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A lot has changed along the Kalamazoo River west of Battle Creek since 1983, when Patty Rosansky was abducted, murdered and hidden under debris there.

A church parking lot now covers much of the pathway through the field where the 17-year-old girl was found two months after she disappeared on the way to school.

Unchanged, though, are Tom Cress' conviction and life sentence for the schoolgirl's killing, and the steadfast belief by two retired Battle Creek cops that Cress didn't do it.

"There is no way that Tom Cress killed Patty Rosansky," said Dennis Mullen, a retired detective.

On March 15, attorneys from the Innocence Clinic at the University of Michigan Law School tried to convince the state's Parole and Commutation Board to take that message to Gov. Jennifer Granholm.

The board will have to decide whether to recommend a release to the governor, who will make the final decision. There is no timetable for the process.

Cress, the clinic argues, was convicted on dubious testimony. And physical evidence that might have cleared him was lost by his original attorney, while other evidence was destroyed by the prosecutor.

Adding his voice to Cress' case is U.S. Sen. Carl Levin, D-Mich., who said there is "a fairly overwhelming case" for Granholm to commute Cress' sentence. Using Cress as a springboard, Levin helped with the 2004 federal law to preserve forensic evidence even after convictions.

But Calhoun County Prosecutor Susan Mladenoff, one of her former assistants and Rosansky's two brothers oppose releasing Cress.

Joseph Rosansky placed a framed photo of his sister on the hearing table and told the panel he's been torn by "guilt and pain that I was supposed to protect her."

The turmoil is reflected in assistant Attorney General Charles Schettler, who said the complexity of the case prompted him to get permission to make his recommendation after hearing the evidence, rather than automatically following office practice to join a case's county prosecutor and judge if they opposed release.

"I'll even concede that you might be innocent," Schettler told Cress.

**Functional or unbalanced?**

**Cress, now 53, might as well be two wildly different men.**

**As the Innocence Clinic sees him, Cress was marginally functional, but essentially "a nice, friendly and reliable" guy who got by on odd jobs.**

Prosecutors offer a vile alternative: Kidnapping, raping and pounding a schoolgirl to death was just the start. They said Cress crudely bragged of committing the perfect crime and pointed out the scene to friends. One witness asserted that Cress claimed he kept and violated the body for several days.

Since his imprisonment, he's had a closed head injury and episodes of madness that left him curled in a ball as voices urged him to kill himself. Daily medication helps keep him stabilized.

Because of his mental condition, Cress' moods during the hearing vacillated among cheerful, argumentative, contrary and indifferent. But he always was adamant that he didn't kill Patty Rosansky.

#### A juiced-up story

The unsolved Rosansky murder had haunted Battle Creek for a year when a local Crime Stoppers TV program featured the killing, doubling its usual reward to \$5,000. It worked: Viewers called with unsettling stories.

According to brothers Walter and Terry Moore, their sister-in-law Candy Moore and her sister Cindy Lesley, Cress admitted giving Rosansky a ride, smoking marijuana and killing her when she refused to have sex.

At his 1985 trial, Cress testified he was delivering newspapers when Rosansky disappeared. His partner and a supervisor backed his alibi.

There was little physical evidence in the case. No fingerprints were found. And, in those pre-DNA days, only limited scientific information could be drawn from hair found in Rosansky's hand, or a semen-stained sanitary napkin found nearby.

Experts said the hair was not Cress'. But it was never linked to anyone else.

Convicted of first-degree murder, Cress went to prison for life without parole.

Then, in 1986, a call from Arkansas police thrust Mullen and his boss, Cmdr. Joe Newman, into the middle of the case.

Arkansas police were holding a former Battle Creek man, Michael Ronning, for murder. He'd lived in an apartment below Maggie Hume, who was raped and murdered in 1982.

Eventually, Mullen and Newman came to believe Ronning killed Rosansky, as well as Hume and Karry Evans, from nearby Bellevue, Ark.

By 1992, Mullen had interviewed Ronning several times and had a proposed deal OK'd by Calhoun County Prosecutor Jon Sahli. Ronning would serve his time in Michigan if he confessed to murders here. The deal was approved by the then-governors John Engler in Michigan and Mike Huckabee in Arkansas.

But in May 1992, while the deal was pending, Sahli got a letter from Michigan State Police who wanted to destroy the evidence from the Rosansky case and many other cases in which the appeals were exhausted.

Sahli signed off on the destruction, but he didn't tell the cops about the ongoing negotiations with Ronning. The evidence wasn't burned until October 1992, but the detectives weren't told for four years.

Sahli, now an assistant prosecutor in Saginaw County, said last month that it was just routine state police housecleaning.

"It was done in the normal course of business," he said, adding: "I don't think Mike Ronning was involved in the Rosansky murder, or any other of those things up here. He just happened to be in the area."

Mullen and David Moran and Bridget McCormack, the co-directors of the Innocence Clinic, disagree. They are convinced Ronning is the killer based on his statements and polygraph tests. And DNA tests of the hair and semen -- had they not been destroyed -- could have proved or disproved Ronning's confession, they said.

The clinic also argues the alleged witnesses who accused Cress concocted their stories for the reward money, and that there's evidence that some of the witnesses backed off their testimony.

With a \$5,000 reward out there, "the retarded guy living next door" was the perfect sap, McCormack told the panel.

Walter Moore -- who killed himself in prison -- supposedly confessed that his family set up Cress for the reward, Tom Clark told the panel. Clark, Cress' former brother-in-law, testified that he tape recorded the tearful admission, but that Cress' original lawyer, Theodore Hentchel, misplaced the tape.

On Friday, Hentchel said he's still unsure whether it was ever located: "I don't know one way or the other on that."

Ronning's deal to swap confessions for serving time in Michigan fell apart. But, in 2002, the Michigan Court of Appeals ordered a new trial for Cress.

It was a short-lived victory. The Michigan Supreme Court ruled in 2003 that Ronning was unreliable and that his confession was riddled with errors.

After 27 years, the lines are still drawn. The ex-cops and the clinic believe Cress is innocent. And the prosecutors are convinced he did it.

Even admitting there was some "very moving evidence" for Cress' release, Schettler, the assistant attorney general, said it wasn't enough: "In my mind, there must be conclusive evidence."

**The final call is Granholm's.**

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Key points of the Tom Cress case

**Defense:**

**Alibi supported by co-worker, supervisor and work records.**

**No prior history of violence and no physical evidence linking him to Patty Rosansky's murder.**

**People to whom he allegedly confessed pointed out wrong location for body.**

**Convicted killer Michael Ronning confessed and passed a polygraph test.**

**Prosecution:**

**Seven people testified Cress made incriminating statements or confessed.**

**Ronning's polygraph questions were not specific.**

**Ronning's confession was inaccurate and vague.**

**Ronning could not locate where Rosansky's body was found.**

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