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The death penalty is a loser

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The U.S. Supreme Court provided yet another reason this week to throw in the towel on the death penalty when it issued a unanimous inmate-friendly decision allowing those condemned to die to argue that specific cocktails of drugs, typically used for lethal injection, may be cruel and unusual punishment.

Aside from the Kafkaesque nature of allowing some of the most brutal murderers to contend their rights are being violated because they might experience a few seconds of pain, the ruling will add to the maze of appeals and delays that have become commonplace in death penalty jurisprudence.

Florida Gov. Jeb Bush said it best: "A series of court rulings have created so many chances for appeal that whether we have the death penalty or not is almost becoming moot when people are spending all their natural lives on death row rather than having the sentence be completed."

In New Jersey, the death penalty is on the books but meaningless. Even though the death penalty was reinstated in 1982, the state has not carried out an execution since then. For years, the state has been tied in legal knots over the issue, including the recent question of whether lethal injection here also constitutes cruel and unusual punishment. All of that, however, was put on hold in January when a new death penalty study commission was set up and a moratorium was imposed on capital punishment.

We support the moratorium, since we have long opposed the death penalty. Surely opponents and proponents of capital punishment realize a far more sensible approach would be to give the most heinous killers life in prison without possibility of parole. Doing so would lift a huge burden off the criminal justice system and possibly free up funds now used to prosecute and defend death-row inmates.

It's time to end the charade.

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