



PRINCETON'S BUSINESS & ENTERTAINMENT NEWSPAPER

Reprinted from the January 14, 2009, issue of U.S. 1 Newspaper

Finding Truth That May Set Someone Free

by Michele Alperin

Jim McCloskey's first visit to a prison as a student chaplain from Princeton Theological Seminary in 1980 was fraught with irony. McCloskey, whose mission as executive director and board president of Centurion Ministries is to free innocent prisoners by reinvestigating problematic convictions, was himself a faulty witness that autumn day.

Wearing a collar that made him look like a Catholic priest, the 37-year-old McCloskey walked nervously into the maximum security tier of Trenton State Prison, where inmates are in lockdown 23 hours a day. The prison chaplain, Joe Ravenell, was introducing him to the inmates, one by one, when the inmate in the sixth cell launched a verbal assault. "He swore up and down about how he hates Catholic priests, and said, 'Get the hell out of my house,'" McCloskey recalls.



*Jim McCloskey and Kate Germond
of Centurion Ministries.*

McCloskey was shaken, but had not yet lost his cool. What put him over the top was the line of hand mirrors he saw coming out of the cells, one by one, as inmates tried to see what was happening on the tier. "That freaked me out," says McCloskey, "all these guys watching me getting verbally assaulted by one of their own."

On the way out, McCloskey made a big faux pas that taught him early on about the fragility of eyewitness testimony. When McCloskey asked Ravenell, "Joe, who was that black guy yelling at me?" Ravenell quickly responded that no black guy was yelling at him. "Jim," he said, "that's Butch Layton, and he's white."

In an effort to justify his automatic response, McCloskey notes that his mind was frozen and he was in shock. But had he been providing evidence about a crime, he would have been dead wrong. "I had the wrong race as well as face. I'm stunned, and I'm looking but not seeing."

The day after this baptism by fire, McCloskey met the man to whom he would devote the next few years of his life in an effort to free him from prison — Jorge De Los Santos. This 35-year-old Puerto Rican from the McCarter housing project in Newark, who was in the seventh year of a life sentence for a Newark murder, apologized to McCloskey about the behavior of Layton.

"He was an engaging person, very compelling, and obsessed with talking about his innocence," says McCloskey. Only his wife, Elena, believed in him and supported him. "Somebody's got to help me," he told McCloskey, "or I will spend the rest of my life in prison."

That prison visit was back when McCloskey still believed that all people who are incarcerated are guilty. But he began to find De Los Santos's protestations of innocence persuasive. Not only was De Los Santos a warm and open person, but the other inmates on the tier from Newark also told McCloskey that De Los Santos was innocent.

After several months of McCloskey's visiting two afternoons a week, De Los Santos said something that he could not forget. "You say you are a Christian, but what are you going to do?" said De Los Santos. "Go back to your safe, secure seminary and pray for me? Isn't it part of your responsibility to do something for someone like myself?"

Because McCloskey did not really know whether De Los Santos was innocent, he agreed to read the trial transcripts — if he could find them. Two years earlier another seminary student had taken them and never given them back, but McCloskey managed to find him and the transcripts. He spent Thanksgiving of 1980 reading all 1,500 pages. "I was enthralled and excited," says McCloskey, who remembers thinking as he read, "My God, could this guy really be innocent?"

What McCloskey learned from the transcripts was that De Los Santos had been convicted of murder based on the "jailhouse confession" testimony of a criminal named Richard Delli Santi. Interestingly both men's last names translate to "of the saints," although what McCloskey was on his way to proving was that one of these "saints" had landed the other with a lifetime sentence to save himself from a jail term. Prosecutors regularly use as witnesses prisoners in the county jail or whose cases are already pending for a trial on serious charges, in a deal of leniency in exchange for a testimony.

Both "saints" in this case were drug addicts from the housing projects in Newark who knew each other from the streets. De Los Santos was claiming innocence in spite of the fact that

Delli Santi's confession had cited many details of the case — how it had happened, what time of the night, what kind of gun was used, and where it took place. So when McCloskey asked himself who a jury would believe, he knew the answer.

