Death Penalty Information Center

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HISTORIC DEATH PENALTY VOTE REFLECTS GROWING NATIONAL SHIFT AWAY FROM CAPITAL PUNISHMENT

New Jersey Legislature May Become First to Abolish Death Penalty in Over 30 Years

WASHINGTON, DC – On Monday, December 10, the New Jersey Senate voted to replace the state's death penalty with the sentence of life without parole. The bill will come before the New Jersey Assembly within a short time. These historic votes could lead to the first legislative abolition of the death penalty since it was reinstated in 1976. New Jersey Governor Jon Corzine is expected to sign the bill if it passes the legislature. There has not been a similar vote since 1965, when legislatures in Iowa and West Virginia both voted to end capital punishment.

If the death penalty is ended in New Jersey, it will be the clearest signal yet that the public is moving away from capital punishment. Elsewhere:

- New York's death penalty law was declared unconstitutional in 2004. Since then, the last person has been removed from death row and the legislature has repeatedly rejected all attempts to reinstate capital punishment.
- Illinois is in the eighth year of a death penalty moratorium, which was established in 2000 due to concerns about wrongful convictions.
- Death sentences in the United States have dropped by 60% since 1999. Even in Texas, death sentences have dropped significantly during the past decade.
- Executions around the country are on hold as the U.S. Supreme Court prepares to hear a case regarding the constitutionality of Kentucky's lethal injection procedure.
- Legislative studies of the death penalty are underway in California, North Carolina, and Tennessee.
- Public opinion polls show that life without parole is steadily replacing the death penalty as the preferred punishment for murder.

"This vote marks a new chapter in our nation's 30-year experiment with capital punishment," said Richard Dieter, Executive Director of the Death Penalty Information Center (DPIC). "New Jersey lawmakers are demonstrating sound judgment in abandoning capital punishment after learning of its costs, the pain it causes victims' families, and the risks the death

penalty poses to innocent lives. These problems are not unique to New Jersey. Widespread frustration with capital punishment has led to a sharp decline in its use."

The issue of innocence, the high costs associated with capital punishment, and its failure to offer anything of value to victims' family members or those in law enforcement have been the primary concerns fueling skepticism about the death penalty in New Jersey and across the nation. To date, 124 people have been exonerated and freed from death row, including 15 who were freed based on DNA evidence. A national public opinion poll released by DPIC in June 2007 found that 60% of respondents said that wrongful convictions had either lessened their support for the death penalty or strengthened their already existing opposition.

As states struggle to prevent wrongful convictions in death penalty cases, they are finding the costs and time consumed by each case growing significantly, with nothing to show for it in return. Legislative reports in New York and New Jersey cited the high costs as one reason for abandoning the death penalty.

The public, too, has become disaffected with this failed policy. A May 2006 Gallup Poll revealed that when given a choice between the sentencing options of life without parole and the death penalty, only 47% of respondents chose capital punishment. This marked the lowest percentage in two decades. Forty-eight percent said they favored life without parole.

"In light of these developments in New Jersey, where even long-time death penalty supporters noted its failures, and with executions currently on hold as the Supreme Court considers problems with lethal injection, now would be an excellent time for other states to re-evaluate the death penalty," said Christina Swarns, Director of the Criminal Justice Project of the NAACP Legal Defense Fund.

If passed, the legislation to abolish New Jersey's death penalty would represent the final chapter in the state's reconsideration of capital punishment. In January 2006, New Jersey became the first state to legislatively impose a moratorium on executions, while appointing a 13-member study commission to examine all aspects of the state's law. At the conclusion of the commission's review, the group called on lawmakers to replace the death penalty with a sentence of life in prison without parole. It also recommended that New Jersey reallocate the money saved by abandoning the death penalty to the needs of victims. Their recommendations followed a series of public hearings that featured testimony from a wide range of voices opposing the death penalty.

For more information on the New Jersey abolition bill, please contact Celeste Fitzgerald, Director of New Jerseyans for Alternatives to the Death Penalty, at (973) 635-6396 or cell (973) 495-5302. For more information about the declining national use of the death penalty, contact DPIC at (202) 289-2275.

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