

Caroline Heller:

Hi, this is Caroline Heller, chair of Greenberg Traurig's Global Pro Bono program. I'd like to welcome you today to Greenberg Traurig's Pro Bono Podcast, Good in Practice because everyone has a story.

Bilaal Wilson:

I looked at Maps, I read, I dreamt, I hoped and I just did not want to be there. Did not deserve to be there. And the only way I could get out was prayer and learning this law and fighting for my life. And that's what I did for 28 years straight.

Caroline Heller:

Bilaal was just 17 at the time that the murders were committed in 1989. In 1992, he and his co-defendant Christopher Williams went on trial for their participation in the murders. They were convicted primarily on the testimony of a man named James White, who had confessed to six murders. Through the juvenile law center, Bilaal's case was referred to Greenberg Traurig's Philadelphia office, in particular shareholders, Brian Feeney and Kelly Bunting, they joined me today with Bilaal. Here is Bilaal's story.

Bilaal Wilson:

It was horrifying and I came back and I couldn't believe it. They had acquitted, at the time co-defendant, Rick Bennett. I just was like, I was just questioning why me? And I just had a lot of questions, a lot of hurt and a lot of pain. What they did was when I came back from getting, they locked me down, I came back and they sent me right up state. They sent me right up state. Didn't waste, no time. They got me out of there and they whisked me off to Graterford. I got there and the first question they asked me is where you want your body sent? I said, "I just beat to death penalty, what are you talking about?" And they were like, "Where do you want your body sent just in case something happens to you." That added some extra trauma and I'm mean it was horrifying.

Caroline Heller:

Did you spend all 28 years at Graterford?

Bilaal Wilson:

Well, most of the time, yep. From there, Graterford, it's a diagnostic center, so they sent us from there we were in a quarantine section. They sent us there and they sent us to Camp Hill. I was there for about maybe two months, about a month and a half, then I was sent to Camp Hill. I got found guilty in July, I believe 1993, went to Camp Hill, let's say August, I stayed there until about maybe September at Camp Hill getting classified. Then from classification, I came down to Graterford and that was in maybe October, November 1993, and I remained there from 1993, October, November 1993, until that Graterford down and moved us to Phoenix, SCI Phoenix, right across the road. For the most part I spent, let's say, 26 years, give or take 26, 25 years at Graterford.

Caroline Heller:

You said a little bit earlier that you promised yourself you'd never unpack. What do you mean by that?

Bilaal Wilson:

This was not my home. I'm actually innocent. I don't deserve to be here. I'm a quick learner, I observe and I listen real good. And I've seen this is hard for some people, just wanting to adapt for survival. They

was all right being there. That didn't sit right with me. I think I want to go home. I want to right this wrong, I told these people I'll be back. In my death penalty hearing, I told the D.A. I'll be back. I'm not going to be here and get comfortable. And I never did.

Caroline Heller:

Tell me a little bit about how you spent those 28 years, how you survived and did you have hope that you'd get out?

Bilaal Wilson:

A lot of prayer. A whole lot of prayer and I engrossed myself in studying the law and exercising. That's all I did. I prayed, I learned the law. I studied, researched, read every book I could get my hands on in the library because that's where I worked at, had the leisure side and the law side, I was a law clerk, probably I did a bunch of things because if they needed you, you had to work in the leisure library.

Caroline Heller:

You have maintained your innocence the entire time and believed that you were wrongfully convicted. And you talked about learning the law. Were there things that you did to try to exonerate yourself while you were incarcerated? Did you file any papers? Did you reach out to legal services to see if anybody would take your case?

Bilaal Wilson:

Yes, I was a very aggressive litigator. You know, pain is highly, it brings about some serious motivation, so when I didn't have counseling or even if I had counseling, I knew that with these time requirements and these procedures and jurisdictional questions of timeliness and things like that, I just made sure I had a nice, good working typewriter. I just filed the best petitions that I could. And I litigated all up and down the ladder, with or without counsel. Filed the appropriate motions and petitions and grease and trying to hire investigators, trying to get them to go out and talk to people. Everything I could do, I did, I actually did some litigating to try and investigate, all types of things. I wrote all types of law firms and I did everything I could because at that point that's what I was living for, to get out.

Caroline Heller:

Bilaal, I just have a question about some other stuff about when you were incarcerated. Can you tell us about what kind of interactions you had with your fellow inmates? Were you involved in any of the programs at Graterford and Phoenix? Did you pass along the legal skills you had developed? Why don't you tell me about some of the things that you did while you were there?