But a gut feeling that De Los Santos was telling the truth prevented him from giving up. "He was honest, earnest, and talked in a compelling way about the sins of his past," says McCloskey. "I came to believe him and liked him very much."

After reading the transcripts, McCloskey confronted De Los Santos. "Chiefie [his nickname], are you telling me that Delli Santi lied against you and sent you to prison for life? What kind of a person would do that?"

De Los Santos responded, "This guy is a junkie. He would sell his soul to get out of prison." And De Los Santos added another tidbit of tantalizing information, that Delli had done the same thing to his first cousin, Danny Delli Santi.

A little more research revealed that Delli Santi was indeed a professional snitch and star witness for the prosecution. He had good reason to do so, having been arrested 40 times by the Newark police for crimes that included auto theft, robbery, burglary, and selling drugs, among others, before his confession about De Los Santos.

McCloskey began to realize that Delli Santi's confessions were serving the purposes of the prosecutors, whose job it is to gain convictions. They knew Delli Santi was a liar, McCloskey contends. "These people aren't interested in the truth," he says. "They are interested in winning."

So how did McCloskey go about proving De Los Santos's innocence? First he located Delli Santi, who was in a Bronx jail for another set of crimes and who admitted that he lied against Chiefie De Los Santos. He told McCloskey, "Look, it's simple. It's a matter of survival — either I go away [to prison for life] or De Los Santos goes away."

On the basis of this conversation, McCloskey was able to get a subpoena from a federal judge authorizing complete access to the prosecution file. There he found, in the prosecutor's own hand, that Delli Santi was "in the habit of giving testimony." McCloskey says, "Delli Santi said he had never testified in any other case and was doing his good citizen's duty, when the prosecutor knew that was a lie. Delli Santi had testified for the same prosecutor's office in other criminal matters."

By Christmas of 1980, McCloskey had raised enough questions that he fully believed De Los Santos was innocent and made a decision that turned out to be life changing. "I felt so moved by his plight that I decided to take a year off from school and work full time on his behalf," he says. "For the first time in my life, I was being given the opportunity to do something meaningful for somebody else. This was, to me, a noble calling to try to free a man I thought was innocent. It gave me a sense of purpose and authenticity, and it was exciting and adventurous."

He took off the 1981 calendar year to investigate De Los Santos's case. He visited the cousin, Danny Delli Santi, who was in prison for life, and met the Delli Santi family in Newark.

The Delli Santis were eventually able to convince Richard to do the right thing and tell the truth, but he emphasized to McCloskey that he was not doing it for De Los Santos. "I don't give a damn about Chiefie De Los Santos; he's another addict just like I was, and I don't

even like the guy," he said. "I'm doing it for Danny. If I tell the truth, maybe I will get both De Los Santos and my cousin Danny out and that will reconcile me with my family."

Delli Santi also directed McCloskey to other cases where he had falsely testified, and McCloskey, after confirming and documenting what Delli Santi had said, presented the material to a federal district judge who ruled that Delli Santi's testimony "at a casual reading, reeked of perjury." The judge also found that the prosecutor knew that Delli Santi was lying, and he threw out the conviction.

On July 26, 1983, De Los Santos walked out of Trenton State Prison, a free man.

The astute reader may still be wondering, though, how Delli Santi was able to recount the nitty-gritty details of De Los Santos's alleged crime. That's easy. Although De Los Santos could speak English very well, he was illiterate. When he received documents from the public defender, like police and autopsy reports, he needed someone to read them to him and turned to Delli Santi, who he knew from the streets. For Delli Santi, it was his bid for freedom; he mastered the details and contacted the prosecutor about a jailhouse confession.

