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Free Wilbert Gay, Jr.

Location **Ohio**
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Thanks for responding to our ad. The Justice for Wilbert Gay, Jr. Committee was formed to secure Wilbert Gay's freedom. Wilbert is a 58 year old Philadelphia man, who has been incarcerated for over 35 years. We are struggling to get Pennsylvania to give him the opportunity to appeal his 1978 conspiracy to commit murder conviction, which is his right guaranteed by the U.S. Constitution.

Additional details about the railroading of Wilbert Gay, Jr. by the Pennsylvania criminal injustice system can be found on our moveon.org petition. We ask that you please support our campaign by signing our online petition at:

https://petitions.moveon.org/sign/justice-for-wilbert-gay?source=s.icn.em.mt&r_by=12090685

Thanks, Cleve Parmer Justice for Wilbert Gay, Jr. Committee

PS: The movie, "The Thin Blue Lie" is about the same Philadelphia homicide unit that interrogated Wilbert Gay, Jr., beat him and forced him to sign a statement. At Wilbert Gay's preliminary hearing (aka probable cause hearing) for the murder and conspiracy charges, the presiding judge, initially stated that additional evidence was required to hold Gay for trial. The basis for the judges' statement was Pennsylvania's Corpus Delicti Rule, which states:

"Pennsylvania courts apply the rule that "a criminal conviction may not stand merely on the out of court confession of one accused, and thus a case may not go to the fact finder where independent evidence does not suggest that a crime has occurred." Commonwealth v. Edwards, 521 PA. 134, 144, 555 A.2n 818 (1989) Commonwealth v. Byrd, 490 Pa 544, 566, 417 A.2d 173, 179 (1980). As stated by our Supreme Court.

In a word, out of court confessions and statements are inadmissible in a court of law unless there is independent evidence that shows that the crime or crimes have been committed. At that point in the preceding the assistant district attorney stated that he had a statement from the codefendant implicating Gay in the murder. At that point, the judge, with the assurance from the assistant district attorney, that independent evidence would be available going forward, Gay was held for trial. At the July 25, 1978 trial the assistant district attorney never presented as evidence the statement that the codefendant allegedly had made and the codefendant [illegible] the stand at Gay's trial. Without the independent evidence that the Corpus Delict Rule requires, Gay's statement was inadmissible in a court of law. Without Gay's statement the prosecution did not have a case. That did not stop the prosecution from going forward with the "malicious prosecution" of Wilbert Gay, Jr.

Six members of that homicide unit who are the subject of the movie, "The Thin Blue Lie" were convicted four months before Gay's trial of violating the constitutional rights of the suspect and witnesses mentioned in the movie by beating them in order to get a confession which led to a conviction. The murder suspect that they beat until he confessed, had not committed the murders. After he was convicted the real murderer confessed to the murders. The Philadelphia Assistant District Attorney had the audacity to put on the stand at Gay's trial one of the convicted detectives to testify to the "legality" of the statement that he and three of the other convicted detectives had obtained from Gay. When the detective's appeals were denied they were sent to a federal prison in Florida to serve their sentences. Please sign the petition and encourage others to sign it.

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