Bilaal Wilson:

Well, while I was there, I've always been a people person, so in jail, people need help. I basically had two working relationships with people basically, one was religious, I'm a Muslim, so I learned Islam. And I used to teach Islamic studies at least three times a week and give religious sermons on Friday sometime. That was one relationship. Then a relationship with the law, working in a library.

Bilaal Wilson:

They were the basic two basis of the relationships, so I came in contact with a whole lot of people that needed help. I try my best to help them and give them good advice because I knew I had to be positive

because hate erodes the container it's in, so I knew I couldn't be bitter and hateful about what happened to me. That stuff won't allow you to really help people. I kept that way down, this pain, especially in that way, grew out of that bitterness that I had in the beginning, just out of hurt. I just would help people with their cases, try to help people out of jail.

Bilaal Wilson:

Just did what I could do just to help people.

Caroline Heller:

During the 28 years that you were incarcerated, was your family able to visit, were friends able to visit? Did you maintain those relationships with people outside of the prison?

Bilaal Wilson:

Yes. Yes and in that regard I was blessed to have a lot of support from family and friends. It made it much easier for me to fight and maintain. And it's something that a lot of people don't have for whatever reason, they don't have support. Throughout my incarceration, I had people there for me trying their best to help me. I'm very grateful for that.

Caroline Heller:

My understanding about sort of the history leading up to when you were first given an opportunity to actually maybe get out, but your co-defendant Mr. Williams, he was granted a new trial. Do you remember what year that was?

Bilaal Wilson:

That was in 2013.

Caroline Heller:

All right, so in 2013, your co-defendant is granted a new trial at that point, had any of your efforts to get your case heard advanced? Had they progressed in any manner?

Bilaal Wilson:

Well, I learned to be diligent. I had filed several petitions arguing equal protection for the laws and several other things piggybacking off his litigation, just trying to get the same relief. I filed several petitions, requested evidence, requested transcripts and things like that. I've just remained patient, but in their face as much as I could on my own. I hired an attorney, we ended up parting ways because he had done the the filing of the petition, so to try to amend the stuff I filed, so we parted ways, kept the litigation going.

Caroline Heller:

In, I think it was 2017 after a series of Supreme court decisions about mandatory life sentences for individuals who had committed crimes when they were juveniles. That was the first opportunity you had to have your case heard because the crime you're accused of and convicted of participating in you were 17 at the time that the crime occurred. So as a juvenile lifer, as they were calling these young men and women, and now not so necessarily young anymore. Do you remember having conversations with

organizations when you were first designated a juvenile lifer about possibly having your case taken by a lawyer or a law firm to try to get you a new sentence?

Bilaal Wilson:

Yes, the Miller case came out in 2012, so I had filed in the state courts, to have my case heard and benefit from that decision. And then in 2016, the United States Supreme court had actually voted, it was retroactive. So 2016, between 2012, 2016, we had meetings with juvenile projects and the litigation specialists, so from 2012 to 2016, there was a lot of meetings with juvenile advocates and things like that. And at this time I'm still writing law firms and stuff like that because not only am I juvenile but I'm actually innocent. That process lasts four years. I was just writing and talking to people and saying to them I'm actually innocent too. "Oh, okay. Well, it's a juvenile thing." Nobody is really paying any attention to the actual innocence part, their just focused on the juvenile thing and I'm saying, okay, but I'm still going to fight for my innocence. Okay you can get out and do that. I said, okay, well, 2012, 2016, that was the situation.

Caroline Heller:

Brian and Kelly, do you remember the first time that you learned about Bilaal's case?

Brian Feeney:

We got a call. I believe it was from the GT, Greenberg Traurig, internal network, talking about the case and eventually we connected with the Juvenile Law Center. And they told us that about the Miller decision, that life imprisonment sentences, who are folks who committed the crimes when they were under 18, were for the most part entitled to new sentences. And would we assist one such juvenile lifer with his resentencing hearing? We were interested and we said we'd do it. And we started to sort of learn more about the case.

Caroline Heller:

Bilaal, do you remember getting a call about whether you wanted to have attorneys represent you now that the juvenile lifer laws had changed?

Bilaal Wilson:

Yes, we were told during seminars that they were trying to do counsel for people. And then finally, one day I got a letter from the Juvenile Law Center. Marsha Levick was actually spearheading, the juvenile mitigation with Brian Stevenson. I got a letter and said would you mind if a law firm represents you? I went back and said I would love it. That's when I met Brian and Kelly.

Caroline Heller:

Kelly, can you tell us a little bit about what you first remember from your meeting with Bilaal, your very first meeting?