By the time of De Los Santos's release, McCloskey had returned to the seminary and finished his master of divinity program. De Los Santos had introduced him to two other lifers in whose innocence he had come to believe, Nate Walker and Damaso Vega, and although McCloskey was mostly broke, he and his siblings had each recently received a \$10,000 tax-free gift from their parents. At this fork in the road, he had to decide whether to get ordained and become a Presbyterian church pastor or to take on the special calling of working with people who have been wrongly convicted.

McCloskey's answer was to set up Centurion Ministries, the Witherspoon Street nonprofit that has freed 43 people and worked on five additional cases where evidence of guilt turned up during the investigation. (An all-Bach concert to benefit Centurion takes place on Friday, January 23, in Princeton. See sidebar page 52.)

Wrongful conviction is more common than the criminal justice system might like to admit. A report by Brandon L. Garrett, an associate professor of law at the University of Virginia School of Law, on 200 cases of Americans wrongly convicted and then freed by DNA testing suggests the specific failures in the legal system that have accounted for the average of 12 years each person spent in prison: erroneous eyewitness identification, faulty forensic evidence, prosecutorial misconduct, false confessions, inadequate counsel, and police informants who were incorrect.

In November, 1986, Nate Walker became Centurion's third wrongly convicted prisoner to be freed, and McCloskey, then living in a rent-free room in a house on Library Place, was inundated with requests for help, mostly unopened.

A New York Times article on the Walker case brought the work of Centurion to the attention of Kate Germond, who had moved to New York City with her husband, who Marimekko had hired to remodel its flagship store in Manhattan. The couple had decided to move back east from Mendocino, California, for no more than three years. "It would be our big adventure," says Germond. Their goal was to save some money and then return to California, but Centurion Ministries got in the way.

Not only did Germond find Centurion's social justice work appealing, but she realized also that McCloskey was handling the whole effort by himself and figured he must need some

help. She decided to give McCloskey a call. It took several calls before he answered, and in the meantime Germond was holding off people who were offering her jobs as a bookkeeper. She finally decided to make one last call. McCloskey answered; the two met and thought they could get along; and they are still working together over 20 years later.

When Germond came on board, word of mouth had done its work and requests for help were coming in nonstop. "We would get anything from a simple letter making a proclamation of innocence to a box of transcripts and police reports," says Germond. Needless to say, the mess had taken over the room, and Germond's initial work was to create systems.

For the first six months, Germond worked in Princeton while McCloskey was mostly investigating Centurion's first death row cases in Texas and Louisiana. At Germond's suggestion, McCloskey found an office.

Today the organization has grown to nine employees, five of them full time. It operates on an annual budget of \$1 million, most of which comes from individuals who give anything from a few dollars to six-figure sums.

One fulltime investigator, Paul Henderson, works out of Seattle. McCloskey and Germond are both field investigators, and divide the other responsibilities, with McCloskey managing the finances and the donors and Germond the staff. Heather McNally supervises 15 volunteers who each work two half days a week, managing and developing prospective cases.

For cases that fall within Centurion's criteria, volunteers request case histories that prisoners are asked to write in their own words as well as transcripts, police records, and other documentation. For a conviction to be considered, a case must have the following characteristics:

- The person is 100-percent factually innocent and had nothing to do with the crime, even tangentially, like leaving keys in a car or loaning a gun.

- The person is on death row or is serving a life sentence and is not parole eligible for at least 15 years (today this criterion is moot, because parole boards are not letting people out, says Germond). "If we said 'any wrongful conviction,' we would be completely drowning in requests for help," Germond notes. This set of criterion also limits Centurion to rape and murder cases, both of which have investigative potential. "We are an investigative agency," continues Germond. "We're not just hiring a lawyer to get a sentence reduced or relitigated."

- In rape cases, there must be genetic material that could substantiate innocence or guilt.

- In murder cases, there must be at least some avenues of investigation.

- The person has made a direct appeal at the state level, and has been denied.

- The person has nowhere else to turn for help.

