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Remarks - Elimination of the Death Penalty

**Remarks as Delivered
December 17, 2007**

Good morning everyone.

Thank you all for being here. Today, December 17th 2007, is a momentous day - a day of progress - for the State of New Jersey and for the millions of people across our nation and around the globe who reject the death penalty as a moral or practical response to the grievous, even heinous, crime of murder.

Today, through my signature on this bill, New Jersey abolishes the death penalty as a policy of our state.

For the people of New Jersey, I sign this legislation with pride.

I want to thank so many of those who join us today for their thoughtfulness and courage in making today a reality.

First let me cite the Death Penalty Study Commission, chaired by Reverend Bill Howard, pastor of Bethany Baptist Church in Newark, a group that was made up of a diverse set of individuals representative of prosecutors, law-enforcement, victims, religious groups and others.

Let me just note, five of the Commissioners were directly impacted by the violence of murder in their families, directly.

The state legislature showed courageous leadership. I must say, incredible leadership not just by Senator Lesniak and Senator Martin, the sponsors or Assemblyman Caraballo, or Assemblyman Bateman, the leaders Roberts & Codey – but for all those that voted yes.

This is one of those conscience votes that individuals must actually weigh and balance their own sense of morality and I am very, very grateful to all of you. A number of you are here today who voted yes, Senator Gil, Senator Turner. I look forward to joining with all of you as I sign this bill.

It should be noted that because of the action of the legislature, this is the first state to legislatively end the death penalty since the U.S. Supreme Court reauthorized capital punishment in 1976.

I also want to thank advocacy groups, particularly New Jerseyans for Alternatives to the Death Penalty, which have created a fundamental grass roots groundswell that put pressure on those of us in public service to stand up and do the right thing. The New Jersey Catholic Conference, the ACLU and there are many other groups that joined in this process and I am eternally grateful.

I also want to recognize that other good people will describe today's actions in quite different terms - in terms of injustice – particularly for those who carry heavy hearts, broken hearts from their tragic losses.

While no one can imagine their pain, I will sign this law abolishing the death penalty because I and a bipartisan majority of our legislature - and I congratulate Senator Bateman and Senator Martin in particular for their leadership on this - believe a nonviolent sentence of life in prison without parole best captures our State's highest values and reflects our best efforts to search for true justice, rather than state-endorsed killing.

As Reverend King implored all mankind while accepting his Nobel Peace Prize - "Man must evolve, for all human conflict, a method of resolution which rejects revenge, aggression and retaliation."

Today, New Jersey is truly evolving.

We evolve, if you believe as I do, that government cannot provide a foolproof death penalty that precludes the possibility of executing the innocent.

Society must ask - Is it not morally superior to imprison 100 people for life than it is to execute all 100 when it is probable we execute an innocent?

We evolve, if you believe as I do, that because New Jersey has not executed anyone in 44 years, there is little collective will or appetite for our community to enforce this law and therefore the law has little deterrence value.

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That is, if you ever accepted there was a deterrent value.

We evolve, if you believe as I do, that the loved ones of victims may be more deeply hurt by long delays and endless appeals than they would be if there were certainty of life in prison with no possibility of parole.

Our debate has brought forth victims' voices on both sides of this perspective.

We evolve, if you believe as I do, it is economic folly to expend more State resources on legal processes in an attempt to execute an inmate than keeping a criminal incarcerated for life.

It is estimated that it cost the State of New Jersey more than a quarter-billion dollars, above and beyond incarceration, to pursue the death penalty since it was reinstated in 1982 – a significant sum that could have effectively be used in supporting and compensating victims' families.

Finally, we evolve, if you believe as I do, that it is difficult, if not impossible, to devise a humane technique of execution - one that is not cruel and unusual.

These are all thoughtful and logical arguments, and there are others, to abolish the death penalty - the Commission and the legislature gave weight to these arguments - but for me, the question is more fundamental.

I believe society must first determine if its endorsement of violence begets violence - and - if violence undermines our commitment to the sanctity of life.

To these questions, I answer "Yes," and therefore I believe we must evolve to ending that endorsement.

Now, make no mistake: by this action, society is not forgiving these heinous crimes or acts that have caused immeasurable pain to the families and brought fear to society.

The perpetrators of these actions deserve absolutely no sympathy and the criminals deserve the strictest punishment that can be imposed without imposing death.

That punishment is life in prison without parole.

The only exception, of course, is the determination that a convicted felon is in fact innocent beyond the shadow of a doubt.

Let me repeat: this bill does not forgive or in any way condone the unfathomable acts carried out by the eight men now on New Jersey's death row.

They will spend the rest of their lives in jail.

And to that end, last night, I signed an order commuting to life without parole the death sentences of the eight persons currently on death row.

This commutation action provides legal certainty that these individuals will never again walk free in our society.

These commutations, along with today's bill signing, brings to a close in New Jersey the protracted moral and practical debate on the death penalty.

Our collective decision is one for which we can be proud.

Thank you.

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