



APPEALS STRETCH 4 DECADES FOR A PRISONER CONVICTED ON LITTLE POLICE EVIDENCE - ASSOCIATED PRESS

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Suzy Patton shows old photos of her brother Steve Szarewicz, who insists he was wrongly convicted of a 1981 murder based on the testimony of four jailhouse informants on Tuesday, April 30, 2024 in her home in New Kensington, Pa.

The four men who put Steve Szarewicz away for murder all changed their stories at one time or another, yet Szarewicz still sits behind bars. That's where he has been for almost 43 years.

A jury convicted him of killing Billy Merriwether, 25, who was shot twice in the back of the head and once in the chest, his body left facedown off a country road in western Pennsylvania in 1981.

There were no fingerprints, no eyewitness testimony and no DNA evidence linking Szarewicz to the scene. The case rested on the words of four jailhouse informants who all testified that Szarewicz confessed to them, and three of the four have recanted. Another inmate told the court the fourth witness against Szarewicz fabricated his story to settle a score.

Nevertheless, a Pittsburgh jury in 1983 found the informants' testimony believable enough to convict Szarewicz, despite qualms they voiced to the judge about the lack of physical evidence.

Today the conviction is still on appeal, with Szarewicz asking the state Superior Court to reduce his life sentence to 10 to 20 years.

A [national database](#) of more than 3,400 exonerations since 1989 includes more than 200 in which jailhouse informants played a role in the wrongful convictions.

When courts reverse convictions based on informant testimony, it's usually because prosecutors made some agreement with the witness and didn't reveal it, said professor Bruce Antkowiak, a lawyer at Saint Vincent College in Latrobe, Pennsylvania, and a former defense attorney and prosecutor.

"Our court system places the issue of credibility on the altar of a jury," Antkowiak said.

Merriwether's troubles were piling up when he was killed. He was unemployed and living on public assistance, known as someone who

“would fight at the drop of a hat,” an acquaintance told detectives at the time.

There were reports that some guys in his New Kensington neighborhood with ties to organized crime were after him because they thought he had stolen from them.



Merriwether had trouble in his romantic life, too. Both he and his girlfriend were married to other people. And his girlfriend's father — a now deceased local mobster named Mitch Roditis — was ticked off that Merriwether, who was Black, was dating his white daughter.

Around 7 the morning that Merriwether was killed, a dog walker about 23 miles (37 kilometers) northeast of Pittsburgh reported hearing a single blast that sounded like a gunshot. Moments later, three more rang out. A nearby road crew saw a car speed by with two men in it. They pulled off, then drove away, leaving Merriwether's dead body behind.

Prosecutors laid out a simple theory of the crime: it had been a \$5,000 murder-for-hire mob hit. They argued that Roditis, who was never charged, got Szarewicz and two other men to kill Merriwether over him dating Roditis' daughter.

The murder case “was no prize,” former Allegheny County Assistant District Attorney Chris Conrad recalled in an interview this spring. “It wasn't one where you walk in and you get confessions and fingerprints and just great physical evidence.”

Much of Szarewicz's focus has been on the jailhouse informants, three of them related to one another.

In September of 1982, witness Dave Cannon wrote a letter saying it wouldn't be right for Szarewicz to go to prison and that Cannon had been willing to testify only because he thought it could help him get out of jail.

At trial, Cannon changed his story again, testifying that he wrote the letter because he was afraid of Szarewicz. Contacted by The Associated Press by phone in March, Cannon stood by his statement that Szarewicz confessed to him inside the Allegheny County Jail.

Eight months after Szarewicz's conviction, another one of the informants who testified against him, Ernie Bevilacqua, wrote in an affidavit: “I lied about everything I said about Steve and I would go to court to help him and to say what really happened.”

Years later, Bevilacqua said he recanted only because he was afraid of Szarewicz, his friends and fellow prisoners.

The third informant who flip-flopped in Szarewicz's case was Rick Bowen.

About six months after Szarewicz was convicted, Bowen approached defense attorney Pat Thomassey in the Westmoreland County courthouse. Thomassey later signed an affidavit saying Bowen “indicated to me that, in fact, he had lied in the case against Steven Szarewicz in order to make a deal for himself and to avoid being prosecuted for various crimes.” Bowen later denied the exchange.

The fourth informant to testify against Szarewicz, Kenny Knight, did not respond to multiple messages seeking comment. When police first interviewed him about Merriwether's murder, he didn't implicate Szarewicz, even when asked. He said later he feared Szarewicz and that he withheld information because he did not want to get involved.

In a 1992 court proceeding, a judge declared the witnesses' credibility “about as low as a snake's belly.” Prosecutor Maria Copetas did not defend them, saying they “have recanted at some point, and then recanted their recantations, and then refused to testify in court.”

These days Szarewicz spends time working on his case. He has a prison janitorial job that pays about \$75 a month, walks regularly and participates in Bible study.

He's hoping for a break.

“If I did not have my faith, I am sure I would most likely not be alive to fight another day,” Szarewicz wrote a few years ago. “Is there

anybody out there who is appalled by this clear abuse of the system? If so, help, please?"