"When we are considering a case," says Germond, "we are looking at character and who they are. If a person had a criminal record, we are interested in what it was and what his or her attitude is toward it. If they abhor it, don't make excuses, take responsibility, and have taken advantage of prison programs to make a better person of themselves, we'll look at

them. If not, they won't go high on our list."

Having Germond on board meant that McCloskey could more easily take on cases outside of the New Jersey and Philadelphia areas. Their deal early on was that Germond would continue doing assessment and case development until Centurion was able to hire a replacement. At that point Germond would be able to try her hand at investigating a case in the field. If she was good at it, she could become an investigator, and if not, she would go back to assessment. Needless to say, she did fine.

Another important step in developing the organization was to bring in volunteers. Germond's first idea was to bring in bright students from Princeton University, but quickly found that a student's schedule did not work well for Centurion. "It was rare that we had a group of students or a student who came every week and stuck with it," says Germond, who feels that once Centurion has asked inmates to write detailed biographies explaining themselves and the facts of a case, they deserve a timely response. Letters piled up during student absences for holidays and exams, explains Germond, "so unless students begged to come and made promises, we stopped using them and began instead getting retired people from the community."

At this point Centurion is maxed out on volunteers. Germond says she is grateful for this amazing group of smart, motivated people that include a retired math teacher, a doctor, a lawyer, and a Rutgers administrator. Because people approach the cases differently, they learn from each other and achieve an overall balance of perspectives. "For some, what the inmate says is gospel; for others, whatever the inmate says is suspect; for still others, whatever the police says is suspect," she says. "It is a good balance; nobody works in a vacuum, and there is much discussion."

The volunteers have no say in the final decisions about which cases to accept, which are made entirely by paid staff in monthly case review meetings. The staff makes its decisions about whether to commit to a case or not based primarily on the "feel" of the case and the perceived character of the inmate.

Although Centurion does take on DNA cases, it also takes cases without DNA evidence, which require extensive resources as investigators search out old witnesses, trial transcripts, and police officers; map out the crime scene; and search out new investigative avenues. Other groups similar to Centurion do exist, but are usually associated with law schools and focus on cases where there is DNA evidence.

Centurion takes on three to four new cases each year, and currently McCloskey, Germond, Henderson, and two volunteers are investigating about 24 cases; the volunteers were trained in investigative procedures and work under the oversight of McCloskey and Germond. Richard Hepburn, a retired school teacher, has been with Centurion for seven years and is actively investigating the Fort Peck Reservation murder in Montana. Bill Raynor, a retired General Electric executive and a former fraternity brother and good friend of McCloskey's, got so committed to a case he was assigned to develop and review — that of Milton Scarborough, who has been in prison for 31 years — that he asked to investigate it.

The process at Centurion is hands-on and personal. Either McCloskey or Germond visits a potential client before committing to a case, and one or both attend hearings during the process. For each case, Centurion retains an attorney, usually from the region where the conviction took place.

Once Centurion commits to a case, inmates telephone every two weeks or so. "We help

boost their morale and keep them fully informed," says McCloskey. "We are their lifeline." Most of the inmates either have nobody else or very few loved ones or supporters who have not drifted away.

Because Centurion's mission is not just to exonerate prisoners but to be their support system once they are freed, the organization provides financial and psychological help, and helps them find work, housing, and cars after they are freed.

When Centurion does manage to free a prisoner, the emotions are strong. The last person freed, on August 29, 2008 — Centurion's 43rd — was Daryl Burton, who had done 24 years for a St. Louis murder. "It was a feeling of pure joy and satisfaction," recalls McCloskey, "and you feel redeemed and vindicated, as does the exonerated person." After a judge or someone in authority has closely examined the fruits of years of labor and declared them to be sufficiently credible and substantial to overturn a conviction, he explains, "I feel exhilaration, relief, redemption, and a sense of finally someone has listened to us and agreed that this person is innocent. You're giving new life to a person."