Kelly Bunting:

We were given a file and there wasn't a lot of information in it. Like Brian said, there was a list, we found out from GT's pro bono attorneys that Pennsylvania has the largest number of juvenile lifers incarcerated out of all of the states. When we looked at the files, I saw that Bilaal was 17 at the time that these murders occurred. And I had a 17-year-old son at that time. And I just kept thinking about my

own son and how I would feel. I thought about the Bilaal's mother. I thought about his family and how they felt to see their 17-year -old son accused of these awful crimes and then actually convicted and jailed. We didn't have too much in the file. We scheduled a meeting with Bilaal out at Graterford, which wasn't that far from Philadelphia.

Kelly Bunting:

It's right outside of Philadelphia, really, and Brian and I met there. And the first time we met him, I liked him. I just liked him right away. When you meet Bilaal, he is, you sense he is a very good person. I don't know, that's the sense that I got when Brian and I talked about it later. Very sincere, very credible. He told us his story, and you really can't believe it. That somebody at 17, that this could happen to someone that their whole life would be turned upside down.

Kelly Bunting:

And so after finding out more about his story, we began pulling the dockets. We saw how many petitions he had filed both in, in federal court and in state court. And of course that only made you more determined to help him. Because Brian and I have been attorneys in the civil system for a long time, and we know that unless you have a lawyer, you're unlikely to get a lot of attention in civil court. And I can't imagine that happening or being any better in criminal court. And as we went on with the case, we realized that that was very true and that Bilaal needed representation.

Caroline Heller:

Bilaal, can you tell me a little bit about what you remember from the first meeting with Brian and Kelly that you had?

Bilaal Wilson:

I was happy and was hoping that they'll hear me and help me. It was a warm feeling. I enjoyed the visit and I'd seen it as an opportunity to get the help I needed.

Caroline Heller:

And it sounds like, when you met them, probably one of the first things you told them is that I'm innocent and that's the claim that I want the court to hear. Not that I was a juvenile. Why don't you tell us a little bit about how that conversation went?

Bilaal Wilson:

Well, Brooke, she's an attorney from the Juvenile Law Center and we were talking about giving up my actual innocence and just going over some law stuff. I forgot all the details, but I was saying to myself, yes, I'm going to take whatever I can get, but I'm actually innocent and I made sure that I made that clear. I asked Brian and Kelly, would they help me? Overall, in totality. Yes, I don't mind getting out on the juvenile issue here, but I'm actually innocent too. I felt good about, there was a very good vibe so.

Caroline Heller:

So, Bilaal when you were talking about the conversation you had with the attorney at the Juvenile Law Center, that conversation sounds like what she was telling you is that if you wanted to take advantage of the opportunity to have a new sentence, that would probably give you the possibility of parole at some point you would have to give up your innocence claim. Is that right?

Bilaal Wilson:

Well, basically. That's what she was getting to. She was just, I knew, I mean, at that point, studying law, I knew they couldn't. The law says they can't put you in a Hobson's choice type of situation, meaning to give up one life for another, so I stood on that. Didn't want to give up one incarcerated life for another, especially when I'm actually innocent, so that was my position. I actually litigated that up in the federal court.

Caroline Heller:

Brian, can you tell us a little bit about what you thought when you walked in with Kelly to meet the Bilaal with the understanding that this would be a juvenile lifer and Bilaal told you that he was innocent? Well, how did you and Kelly react to that both when you were there and afterwards?

Brian Feeney:

As I recall, Brooke was with us too, so it was Brooke and Kelly and me, we met Bilaal and we wanted to direct the conversation toward facts that would help us make a good mitigation case so that we could get Bilaal the best possible resentencing. And so we were talking about his prison record and how he'd improved himself so dramatically in prison and as Bilaal said earlier, turned a prison into Princeton, jail and to Yale as he says. And while Bilaal was very willing to talk to us about all that and very helpful he kept redirecting the conversation toward the trial and the injustice in the trial, and the fact that he was innocent. You go in there with a little bit of skepticism because I've heard people say that everyone in jail is innocent.

Brian Feeney:

And so there was a little skepticism, but I took what he said back with me and one of the things I did afterward was to read the Christopher Williams opinion, which went all the way to the Pennsylvania Supreme court when Supreme court gave the co-defendant Williams a new trial. And it's apparent from the decision that the evidence on which Bilaal had been convicted was just completely wrong. And that the story that was told to the jurors could not possibly have happened as a matter of science. And so that's really the first time that I began to believe his case and thought I think he did have a very strong innocence claim and that the evidence used to convict him was false and untrue.

Caroline Heller:

Thanks for joining us. And I hope you tune in next week for another Pro Bono story.