



SUBMITTED PHOTO

Corinne Wilcott (right) is in prison for the death of an unborn child.

QUESTIONABLE CAUSE

Woman's conviction may be result of oversimplified diagnosis

Corinne Wilcott was one of the first people to face charges under the Pennsylvania Crimes Against The Unborn Act ...

Corinne Wilcott admitted she was drunk, high and in a jealous rage the night she was accused of kicking her husband's pregnant lover in the stomach during a June 2002 fight

in Erie, Pa.

During her one-week trial, she became one of the first in Pennsylvania found guilty of the murder of an unborn child based on forensic evidence. The prosecution convinced a jury that Wilcott's kicks were the sole reason the baby was delivered stillborn four days later.

However, in 2007, new medical evidence suggested Sheena Carson's health problems may have contributed to the child's death and that the child may have died long before the fight.

Those scientific issues are examples of how oversimplified diagnoses in court can influence juries when more detailed scientific explanations might further the cause of justice.

Wilcott was convicted of fetal homicide after the jury bought the prosecution's argument that the child's death was from a placental abruption – the separation of the placenta from the uterine wall, resulting in a loss of blood supply and death to the fetus.

The condition routinely occurs during the 20th week of pregnancy, when early

By Bridget DiCosmo



Placental abruption

■ A placental abruption is a condition when the placenta partially or completely peels away from the uterine wall before delivery.

■ If a woman had a placental abruption in a previous pregnancy, according to "American Baby" magazine, there is a 10 percent chance of another occurrence. After two occurrences, the likelihood of another placental abruption increases to 20 percent.

■ Mild abruptions, when the placenta is still partially connected to the uterine wall, are usually not considered dangerous unless the condition continues to worsen.

■ According to the American Pregnancy Association, placental abruptions usually occur during the third trimester of a woman's pregnancy. However, they can occur at any point after the 20th week of pregnancy.

■ Only 1 percent of all pregnant women will experience a placental abruption, according to the American Pregnancy Association.

■ Women are more susceptible to have a placental abruption if they smoke, use cocaine, are over the age of 35, have hypertension, are pregnant with twins or triplets, experience trauma to the abdomen or have abnormalities in the uterus.

"I would never have inflicted any harm on Ms. Carson or any other person who may be carrying a child, no matter what state of mind I was in."

CORINNE WILCOTT

CONVICTED MURDERER, STATING THAT SHE DIDN'T BELIEVE A WOMAN SHE ATTACKED WAS PREGNANT.

delivery may result from high blood pressure, blunt force trauma, smoking, drinking, drug abuse and, among other things, infections.

A broken past

In 2002, three years after Corinne and Kareem Wilcott were married in the Erie County Jail – where he was serving time for assault – she caught him having an affair with Carson. During one confrontation about the liaison, Carson confessed to Wilcott that she was pregnant with Kareem Wilcott's child.

Carson, who was 19 years old when she had the affair with Kareem Wilcott, worked as a gas station convenience store clerk and was not receiving regular prenatal care. Her medical records later revealed battles with chlamydia, various bacterial infections, inconclusive HIV tests and diabetes – all of which caused her doctor to deem the pregnancy "high risk." Wilcott's jury would never hear any of that.

On the night of an Erie graduation party on June 7, 2002, Wilcott, who says she did not believe her husband's paramour was pregnant, consumed a large quantity of rum, smoked marijuana and used the drug ecstasy before the party began winding down around 1 a.m.

As Carson was leaving, witnesses say Wilcott jumped her from behind, grabbed her hair, kicked her and pulled her down onto the sidewalk screaming, "I hope the bastard dies."

Later, when no heartbeat was detected in Carson's fetus in the emergency room of St. Vincent's Hospital in Erie, the police were alerted.

Despite advice that she was in a state of medical emergency, Carson waited four days to deliver the baby stillborn. A doctor, who did not consider the event the

result of a high-risk pregnancy, determined there might have been a placental abruption. That led police to believe it could have occurred during the fight.

Twelve days passed before Dr. Eric Vey, a forensic pathologist for the Erie County Coroner's Office, confirmed the fetal death was caused by a placental abruption as a result of Wilcott's kicks to the abdomen. He also noted a swollen umbilical cord, which could have indicated an infection.

Although Carson should have been 18 to 19 weeks pregnant based on her only prenatal examination, Vey, who did not view records of the woman's medical history of infections and previous problems, determined the fetal age to be only 15.2 weeks, based on the size and development of the baby's organs. Another physician, Dr. Miles Jones, would later say this was evidence that the child was dead weeks before the fight.