His strong feelings are also a product of what he has learned from his long relationship with the exonerated person. "How do you — for 20, 30, 39 years — have the strength and courage to endure the unendurable?" he asks. "I learn from them about forgiveness, humility, courage, and grace. I'm constantly learning from and being inspired by these people."

One prisoner, Edward W. Honaker, who was in jail for 10 years in Richmond, VA, and then freed, put it this way: "The only thing I compare it with is the birth of my first child. This is more of a resurrection."

In contrast to McCloskey, Germond says she usually has to postpone expressing the delight she feels at a prisoner's release. "The moment that should be the high, when you walk someone out of the courthouse or jail, there are so many things to think of," she says. Her concerns are practical and immediate. Who will take care of the former inmate, where will his next meals come from, where will he get clothes, and how will Centurion get bail until the prosecutor tosses the indictment? And she also has to deal with the inevitable press conference.

"The moment that should be completely euphoric, where you get to let go and weep and laugh," she says, "you can't do that really because you have other stuff you have to pay attention to. For me, it's always two or three days later, when it overtakes me and I let all the emotions go."

Things are never easy for these released prisoners. Only a few receive financial remuneration for a wrongful conviction. Although some received money and then managed to use it to rebuild their lives, most have experienced up to four years of serious struggles, says Germond. "Guys who never did booze climb into the bottle; those who did no drugs go into the crack pipe, or they get estranged from their families," she says.

Sometimes they are given a really good job when they get out, but are not together enough to keep it. Then when they fail, people say, "Well, we tried."

Germond emphasizes that the time they need a good job is much later, when they are ready to handle it and have their priorities straight. First they have to resolve the post-traumatic stress disorder that is often a consequence of their experiences: "The system you count on to protect you betrays you," she says. "Sometimes you're in for a family member

you can't mourn because you have to fight for your own life. You're so screwed up because of the death of this person. And lots of cases involved false confessions and for some there was shame involved in that." Germond dreams that one day, when her budget is large enough, she will have a therapist on staff skilled at this disorder to help the exonerees move on.

One exoneree, Joyce Ann Brown, has done particularly well. She served nine years for her false conviction for the robbery of a Dallas fur store owner, based on her startling resemblance to the murderer and the lies of a jailhouse witness. Freed in 1989, she began working for a local assemblyman in Dallas and started her own foundation to help people who have family members incarcerated. Today the foundation has a million-dollar budget.

The staff at Centurion do get another time to celebrate with former prisoners, when they come to town for a gathering. "There's always a time when my heart is big," says Germond. "It is usually afterward when I sit down and look at the photos, and tears are streaming down my face. I'm seeing these beautiful, strong people who were suffering horrible things because of this betrayal done to them by the criminal justice system."

During the get-togethers, the staff sets aside a time and place where just the exonerees gather, with a therapist present, not to direct or control but to facilitate conversation if they get stuck. "They always become fast friends at these gatherings," observes Germond, adding that only a couple maintain these relationships through the year. "The business of life is so much, they can't do both," she says.

McCloskey, 66, was born in Havertown, a suburb of Philadelphia, where his father was executive vice president of the McCloskey Construction Company, a family firm that in the 1950s was about the 15th largest in the country; the firm built hotels, bridges, Veterans Stadium in Philadelphia, and RFK Stadium in Washington, DC.

McCloskey was the first of three children. His younger brother, Richard, is a recently retired businessman in Greensboro, North Carolina, and his sister, Lois, is an associate professor of public health at Boston University; a single mother, she adopted a daughter from China in 2000, and McCloskey accompanied her on the trip.

The most significant event in his family's life happened when he was five in 1947, when McCloskey's mother contracted polio at age 30 and was paralyzed from the waist down. His brother was sent to live with a family several miles away, and McCloskey to good friends who lived around the corner.

After six months living with friends, McCloskey and his brother returned home, where his mother was a great role model. She wanted people to not to think of her as being crippled. "My mother had a very sunny personality, not in a false or artificial way, but in a real way," he recalls. "She was a magnet to people. She had no self-pity, and I never thought of her as being disabled in any way."

