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## Exonerated death-row inmate speaks at Innocence Project reception

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Rolando Cruz doesn't like talking much about the 10 years he spent on Illinois' death row before his wrongful conviction for kidnapping, raping and murdering a young girl was overturned in 1995.

Cruz, Monday night's guest speaker for the Downstate Illinois Innocence Project's third annual awards reception at the Executive Mansion in Springfield, said he doesn't see the point in dwelling on negatives.

"A negative's a negative, you need to let it be," he said.

For a man whose conviction is cited throughout the country as one of the clearest examples of prosecutorial misconduct, that attitude seems surprising — until you meet him.

A single father of three young children, Cruz said he prefers to spend his time lecturing and finishing a book about his experience.

Cruz and co-defendant Alejandro Hernandez were convicted and sentenced to death in 1985 for the 1983 kidnapping, rape and murder of 10-year-old Jeanine Nicarico of Naperville. Another man, Brian Dugan, who had been sentenced to life in prison for two other murders, confessed to the Nicarico crime, but his confession was withheld from Cruz's two retrials.

Eventually, with help from the Medill Innocence Project at Northwestern University, Cruz and Hernandez were exonerated. Cruz was cited as an example of a "system fraught with error" when then-Gov. George Ryan declared a moratorium on the death penalty in Illinois and ultimately commuted the sentences of all death row inmates.

Students involved with the Downstate Illinois Innocence Project at the University of Illinois at Springfield also help develop evidence that gets wrongly convicted inmates released.

Mary Brigid Hayes, one of three people honored with Profiles in Courage Awards at Monday's ceremony, was working in the attorney general's office as an attorney during Cruz's appeals.

"I was astonished at the number of terrible mistakes that had been made in this trial, and I could not in good conscience argue that the conviction should be affirmed or that Rolando should be executed," she said.

Hayes said she encouraged her supervisors to allow her to acknowledge that the office had erred. They refused, and she later quit.

"They told me it was not my job to worry about whether the defendant had committed the crime for which he was sentenced to death," she said. "There were some very dark days before he was eventually acquitted when I feared that maybe I had not done enough or not done everything I could do to shed light on the injustice that took place."

Also honored for their work in Cruz's case were Ed Cisowski, a former Illinois State Police lieutenant, and John Sam, a former DuPage County sheriff's detective.

A Pro Bono award was presented to the Springfield firm of Feldman, Wasser, Draper & Cox for its work with the Downstate Innocence Project on the case of Thomas McMillen, one of two men serving a life sentence for the June 24, 1989, murder of Melissa Koontz, whose body was found west of Springfield.

The firm of Gates, Wise & Schlosser PC got the same award for its efforts in the case of Michael Slover Jr. and his parents, Michael Sr. and Jeannette Slover, who are serving 60- to 65-year prison terms after being convicted in Macon County of the 1996 murder and dismemberment of Slover Jr.'s ex-wife, Karyn Slover, in 1986.

"They are allowing their attorneys to work pro bono on cases that are before the project, which we would not be able to pursue if it wasn't for this kind of help," said the organization's director, Larry Golden.

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