

**STATEMENT OF
ATTORNEY GENERAL J. JOSEPH CURRAN, JR.
JANUARY 30, 2003**

Over the past forty years, there have been three executions in our State. Over the next few months, seven men are poised to be executed. In the fractured history of the death penalty in Maryland, this is a watershed moment.

I have long opposed human executions on moral grounds, and I stand today with clergy and others from many different faiths who share this view. I believe that we should hold ourselves to a higher moral standard than those who commit these unspeakable wrongs. Serious questions are also being raised about racial and geographic disparities in our application of the death penalty.

But I am here to talk today about what I believe is the most compelling issue: the inevitability of mistake.

We are blessed in Maryland with dedicated police officers, prosecutors, judges, and lawyers, all who labor every day to make our criminal justice system work. But despite our best efforts, this system makes mistakes. It is a human institution, and humans are not infallible. Any trial judge and any trial lawyer will tell you - mistakes happen. People are imperfect, the system is imperfect. Mistakes are inevitable.

With appeals and reviews, we catch many of them. We hope to catch most of them. But we do not catch all of them.

Since the Supreme Court reinstated capital punishment in 1976, 821 people have been executed. During the same time period, 103 people have been exonerated, the most recent just this week in Florida. Those 103 were lucky. The mistake that led to their wrongful death sentence was found and corrected. Others are not so lucky. We will never know how many mistakes were not caught in time.

I support with the strongest conviction the need to severely punish those who have committed these unspeakable wrongs. They have taken a life. They have caused incomprehensible suffering for the victims' families. They have forfeited the right to live among us.

We now have a way to punish them which we lacked when we reinstated the death penalty. Life without parole puts people away for the rest of their lives, with no hope or possibility of ever getting out. Let me be absolutely clear: they die in prison.

But, there is one pivotal difference between death in prison and the death penalty. That is the chance to correct a mistake. It is a terrible injustice to wrongfully incarcerate an innocent person. We have just witnessed such an injustice with Bernard Webster, who was recently exonerated from a rape conviction after serving 20 years in prison. But at least we were able to set him free, to correct the mistake. The death penalty allow no such

possibility.

So let me say it again: Capital punishment comes only at the intolerable risk of killing an innocent person. This is unworthy of us.

Therefore, today I call for abolition of the death penalty.

I am sending a letter to Governor Ehrlich, Lt. Governor Steele, and all members of the General Assembly asking them to abolish it. I am pleased that Senator Sharon Grosfeld and others will introduce a bill to this effect tomorrow. I urge its speedy enactment. Thank you.