When McCloskey was in fourth grade in 1953, the family moved to a ranch-style house in the same town and school district to make things easier for his mother.

After the move, McCloskey's parents insisted that he and his brother start going to Sunday school around the corner at Bethany Collegiate Presbyterian Church, which he describes as "evangelical but not fundamentalist." During the two-week Christian evangelical summer camp that his father also mandated, he would accept Jesus at every possible church service in pursuit of the "best camper" award.

McCloskey describes his parents as being very moderate in their religious beliefs but active members of their church. As a result, McCloskey spent an hour and a half every Saturday night from fourth to twelfth grades memorizing Scripture to prepare for Sunday school the next day. Sundays he spent six or seven hours at the church, at Sunday school, church services, youth group, and then adult church services at night.

Another formative event for McCloskey happened between his freshman and sophomore years at Bucknell University, when he decided to hitchhike across the country with a friend. "I always had a very adventuresome spirit," he says, "and I never gave a second thought to danger."

He and his friend hitchhiked to Yellowstone National Park, where they met a third friend. Because the other two guys wanted to ride the rails across Canada, and McCloskey was interested in seeing New Orleans, they split up.

McCloskey ran out of money in Laramie, Wyoming, where he checked into a frat house at the University of Wyoming. He was told he would find ranchers looking for farm hands to stack hay at the unemployment office.

Roy Githins looked at the 135-pound McCloskey and said, "You, the skinny one, you'll do." They went to a ranch 60 miles away, and, starting at 7 a.m., they loaded bales of hay onto a wagon and stacked them on haystacks. He slept in a bunkhouse with three other men. After one week of this hard labor, McCloskey went to his supervisor and said, "Mr. Githins, I'm going home; it's too much for me."

Githins' response was a strong message that has always stayed with McCloskey. "He called me a quitter and said, 'You'll never amount to anything if you quit at the drop of a hat.'" McCloskey stayed another six weeks, and the experience left him with an important piece of wisdom, "stay the course, and don't ever quit," which stands him well in the years it takes to overturn a wrong conviction.

Once at Bucknell, religion dropped from his horizon, and he remembers coming back home from his freshman year for Thanksgiving and telling his father, "Dad, I'm never going to church again in my life." His father's response was unexpected, says McCloskey. "Much to my surprise, he said, 'You're a big shot now; you're in college. If that's the way you feel, it's up to you.'" And indeed that was the way it was for the next 14 years or so.

McCloskey had decided to join the Navy after college, in part to fulfill an early dream of going to Japan as a businessperson. This goal grew out of what he calls "pure romanticism," the consequence of seeing a documentary about Tokyo featuring beautiful Japanese women clad in kimonos. "I wanted to go to the Far East and penetrate that world," he says, "to take the veil off and see what was behind it."

He got that chance at the end of the Navy's Officer Candidate School. Upon graduation, the young officers were asked to fill out dream sheets with their three most coveted assignments. He got his first choice, shore duty in Tokyo.

As a young Navy ensign officer, McCloskey was assistant officer in charge of a communications site on the outskirts of Tokyo. In 1966, a year and a half into his three-year obligation, he decided he wanted to go to Vietnam "because that was where the action was and it was exciting to be in a war." He believed in the domino theory and felt that the war was a noble effort to help the South Vietnamese with democracy and stave off the

Communists. "I bought that hook, line, and sinker at that time," he says.

Soon McCloskey began to question what the United States was doing in Vietnam, as realism eventually won out over idealism. "That's where I really grew up," he says of his tour of duty in Vietnam. "I began to see the world as it is, and I began to doubt the authority of government. I came home completely disillusioned with the effort in Vietnam, and the waste of human life and treasury."

McCloskey returned home after his Vietnam stint, but he had still not gotten Japan out of his blood. So in 1969 he borrowed \$1,200 from his parents to return to Tokyo and make his mark as an expatriate businessman in Tokyo.

