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## **142 Clemency Hearings in Illinois Also Revive 142 Cases of Horror**

By **JODI WILGOREN**

**CHICAGO, Oct. 15 - Long before the woman in the blue velour pantsuit took the microphone, everyone could see she was the mother.**

Mouth stuck in a frown, eyes shut, she rocked back and forth as the assistant state's attorney, David J. O'Connor, announced, "No other person in Illinois history has been convicted of killing more children."

She raised a hand to cover her face when Mr. O'Connor described how the babies burned in their beds. She shook her head right to left, slowly, sadly, as Mr. O'Connor detailed the killings, step by horrific step.

"Leonard Kidd has developed and nurtured his own graveyard," Mr. O'Connor said. "I'm asking that Leonard Kidd not get what he wants, but that he gets what he richly deserves."

Leonard Kidd had long ago been tried and convicted for the 1980 arson that killed nine children and one adult, as well as the 1984 stabbings of two adults and two children. He had already been sentenced to death. Twice.

But today, as part of an unprecedented series of clemency hearings for nearly all the prisoners on Illinois' death row - largely because of DNA exonerations of several inmates - Mr. O'Connor and the parents of several of the victims found themselves arguing the case all over again, his time to members of the state Prisoner Review Board.

"I don't feel Leonard should live; my kids are dead," said Emma Burts, the woman in the blue pantsuit. Her children, Patricia, Denise and Latasha, were 6, 5 and 1 when they perished in the fire. "I don't even have a picture, no more than an obituary. My kids were burned beyond recognition. For years after the trial, that's all I could see."

Mr. Kidd was one of just six condemned prisoners whose cases were heard today in Room 9-031 of the state building here, and the room was just one of four overstuffed conference rooms where review board members heard cases simultaneously. This was the first of nine days of hearings scheduled for 142 convicts pleading that their executions be replaced by life sentences or, in a handful of cases, that they be pardoned.

Gov. George Ryan, who halted executions here in January 2000, after 13 condemned men were exonerated by DNA evidence, ordered the mass clemency hearings as he considers whether to commute the sentences of everyone on death row. The much-anticipated hearings turned the theoretical national argument over capital punishment into a vivid real-life drama.

Dozens of prosecutors, yellow ribbons on their lapels to honor murder victims, scribbled on legal pads as they pondered the possible unraveling of thousands of hours of courtroom battle. Relatives of the victims, clutching childhood snapshots or funeral programs, relived the crimes from the front rows. "I looked in the garbage can, and I'm thinking, 'This is a doll,'" recalled Emma Richards, whose 6-year-old daughter,

Shenosha, was kidnapped, raped and murdered in 1991 by Latasha Pulliam. "I picked it up, it was my baby. Not only she killed my baby, but she killed me, too. She killed my whole family.

Defense attorneys propped evidence posters onto easels as they begged for fairness and justice. Law students, reporters, and other spectators sat on tables in the back, crammed into aisles and huddled in the doorway, necks craning.

"Their convictions are irrevocably tainted and their sentences are irrevocably tainted," Flint Taylor, an attorney, said of several men who claim they were tortured during interrogations by a notorious police commander who has since been fired. "Whether or not they are guilty or innocent, they all have the right to be free of a conviction that was based on a confession that was tortured from them. Otherwise there can be no just result. "

Absent from the proceedings were the defendants, as well as the man who will ultimately decide their fate. Governor Ryan stayed in his office sending deputies to take notes on the hearings.

"He doesn't want to send any message by going to one of them - he can't go to all 142," said the governor's spokesman, Dennis Culloton. "The governor hasn't made up his decision about what to do with these cases."

Taken together, the 139 men and three women who filed petitions for clemency have been convicted of killing more than 250 people, and have served more than 2,000 years in prison, an average of 15 years each.

The youngest, Paul Taylor, is 21; the oldest, Andre Jones, 67; the average age is 41. Upon entering prison, their average age was 26 - four were 17 and eight were 18. Ninety of the defendants are black, nine Hispanic, and 38 white.

Today's hearings brought into three dimensions a debate that has dominated politics and prosecutions in Illinois for the past three years, particularly since Governor Ryan's blue-ribbon commission called in April for a sweeping overhaul of the capital punishment system. Defense attorneys used the commission's 85 recommendations as a guidepost in asking that their clients be spared.

Leonard Kidd, they argued, was mentally retarded. Leroy Orange, Mr. Kidd's half-brother and co-defendant in the 1984 slayings, was tortured by the police. Ronald Kitchen was convicted based on the testimony of a jailhouse informant. Mario Flores, a Mexican national, was denied rights under the Vienna Convention.

The 14-member review board, half Democrats and half Republicans, includes lawyers, teachers, counselors, two former state legislators, a retired sheriff and a longtime corrections officer. After the hearings, the full board will convene and submit recommendations to the governor, though he may grant or deny clemency regardless of its advice.

"I've been short on sleep for the past several nights," said Craig Findley, who joined the board 18 months ago.

James R. Donahue, another board member, who wore a tie covered in tiny American flags, peppered attorneys with up to a dozen questions per hearing.

"If they are coming from the point of view that the death penalty is unconstitutional," he said of the defense attorneys, "then they are not going to get a positive vote from me. "

Though the review board had originally allotted 15 minutes per side for each case, most of the hearings stretched beyond an hour. The panels cut their lunch breaks, and though they were scheduled to adjourn at 5 p.m., the last case was just beginning at 7.

As the day wore on, defense attorneys acknowledged the horror of the crimes, and repeatedly offered their sympathies to the victims' relatives, who sometimes left the room in tears when testimony grew graphic. But while the lawyers spoke in abstract terms about long-ago interrogations, failed motions and suspicious evidence, the survivors provided painful, personal portraits of crime.

In the Leonard Kidd case, Donald Pedro showed a snapshot of himself fishing with his stepson, Riccardo, and said he struggles to keep that image in his head, rather than the badly burned body he had to identify at the morgue.

"I'm pleading for justice for Ricky , not for me, not for his mama, not for a bunch of causes," Mr. Pedro said. "Ricky deserves it. "

Asked whether it was difficult to follow such emotional testimony, John Horn, who represents one of the brothers convicted in a 1983 double murder, pointed to the review board members and said, "Our appeal is to their head."