

Cleared of murder charge, he wants to forget the past

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As George A. Reissfelder walked out of Suffolk Superior Court yesterday, cleared of the murder that put him in prison in 1967, his daughter, Maria, was waiting for him.

When he entered prison 15 years ago, Maria was 5 years old. He saw her only once during his prison years, five years ago.

"Hi, sweetheart," Reissfelder said yesterday to Maria, now 21. She hugged him and then, crying, turned into her fiance's arms. It was only last week, she said, that she decided that she wanted to be present when her father won his freedom.

"He's my blood," Maria said, as Reissfelder, surrounded by other relatives and a throng of reporters, stepped away from the courthouse where Judge Paul K. Connolly had just dismissed the murder conviction against the 42-year-old former Jamaica Plain resident.

In the years that Reissfelder spent in prison both his parents died. His wife divorced him and he has two children, besides Maria, whom he has never seen. Maria was adopted by another family many years ago, and has changed her name from Reissfelder.

But as he began his new life, Reissfelder said he always had faith that the system that wrongly convicted him would release him.

"I figured someday I'd get out, he said."

And he said that his only regret was that his parents were not alive to witness his vindication and freedom.

Reissfelder spent his first hours of freedom drinking a beer and having lunch with his lawyers and relatives in a City Hall Plaza cafe. The city landscape fascinated him: The cafe, the concrete bunker-style City Hall building and the crescent of Government Center had replaced old Scollay Square.

After ordering a Heineken, Reissfelder, tanned and wearing jeans and a blue shirt, said that he was feeling "like a bug under a microscope."

"I thought a couple of people might be here, but not all this," he said, gesturing to reporters and photographers.

Yesterday's dismissal of the murder charge marked the culmination of two years of work by Reissfelder's court-appointed Boston attorneys Roanne Sragow and her associate, John Kerry. Reissfelder won a new trial last June, largely on the basis of a deathbed statement in 1972 by his codefendant, William Sullivan of Charlestown. As he lay dying of leukemia, Sullivan told a priest that Reissfelder was innocent.

The two men had been convicted of first-degree murder and armed robbery during a \$20,000 payroll holdup at the Railway Express Agency at Boston's South Station in 1966. Witnesses identified Reissfelder as being at the scene of the crime.

But for the 15 years of his incarceration, Reissfelder insisted that he did not commit the murder.

He served seven years of a life term in Walpole state prison before he was granted a one-day furlough, and then failed to return to the prison. Three years later, a Florida police officer was trying to arrest him for writing a bad check when Reissfelder pulled a gun and it went off.

No one was injured, but Reissfelder pleaded guilty to a charge of attempted murder because he was already facing a life term in Massachusetts and he had been told the sentences would run concurrently, according to Kerry.



George Reissfelder signals "thumbs up" on a stroll through Faneuil Hall Marketplace after his release. Other photo, Page 1. UPI PHOTO

Sragow said yesterday that she and Kerry took the case in December 1980. They could do nothing, she said, until they found a priest, an FBI agent, a probation officer and five police officers who agreed to testify in behalf of their client.

"At the time, there was no legal process for the court to act upon or grant a new trial until they came forward," she said.

The legal mechanism to free Reissfelder started rolling last July 21 when Suffolk Superior Court Judge Andrew R. Linscott heard testimony from witnesses contacted by Reissfelder's lawyers.

A key witness, Rev. Edward D. Cowhig of Gate of Heaven Church, South Boston, testified that before Sullivan died in prison of leukemia he told the priest that he had never met Reissfelder before the two were tried and convicted of murder.

Judge Linscott's decision to order a new trial prompted Suffolk County Dist. Atty. Newman Flanagan to drop the charges rather than hold a new trial, resulting in the dismissal of the conviction yesterday. The Florida parole board voted last Wednesday to parole Reissfelder after learning that attempts were being made in Massachusetts to free him of the murder conviction.

"The [legal] system has shown that you can rectify a mistake," Kerry said yesterday. "There are elements of this case - about how this happened - that should be examined very closely."

For Reissfelder and his relatives, yesterday was mainly a time of celebration. A sheet hanging outside his brother, Richard's Randolph home is waiting to greet him with the words, "Welcome Home Uncle George."

"In a way, this whole thing is like a fairy tale. You wait and wait, and then it happens," said Donna Reissfelder, 33, Reissfelder's sister-in-law.

Reissfelder will be working as a pleater in a relative's clothing factory and plans to live with his brother.

As for his years of incarceration, Reissfelder said: "I don't like to think about it. . . I'd like to put it all behind me now. . . I just want to take a walk by myself and look at the sky."