After five years, McCloskey had begun to feel a little homesick. So he quit his job, moved back to Philadelphia, broke and unemployed, and settled in Paoli. "I was exhausted with the Japanese experience and wanted something completely new," he says. But in 1974, after six months of job hunting, he discovered that he couldn't erase the knowledge he had developed, and he accepted a position with the Hay Group to establish and build a consulting group in Japan.

While the job came with some perks — a house on the Main Line and a big 1975 Lincoln Continental Town Car — by 1979 McCloskey started to question his priorities. "I felt my existence was shallow, selfish, and self-absorbed, without any real redeeming purpose," he says. "For the first time in my life I started to have a yearning for some kind of spiritual life."

After he started attending the progressive Paoli Presbyterian Church, McCloskey found himself looking forward every Sunday to the preaching of its minister, Dick Streeter, who also became a good friend. Streeter's message was simple and straightforward: to be a disciple of Christ means to "wash the other's feet;" the focus of a Christian life was not necessarily to save souls, says McCloskey, "but to help the disenfranchised, the voiceless, those on the margins of society."

Streeter became a model for McCloskey, who couldn't help but contrast Streeter's vocation with his own life. "He meant so much to people and families in a real way, and all I'm doing is making money for the corporation and myself."

Musing now about whether he would have felt differently if he had married and had a family, McCloskey, a lifelong bachelor, believes he would have still felt trapped in a work life he could no longer abide. But since he was single and beholden to no one but himself, he decided — after consulting with Streeter "to measure my level of sanity" — to enter the ministry.

At age 37 McCloskey walked into his annual review with his boss and told him he had decided to go into the ministry. "He nearly had a heart attack," recalls McCloskey, "and he said, 'Jim, I didn't even know you went to church.'"

In August, 1979, McCloskey headed off to the Princeton Theological Seminary in his Lincoln Continental and checked into a small dorm room. He heard later that friends from all areas of his life were stunned at his change of direction, and many had told their wives they were afraid their friendships with him were over. That, of course, did not happen.

As for Germond's personal history, she describes herself as "the first woman on both sides not to finish college." Her parents taught at the University of Connecticut, her father physics

and astronomy and her mother biology. Her father had built an observatory in their backyard, and he was also a world-renowned celestial photographer and built musical instruments.

Germond's interest in social justice came early, "My heart beat fast for justice things, and I was hugely into civil rights," she recalls. She marched in Hartford in the early '60s against restaurants that did not serve African-Americans and had sugar, maple syrup, and ketchup poured on her head by angry patrons. Much to her parents' chagrin, she was also a protestor against the Vietnam War, picketing the campus's Reserve Officers' Training Corps, which was run by her uncle. "He was very large about it, and welcomed dialogue," says Germond, "but my parents were absolutely mortified."

Yet she does attribute to her parents her sense of being a person in the world community. Every holiday they invited international students to meals at their home. Yet they led very orderly lives and, concerned that their daughter was looking like a beatnik, forbade her to go to college on either coast. "They felt like somehow by clipping my wings I would straighten out," says Germond, "but if anything, I became more dug in." So she ended up at Rocky Mountain College, in Billings, Montana, where she became fast friends with Arlo Guthrie.

But a year in Billings was enough for her. At a little club where Guthrie was playing, she met a man with a house in Pebble Beach, California, who suggested she look him up if she came to the West Coast. She ended up marrying him, and the couple moved to Mendocino and had a son together. He was, she says, "the first of three ex-husbands."

In Mendocino, she protested logging, started soup kitchens, and worked on rape-crisis hotlines, and she supported herself by working as a bookkeeper for small businesses. "It was an adventure." After 20 years in Mendocino, she moved to New York with her fourth husband.

Looking back over the course of Centurion's history, the organization did have one case of an inmate that Centurion had thought innocent, Roger Coleman, who turned out to be guilty. It created quite a media splash and caused some serious self-questioning within the organization. But Coleman's story also offers insight into how McCloskey proceeds when investigating a case.

