlikely to ever be released. There are no pardons for life-sentences, and commutations have become rare to the point of extinction.

This was not always the case.

Richard Thornburgh was elected Governor in 1978 pledging to get tough on crime. He changed previous practices and refused to sign more than a handful of the commutation approvals sent to him by the Board of Pardons. Subsequent governors have followed suit.

After the Pennsylvania constitution was amended 20 years later, it has been nearly impossible to get a life sentence commuted. Since 2000, fewer than 20 Pennsylvania lifers have had their sentences commuted; virtually all went directly in hospice care for their final months. This situation, coupled with strict mandatory sentencing regulations, have created a burgeoning population of increasingly geriatric prisoners, who will have to be warehoused for the rest of their lives.

Unfortunately, this is true in many other states.

As a sensational story, the murder of George Wilhelm, its investigation, and the subsequent prosecutions of Charles Goldblum and Clarence Miller were the subject of continuing and extensive news coverage.

The Public Record, the final chapter of *Willful Blindness*, offers a unique historical archive: a small selection of the 117 newspaper

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articles coverage of the case over the years by The Pittsburgh Press and *The Pittsburgh Post-Gazette*.

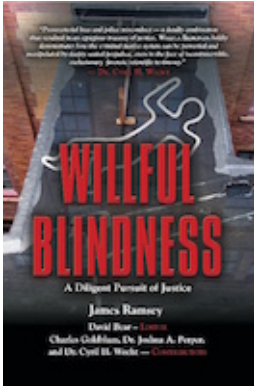
Taken together, these articles both provide a record of the case and chronicle the evolution of public perception regarding its many twists and turns. It is informative to follow the evolution of newspaper coverage of this case. Consider the several critical roles this coverage played; in creating public perception of the case; in chronicling the progress and proceedings of the investigation; in following the process of the prosecution and defense; and eventually in shaping jury options of the defendants. While they do not capture all the nuances of the unfolding case, they certainly capture the high points. The full listing of articles can be found on The Public Record page at www.freezeke.com.

That website is a robust resource. As encompassing as *Willful Blindness* is, this volume represents a small fraction of all the documentation and information that has been gathered over the decades in this “Diligent Pursuit of Justice.” Readers who would like to delve more deeply into this fascinating and disturbing case will enjoy a visit.

While there, register your verdict whether Charles Goldblum has served more than enough time for any crime that he committed.

David Bear, August 2016

PS. Thanks to Marc Simon for his excellent editing of the manuscript, John Truxal for his perspectives, and Rob Sedler for his electronic expertise. Thanks also to Ernie Orsatti and other Duquesne University School of Law classmates of Zeke Goldblum for their generous and long-standing support of his cause.



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