

**IN THE COURT OF COMMON PLEAS OF
PHILADELPHIA COUNTY, PENNSYLVANIA**

COMMONWEALTH OF PENNSYLVANIA,

Respondent,

v.

SAHARRIS ROLLINS,

Petitioner.

CRIMINAL DIVISION

Nos. 585-588

April Term, 1986

**SUPPLEMENTAL DECLARATION OF BONNIE FRANK CARTER, Ph.D.,
PURSUANT TO 28 U.S.C. SECTION 1746 AND 18 PA. C.S. SECTION 4904**

I, Bonnie Frank Carter, Ph.D., affirm, declare and state as follows:

1. I submit this declaration as a supplement to my declaration signed on December 10, 1996 in this case. Attached as Exhibit "A" hereto is a copy of my curriculum vitae, referred to in paragraph 1 of my prior declaration but apparently not attached thereto.

2. I understand that the district attorney has argued that my declaration does not demonstrate that my interviews with Mr. Rollins in October, 1996, have any relevance to his mental condition at the time of the killing for which he was convicted. I apologize if my declaration was less than fully clear on this point. My clinical interviews conducted in 1996 lead me to the unmistakable conclusion that at the time of the killing, Mr. Rollins had suffered from severe psychological and physical trauma that had a profound effect on his mental state, character, and ability to respond appropriately in stressful situations. I state this opinion to a reasonable degree of psychological certainty, based on information that I generally use in rendering such opinions.

3. It is somewhat more difficult to render a specific opinion as to Mr. Rollins's ability to relate to his children in 1986 or 1987. It is certain, however, that positive aspects of a person's psychological makeup remain within the person over time. I am reasonably certain, based on my psychological training and experience, that before trial in 1987, I or another trained psychologist would have found evidence of the caring, empathy and intellect that have enabled Mr. Rollins to rehabilitate himself to a significant extent during his lengthy stay in prison. In support of this conclusion, I would point to his peacemaking role in jail referred to in paragraph 12 of my initial declaration and to his relationship with "Mama-San," Marie Ballard. I conclude to a reasonable degree of psychological certainty that I or another psychologist who examined Mr. Rollins prior to trial would have been able to testify to a reasonable degree of psychological certainty that if sentenced to life in prison, Mr. Rollins would have a strong capacity for rehabilitation, including providing the types of parental interaction and support of which he is now capable, and I would further have been able to recommend steps to encourage and hasten that rehabilitation.

4. Attached as Exhibit "B" is a true and correct copy of an article by Dorothy Otnow Lewis, M.D. and others that appeared in the July, 1986 issue of the American Journal of Psychiatry, volume 143, number 7, pages 838-845. This widely circulating monthly journal is the American Psychiatric Association's equivalent of the Journal of the American Medical Association. Most psychiatrists and many psychologists and other mental health professionals subscribe to the journal, as do almost all libraries and many attorneys.

5. The article, "Psychiatric, Neurological, and Psychoeducational Characteristics of 15 Death Row Inmates in the United States," found that all 15 randomly selected death-row inmates had histories of severe head injuries, generally not raised with their attorneys, and that 12 of the 15 had diagnosable neurological impairments. This study and this finding were widely

reported in the summer of 1986 in the popular press, including newspapers. The authors “conclude that many condemned individuals in this country probably suffer a multiplicity of hitherto unrecognized psychiatric and neurological disorders that are relevant to considerations of mitigation” (pp.841-842), and suggest that “a major reason for the failure to identify these vulnerabilities previously was that nobody suspected their existence and hence nobody looked for them” (p.844).

6. In light of this article and the publicity it received in Philadelphia and elsewhere, I believe that any competent attorney representing a capital murder defendant in 1986-1987 would have investigated the mental health and head-injury history of that defendant.

7. I do not contend that Mr. Rollins’s right-handedness is a mitigating factor. Based on my research and testing, however, I do conclude, to a reasonable degree of scientific certainty, that if a left-hand-dominant or ambilateral person was Mr. Cintron’s killer, then that person was not Mr. Rollins.

8. I hereby certify that the facts set forth above are true and correct to the best of my personal knowledge, information and belief, subject to 28 U.S.C. § 1746 and 18 Pa. C.S. § 4904.

Bonnie Frank Carter, Ph.D.
Bonnie Frank Carter, Ph.D.

4/29/97
Date