Roger Coleman was a coal miner in Appalachia who had been convicted and sentenced to death for the sexual assault and murder of his sister-in-law. Centurion accepted his case and McCloskey worked on it from 1988 to 1992 with a young attorney, Kathleen Behan, from the pro bono unit of Arnold and Porter in Washington, D.C.

As with all cases that Centurion accepts, McCloskey came to believe Coleman was innocent. Over the four years he worked on the case, he says, "I came up with a lot of new evidence that pointed the finger of guilt to the Ramey brothers, who lived behind the victim, but no court would give us a hearing on the new evidence."

McCloskey details the evidence that cumulatively convinced him of Coleman's innocence:

— Coleman's guilt was based on a jailhouse confession by a criminal.

— The evidence about foreign hairs found on the victim's pubic area sounded somewhat ambiguous. McCloskey notes that "the criminalist from the Virginia crime lab said, 'those two foreign hairs found on the victim unlikely came from anyone else except Roger.'" The

criminalist had used the identical wording in the case of Ed Honaker, who Centurion freed and exonerated.

— Testimony of disinterested witnesses gave Coleman a strong alibi.

— McCloskey had spent three hours talking with Coleman on death row before deciding to take on his case.

— Behan and McCloskey found four different women who had been sexually attacked by Coleman's neighbor, Donald Ramey. Two of the rape victims said that Ramey had told them, "If you don't shut up, I will do the same thing to you that I did to Wanda McCoy [the victim in the Coleman case]." Behan and McCloskey met with these women, who were honest with them and came forward with affidavits. Two other people came forward who had heard Ramey confess to the murder but would not give statements because they were afraid of him.

— Ramey had mentioned an afghan in McCoy's home to his wife and a visiting neighbor that McCloskey thought he could only have known about if he was the killer, because no one knew about it except the police.

After this extensive investigation, which had convinced McCloskey and Behan of Coleman's innocence, their predicament — the scheduled execution of an apparently innocent man — appeared on the cover of Time magazine on May 18, 1992, the day before Coleman was scheduled for execution. The cover was simple: a picture of Coleman with the caption "This man might be innocent. This man is due to die."

McCloskey and Behan were with Roger, convinced of his innocence, up to 15 minutes before he was executed. Although neither witnessed his execution, Coleman's last words were reported to be "I'm an innocent man and I hope one day my innocence will be proved."

By 2000 DNA techniques had vastly improved, and McCloskey wanted to determine Coleman's guilt or innocence once and for all by getting a genetic profile from the semen on the vaginal swab of the victim at autopsy. All of the courts in Virginia denied McCloskey's petition to allow post-execution DNA testing. Finally, after two more years, Governor Mark Warner agreed.

The results — that the sperm belonged to Roger Coleman — came in one day before Warner left office. "I was dead wrong," says McCloskey. "To this day I'm still having trouble understanding how he did it, given all his movements that night and the alibis of disinterested witnesses."

The story was a national one, and at a press conference, McCloskey admitted he was wrong and explained why. "I felt devastated," he recalls. "You begin to look at yourself and wonder if you have lost your touch. How could you be so wrong when you thought you were so right?"

But in the end, truth is what Centurion Ministries is after, as McCloskey poetically expresses it in a press release about the results of the DNA testing: "If there is a means to discover the truth, we must never shrink or shy away from using it in our search. We must never stop the hard effort to touch the factual bottom of any case. The truth can be very elusive, and even illusory. Our search for facts can delude us into thinking that what we have found is gold, only to discover that it is in fact fool's gold. But once the gold of absolute truth is revealed, we must embrace it, and be thankful that we have finally uncovered it."

Centurion Ministries, 221 Witherspoon Street, Princeton 08542; 609-921-0334; fax, 609-921-6919. James McCloskey, director. www.centurionministries.org.
