

Shifts seen in support for death penalty

by [Kevin Johnson](#)

April 25, 2012

c. 2012 USA Today WASHINGTON (RNS) The campaign to abolish the death penalty has been freshly invigorated this month in a series of actions that supporters say represents increasing evidence that America may be losing its taste for capital punishment.

As early as this week, Gov. Dannel Malloy, a Democrat, is poised to sign a bill repealing the death penalty in Connecticut. A separate proposal has qualified for the November ballot in California that would shut down the largest death row in the country and convert inmates' sentences to life without parole.

Academics, too, have recently taken indirect aim: The National Research Council concluded last week that there have been no reliable studies to show that capital punishment is a deterrent to homicide.

That study, which does not take a position on capital punishment, follows a Gallup Poll last fall that found support for the death penalty had slipped to 61 percent nationally, the lowest level in 39 years.

Even in Texas, which has long projected the harshest face of the U.S. criminal justice system, there has been a marked shift. Last year, the state's 13 executions marked the lowest number in 15 years. And this year, the state -- the perennial national leader in executions -- is scheduled to carry out just 10.

Capital punishment proponents say the general decline in death sentences and executions in recent years is merely a reflection of the sustained drop in violent crime, but some lawmakers and legal analysts say the numbers underscore a growing wariness of wrongful convictions.

In Texas, Dallas County alone has uncovered 30 wrongful convictions since 2001, the most of any county in the country. Former Texas Gov. Mark White, a Democrat,

said he continues to support the death penalty "only in a select number of cases," yet he says he believes that a "national reassessment" is now warranted given the stream of recent exonerations.

"I have been a proponent of the death penalty, but convicting people who didn't commit the crime has to stop," White said.

"There is an inherent unfairness in the system," said former Los Angeles County district attorney Gil Garcetti, a Democrat. He added that he was "especially troubled" by mounting numbers of wrongful convictions.

A recent convert to the California anti-death-penalty campaign, Garcetti said the current system has become "obscenely expensive" and forces victims to often wait years for death row appeals to run their course. In the past 34 years in California, just 13 people have been executed as part of a system that costs \$184 million per year to maintain.

"Replacing capital punishment will give victims legal finality," Garcetti said.

Richard Dieter, executive director of the Death Penalty Information Center, which opposes capital punishment, said California's referendum marks a potentially "historic" moment in the anti-death-penalty movement in a state that houses 22 percent of the nation's death row prisoners. "Repeal in California would be a huge development," Dieter said. "Just getting it on the ballot is big."

Nationally, Dieter said, fading arguments for capital punishment as a deterrent to homicide and mounting numbers of wrongful convictions are "turning a corner" in the debate.

Democratic state Rep. Gary Holder-Winfield, a sponsor of the bill to repeal Connecticut's death penalty, said capital punishment's "promise to victims and taxpayers is hollow." In Connecticut, only one person has been executed in the past 52 years.

Scott Burns, executive director of the National District Attorneys Association, said the country's system of capital punishment is in need of change, but not elimination. He said there is "strong motivation," though, to fix a system that can take 20 years for offenders to reach the death chamber following conviction.

"The vast majority of states (33, not counting Connecticut) still have the possibility of the death penalty," Burns said. "I don't see a blowing wind that will dramatically change that," he added.