

South Philly review

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Trash-to-dreams

Anti-blight legislation finally passed, with the potential to improve neighborhoods and build a land bank for the city.

By R. Jonathan Tuleya
REVIEW STAFF WRITER

South Philly, get ready for a facelift. Mayor Street's \$295-million anti-blight legislation finally plowed through two years of gridlock and power struggles with City Council last week.

Council's Committee of the Whole voted unanimously for the latest version of the bill, cosponsored by 10 members of Council, 15-0. Council is scheduled to have a final vote during its regular meeting today.

The final sticking point had been
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Lifestyles



Composing a career

Bob Capanna keeps busy running Settlement Music School, but he hasn't neglected his own creativity.

By R. Jonathan Tuleya....Page 15

PHOTO BY
MICHAEL A. APICE



Free and clear

For 28 years, Edward Baker maintained his innocence despite a murder conviction. With the DA conceding defeat, he has a license to start over.

By Sean M. Riley
REVIEW STAFF WRITER

In a last-ditch attempt to save face, District Attorney Lynne Abraham decided in January to offer Edward Baker a deal.

To an outsider, her proposal seemed like a no-brainer for the 45-year-old convicted murderer who had been placed on house arrest in 1999, pending a new trial.

All Baker had to do was plead no contest to the 1973 murder of Steven Gibbons and the sheriff would cut off his ankle monitor, completing his 28-year return to freedom.

Baker didn't think twice before he told Abraham, "No."

He would take his chances with a trial for one simple reason, he said: "I'm innocent."

Baker's gamble paid off, as the District Attorney's Office dropped all charges and removed his house-arrest monitor 10 days ago.

"The only way I can explain how I felt in 1974 when I heard 'guilty' was that it was the exact opposite of the way I felt last week when [the District Attorney] dropped my case," Baker said Monday, enjoying his holiday as an electrician for the city. "There is nothing like sitting here talking and not having to worry about going to any more trials."

He said he surprised some people when he passed up his "get-out-of-jail-free card" last month to risk facing a judicial system that had found him guilty once before.

"People look at my situation and say, 'But Ed, how can you trust the very system that put you in jail for 25 years?'" he said. "I told them I had to trust the system because I would rather die in

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Edward Baker is enjoying his life with his new wife, junior-high sweetheart Luzetta Thorne. Two-year-old Jasmine, Thorne's foster daughter, sits between them.

PHOTO BY MICHAEL A. APICE

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prison than admit to something I didn't do."

But even after dropping the murder charges, Abraham maintained Baker was guilty.

"We believe that Eddie Baker was properly convicted of the 1973 murder of Steve Gibbons," she stated. "I have decided not to go forward with the retrial because the only witness to the murder is dead."

That witness, Donahue Wise, testified against Baker in 1974, but recanted his statements in 1996.

"If we were to go to trial now, both versions of [Wise's] testimony would be introduced, thereby presenting the jury with contradictory testimony from a now-deceased witness," Abraham explained.

Those who believed in Baker, including his attorney Len Sosnov and minister James McCloskey — who heads Centurion Ministries, an organization that helps the wrongfully jailed — had long fought the courts on his behalf. McCloskey was the one who convinced Wise to recant his original testimony.

CITING IMPROPER REPRESENTATION, Common Pleas Judge C. Darnell Jones 2d threw out Baker's 1974 conviction in 1997 and released him two years later on \$50,000 bail.

Wise, who died of cancer in January 2000, admitted his role in the grisly murder when he was picked up a few hours after the crime.

The diagnosed schizophrenic and drug abuser gave up the names of a pair of 17-year-olds he knew from his Point Breeze neighborhood in exchange for a lesser sentence.

Wise told police that Baker, who then lived on Ringgold Street, and Clifford Walker, from the 2400 block of Federal Street, were his accomplices.

Walker admitted to being present inside Gibbons' home on the 1200 block of South 24th Street during the crime. However, he denied being the one who bound and gagged the elderly bellhop before plunging an ice pick into the back of his neck. For police, that left only Baker.

The next day, police arrested Baker and, Baker alleges, beat a confession out of him

despite that he had a solid alibi. At least a dozen witnesses came forward and said they saw the teen at a wake in Frankford at the time of the crime.

Baker blames the alleged misconduct on the aggressive tactics endorsed by then-Police Commissioner Frank Rizzo.

"Jail is bad, but what I went through during those three days at Eighth and Race streets is the worst experience of my life," he said. "They took turns beating me and after I rested for a while, they beat me again and again. Finally, I did the only thing I could to make the beatings stop and I confessed to something I didn't do."

However, because it took police so long to get the confession, it was suppressed at trial.

Before the testimony began, Baker turned down the DA's first deal.

