

Friday, December 14, 2007

**New Jersey ends death penalty: Now a light -- not an armpit -- unto America. (Reposted blog entry.)**

Life without parole -- and growing old in prison -- is no picnic. (Video of former New Jersey prison warden Gary Hilton.)<sup>^</sup> Over the years, I have actively joined Roseanne Roseannadanna<sup>^</sup> and countless others in lampooning New Jersey, which I know best through its inhuman turnpike. <sup>^</sup> Now, I take it all back, with New Jersey apparently becoming the first state -- at least in the last half century -- to abolish the death penalty. The state legislature has passed the measure, and Governor Corzine has pledged to sign it into law. <sup>^</sup> Of course, this situation does not create an automatic picnic for New Jersey's death row inmates, in that they will still spend the rest of their lives in prison without the chance of parole. Shown at the beginning of this blog entry are the detailed views of<sup>^</sup> former New Jersey prison warden Gary Hilton about how tough it is to grow old in prison and to spend the rest of one's life there. <sup>^</sup> In any event, where the death penalty does not exist, prosecutors are not able to scare a defendant into a life without parole guilty plea (of course, many capital prosecutions never involve a guilty plea offer), and the playing field thus is better leveled for murder defendants to defend themselves. Where the death penalty is abolished, the huge gap between the cost of a defense lawyer for a death penalty case and a non-capital murder case is eliminated. Where the death penalty is abolished, the inevitable racism that comes along with the death penalty system dissipates. When the death penalty is abolished, the state removes itself from overseeing legalized state-sanctioned murder. When the death penalty is abolished, we are forced to use non-violent and less violent means to address society's ills. <sup>^</sup> I thank every New Jersey legislator, the governor, every New Jersey voter, and everyone else who contributed to the abolition of the death penalty in New Jersey. This is<sup>^</sup> a very happy day and very happy week. Let us make it a happy 2008 by abolishing the death penalty everywhere else. Jon Katz.<sup>^</sup> ADDENDUM I: Capital Defense Weekly provides excellent highlights of this New Jersey victory, and a good general overview of the present gains against the death penalty elsewhere in the nation. <sup>^</sup> ADDENDUM II: December 19, 2007: Somehow, the text of this message got wiped out, only leaving the graphic. Fortunately, I tracked down the text in Google archives, and have reposted it here. I also have left intact the blog entry with the wiped-out text, in case keeping it will help me figure out if it was a technological glitch, hacker, or human error on my part that wiped out the text.

Posted by Jon Katz in Constitutional Law at 00:10