

**Fernando Bermudez, innocent and exonerated after serving 18 years for murder  
Testimony in support of SB 280.**

I am writing in support of repealing Connecticut's death penalty as a Connecticut citizen as well as someone who spent 18 years in prison for a murder I didn't commit. Mistakes happen, I am living proof of that. I am convinced if we do not repeal the death penalty in Connecticut it is only a matter of time before we commit the unthinkable and execute an innocent person.

In August of 1991 I was arrested in front of my parent's home in Washington Heights New York. As my mother screamed, detectives pointed guns at my head and shoved me into their squad car. I didn't know why I was arrested, but hours into my interrogation I was told I was being charged with the murder of a young man, Raymond Blount. This was shocking to me as I'd never been involved in any sort of violence.

I was convicted based solely on mistaken or coerced eyewitness testimony from five teenagers. One witness, a 17 year old girl, picked my photo as the perpetrator (after first selecting two different men), and then she shared my photo with other witnesses, which tainted their ability to independently identify the perpetrator.

These were not reliable witnesses. The prosecution's star witness cut a deal to avoid jail time for his offenses, and other witnesses had criminal records that were cleared after they testified against me.

Speaking against these questionable witnesses were 3 friends of the deceased who said that I was not the one who shot their friend. And the facts didn't add up. The description of the perpetrator was someone who was 5'10" and 165 pounds, I am 6'2" 215 pounds. I was asked to sit down during the line up to hide this height and weight difference.

Despite all of this, in February of 1992 a jury declared me guilty. I'll never forget the sound of the gasp my mother made when that guilty verdict was read.

I can not begin to describe how terrible prison is, the closest I can come is to say is that it is a living hell. For 18 years I was surrounded by violent criminals, delusional and insane men who would urinate, defecate, vomit, on themselves, and threaten violence to others.

The noise is unbearable. The experience was so horrible that I considered killing myself. I had delusions that in the corner of my 6 x 9 foot cell there was a noose that could put me out of my misery. There were others who weren't as strong as me and did kill themselves as the only escape from the hell of prison.

When not battling horrible depression, I committed myself to learning about my case and doing all I could to prove my innocence. I wrote letter after letter to anyone who would possibly take an interest in my case.

I lost ten appeals – despite the complete lack of evidence against me. Once a person has been convicted it is nearly impossible to free them, especially if there is not DNA evidence, as there wasn't in my case. DNA only exists in about 10% of all homicides. The potential for error is very real – across the country nearly 300 individuals have been exonerated due to evidence of their innocence. 140 of these men have been on death row.

Still, I kept making noise about my case.

And I was incredibly fortunate to have a tenacious attorney who had a creative idea about how we might earn a new trial. After ten lost appeals, I was dubious. But my attorney was extremely committed and developed an impressive team: a law professor, an attorney and his firm from Washington DC, and a New York former U.S. attorney and chief prosecutor for Southern District Courts of the United States. We also had the help of the non-profits the Innocence Project in New York and Centurion Ministries in New Jersey.

Very few innocent people are as lucky as I was to have this dream team and the public outcry my case was able to generate. By 2006 my case was receiving national attention with my story covered on Court TV, MSNBC, and the New York Times.

Eventually, the prosecution admitted, for the first time in the state's history, that their star witnesses had committed perjury. I was offered the opportunity to plea guilty to manslaughter and the charges would be dismissed, I could go home and my case would be resolved. But I said no. After 18 years of suffering for a crime I didn't commit, I remained committed to the truth and went forward with the proceedings.

Finally, after 18 years and ten failed appeals, I received justice. Eleven witnesses from across the country came forward to tell the truth. The judge declared me "actually innocent" and chastised the prosecution for knowingly moving forward with perjured testimony and for the horrible identification procedure that went forward. I couldn't believe it, I was a free man.

I left prison with Post Traumatic Stress Disorder after experiencing 18 years of the hell that is living in the general population of a maximum-security prison. I learned to sleep with one eye open, because you never know what's going to happen when you share a cell with a violent killer.

If I can be thrown into prison for a murder I had nothing to do with, it can happen to anyone. However, I don't believe everyone is as fortunate as I was to be able to eventually prove their innocence. Despite an incredible team of attorneys, national recognition and absolutely no evidence against me, it took 18 years for me to prove my innocence.

If we keep the death penalty in Connecticut, I believe it is absolutely inevitable that an innocent man will some day be executed.

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