On that evidence, Wilcott became one of the first individuals to face charges under the Pennsylvania Crimes Against the Unborn Child Act. Enacted in 1990, it provides for criminal homicide charges if a fetal death is caused by another individual.

Experts disagree

Although Erie County prosecutor John Daneri depicted the case as one of "violence and death" and "cause and effect" in opening arguments, Timothy Lucas, Wilcott's attorney, deemed it one of science, saying it was clear that reasonable doubt would emerge because experts could not agree on the cause of death.

In her testimony, Carson described being kicked twice, which was confirmed by

other witnesses. She was not significantly questioned about her medical history.

While there was no bruising on Carson's abdomen, Vey told the jury that the fetus suffocated when the blunt force trauma of Wilcott's kick separated the placenta from the uterine wall.

Jones, the defense's forensic expert, testified that such kicks would not be enough blunt force trauma to cause a placental abruption. He said the impact would have to be roughly equivalent to a serious car accident. He also suggested significant bacteria found on Carson's placenta show the child could have died as much as a month prior to the fight. He said there was no pain, bleeding or a spiked heart rate normally associated with a placental abruption.

Wilcott's lawyer persuaded her not to testify because she couldn't remember the events of that night clearly, and her drug and alcohol-induced memory loss only would make her case worse.

The jury sided with the prosecution's expert, and Wilcott was convicted and sentenced to up to 14 years in prison for third-degree murder.

Possibility of infection

After Wilcott was sent to the State Correctional Institution at Muncy, Pa., she and her family heard rumors of previous fights involving Carson and that she had numerous health maladies. Therefore, Wilcott's family sought out new experts.

First, they found a pediatric radiologist at Children's Hospital of Pittsburgh, Linda Florne, whose review of the stillborn child's sonograms not only found abnormalities in the skull, indicating the fetus had been dead longer than four days, but also questioned whether there was enough of a placental abruption to cause fetal death.

Dr. Mark Caine, a gynecologist at West Penn Hospital in Pittsburgh, said his examination of autopsy photographs show no placental abruption occurred, and he also concluded that the fetus was dead long before the fight.

He pointed to other complicated data that the jury did not hear. Carson suffered from diabetes, another factor that can make a pregnancy

high risk, as well as an untreated yeast infection and streptococcus B virus, which also could have contributed to a prenatal bacterial infection, such as the one Jones briefly described in his testimony.

Following the trial, Jones' license was either suspended or revoked in more than a dozen states because he was writing online prescriptions for thousands of customers seeking Viagra, Levitra and other drugs on a Web site without ever performing oversight on who was applying for them, according to an article in The Washington Post.

Appeals are denied

Despite this new evidence, Wilcott's initial appellate arguments were denied because a judge ruled she was simply piling up more evidence on issues the jury already heard.

However, Wilcott did win a small victory. Because she was convicted of a crime involving violence against a minor, prison officials initially denied her request to have visits with her 6-year-old daughter. After attending counseling classes for sex offenders and child molesters, she and her daughter

"I've had four miscarriages before giving birth to my little girl, and each one of those miscarriages hurt me."

CORINNE WILCOTT

were allowed to reunite.

"I have had four miscarriages before giving birth to my little girl, and each one of those miscarriages hurt me," Wilcott said. "I would never have inflicted any harm on Ms. Carson or any other person who may be carrying a child, no matter what state of mind I was in."

In 2007, the Superior Court of Pennsylvania denied Wilcott's appeal. Wilcott petitioned the United States District Court for Western District of Pennsylvania for writ of habeas corpus. John Daneri, the prosecutor in Wilcott's trial, filed a brief in opposition to her petition. Daneri argued that Wilcott did not provide well-supported claims.

"Petitioner alleges numerous counts of ineffectiveness of trial counsel but provides either insufficient or no support for each of the allegations," Daneri wrote in the brief.

Wilcott was financially unable to obtain

counsel and was provided with an assistant federal public defender from the court. The counsel has filed a motion for extension of time to file an amended habeas petition.

Bridget DiCosmo



Bridget DiCosmo graduated from St. John's University in Queens, N.Y., in 2003. She attended Point Park University as a graduate student from 2005-07 and still is working on her master's degree. She currently resides in

Cape Girardeau, Mo., where she works as a daily reporter covering the crime beat for the Southeast Missourian newspaper.

I have pleaded my innocence from day one to my case. I have a appeal in to the Superior the courts & the public.

CORINNE WILCOTT'S LETTER WRITTEN ON JULY 10, 2007, TO THE INNOCENCE INSTITUTE OF POINT PARK UNIVERSITY

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