



OUR VIEW: Illinois ended capital punishment; Alabama should at least entertain a temporary break in executions to fix what's seriously wrong with our death penalty

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N By **Birmingham News editorial board**



Illinois Gov. Pat Quinn: No more death penalty in his state.

It took Illinois Gov. Pat Quinn two months to make a decision, but in the end, he made an appropriate and momentous choice: Last Wednesday, he signed a law abolishing the death penalty in his state.

"If the system can't be guaranteed 100 percent error-free, then we shouldn't have the system," Quinn said. "It cannot stand. It just is not right in our democracy and

system of justice."

Illinois is the 16th state to repeal the death penalty -- the third in just the past four years. In 2009, New Mexico voted to abolish capital punishment. In 2007, it was New Jersey. The Death Penalty Information Center said repeal legislation is expected to be considered this year in other states, perhaps Connecticut, Kansas and Maryland.

Why? Sadly, it's not because people have stopped committing heinous crimes that may cry out for the ultimate punishment. It's because of a growing recognition of the costs and risks involved in trying to exact that punishment -- the actual expenses of pursuing a capital case, which are enormous, and the moral hazards, which are even more enormous.

Above all, there has been increasing awareness that in our zeal to get justice for the victims of the most awful crimes, we too often have gotten it wrong. Dead wrong.

For Illinois, the truth came crashing home after 20 Death Row inmates were exonerated, partly as a result of the investigative work of journalism students at Northwestern University. Then-Gov. George Ryan declared a moratorium on executions in 2000 and three years later commuted 167 death sentences, pardoning four of the inmates and allowing the rest to live out their days in prison.

Since then, Illinois officials made real efforts to fix the flaws that allowed people to be convicted of crimes they didn't commit. But the state's political leadership finally conceded there is no perfecting a human system of justice.

The fact there will be wrongful convictions in other criminal cases is regrettable. But as Quinn concluded, the fact there will be wrongful convictions in life-and-death cases is simply not tolerable.

It's not as if the alternative to putting a killer to death is setting him free or letting him get away with a crime. The 15 inmates on Illinois' Death Row will spend the rest of their lives behind bars. That will protect the public, and it will actually cost Illinois taxpayers less than going through the necessary legal steps to take their lives.

So why isn't Alabama seriously considering this course of action?

Our system of justice is no less error-prone than Illinois' was; at least five condemned inmates in Alabama were later cleared. Neither is our system less arbitrary, unfair or cost-prohibitive. Our system, in a number of ways, is worse. We skimp on legal representation for the poor, not even guaranteeing them lawyers at every level of appeal. We allow elected judges to disregard juries that recommend life sentences and single-handedly impose a sentence of death. And, while we are among the most eager states in the union when it comes to taking life as punishment for crime, we dish it out in a haphazard, arbitrary way.

Yet, year in and year out, Alabama lawmakers have failed to pass legislation that would restrict the use of the death penalty or make it more fair. They have never seriously considered a bill that would give the state a break from executions so new safeguards could be studied and put into place.

As of late last week, moratorium legislation hadn't even been introduced in Alabama by its perennial champions. Some of them, no doubt, see little urgency in doing so now that Republicans who traditionally have supported the death penalty control both branches of the Legislature.

They may be correct in sizing up the political landscape. But we respectfully disagree with them on the matter of urgency.

What can be more urgent than having lives on the line? If Illinois can abolish the death penalty, Alabama lawmakers at least need to entertain what's so seriously wrong with our system of capital punishment.

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