"They offered me three to 12 years in 1974 if I would admit I was [involved in the botched burglary of Gibbons]," he said. "And believe me, if I had anything to do with that crime, I would have took the deal in a second."

Instead, he remembers sobbing with his mother when his court-appointed public defender, C. George Milner, refused to allow him to take the stand and never challenged the inconsistencies in Wise's testimony.

After a two-week trial, a jury sentenced Baker to prison for life for Gibbons' murder, while Walker — who also accepted a deal — and Wise served three years each for burglary and aggravated assault.

"I'd be lying if I said I didn't hate Donahue Wise at some point," Baker said. "But I forgave him a long time ago."

IT HAPPENED INSIDE a simple chapel at Camp Hill Prison in the early '90s.

A group of inmates was talking about forgiveness, and the chaplain asked Baker if he had someone to forgive.

Forgiveness, she explained, would provide a multitude of blessings that would far outweigh the negative emotions of hatred and bitterness.

"I have a wife, a house, a car and a good job," Baker said with humble pride inside his neat, comfortable home on the 2200 block of Jackson Street. "I am a testament to the

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BLIGHT

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gram director Pat Smith, Street's chief of staff Joyce Wilkerson and Redevelopment Authority executive director Herbert Wetzel.

Smith assured Council that the planning and progress of NTI would be done with "transparency." The mayor would not have access to the bond proceeds until Council approved a budget for the project, she testified.

"Council will not turn around after a few years and find millions of dollars have been put into government overhead," Smith said.

She noted the city will hire project manager Hill International to demolish and seal buildings for at least the first few years of the program because the city has no experience coordinating a construction project of this size. However, Smith later acknowledged Hill has never managed an anti-blight program similar to the city initiative.

Hill has offices in Philadelphia and New Jersey, and the company ran projects at the USS New Jersey and Philadelphia International Airport as well as construction of the Pennsylvania Convention Center.

One issue that could impede NTI's progress is the city's ability to get ownership of vacant and abandoned properties. It can take up to a year for the city to acquire

a vacant property, said the Redevelopment Authority's Wetzel.

The city currently obtains properties through urban-renewal grants, spot condemnations of imminently dangerous buildings, sheriff sales and the land-donor program.

Wetzel is looking to the state legislature to streamline this process and make it easier to create a land bank. His agency has suggested two changes.

First, any building with a demolition lien on it should be classified as blighted. The Redevelopment Authority also wants the city to be able to claim any property with outstanding real-estate taxes and municipal liens that exceed 150 percent of the value of a home.

Wetzel estimated these modifications to the law would take two months off the turnaround time for the city to acquire a property. The state legislature's urban-affairs committee is expected to introduce the enabling measures by spring.

The city's antiquated system of tracking properties also causes delays, Wetzel said. Almost none of the city's property records are filed by computer. A consulting firm has been hired to update the system and install technology. **SPR**

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fact that bitterness doesn't work. I couldn't have gotten any of these things through hate."

Instead, Baker said he made the best of his situation, learning the electrical trade while still incarcerated. After his release on house arrest, labor leader Wendell Young 3d, a friend of Rev. McCloskey, hired Baker as a laborer at the United Food and Commercial Workers Local 1776 office in Plymouth Meeting. Baker was allowed to leave his home to go to work. After less than a year with the union, he passed the test to become a city electrician.

Last June, he finally married his junior-high sweetheart Luzetta Thorne, who never doubted his innocence while writing him weekly letters in prison.

Together, the two quietly saved "\$5 here and \$10 there" until purchasing their home shortly after their wedding.

Many people who have spoken to or interviewed the 45-year-old can't grasp how Baker could be anything but vengeful after spending more than half of his life incarcerated.

"Sue," they tell him.

Money would at least be some compensation for his lost years, for the sleepless nights in an 8-by-10-foot cell and the forced isolation from family and friends, they say.

Baker didn't even get to see his mother before she died in 1991.

The DA agreed to drop his case only if he agreed not to sue, but Baker still insists he doesn't see money as any measure of vindication.

"All the money in the world cannot buy peace of mind," he said.

He does wish, however, that Abraham did not mark his release from prison by telling the press she still believes he is guilty.

"I saw the prosecutors say the same thing about [Bruce Godschalk of Montgomery County] who was set free because of DNA evidence last week after serving 15 years in jail," Baker said of the man who had been convicted of two rapes. "They have scientific proof that it wasn't him and they still say they think he is guilty."

With his own struggles in the justice system behind him, Baker looks forward to taking on all kinds of experiences. Ironically, that will include serving jury duty in March.

He also is eager to get wired for the Internet, about which he has heard many "cool" things. Baker's ankle monitor had been plugged into his phone line, making access impossible.

Now he believes pretty much anything is possible.

"After 28 years and two months, my nightmare is over," he said. **SPR**

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