



Maryland's Death Penalty

Innocent Lives in the Balance

The risk is real

- Since 1973, over 120 innocent men and woman have walked off our nation's death rows after evidence revealed that they were sentenced to die for crimes they did not commit.
- Hundreds of others have been exonerated after being wrongfully convicted of rape or murder and being sentenced to spend their lives behind bars.
- The average length of imprisonment for those exonerated from death row is over 9 years.

Despite the best intentions, human beings can't be right 100% of the time

- **MARYLAND** can be proud — we have tried to do it better. Our lawyers don't sleep through trials. We are not **TEXAS**, **FLORIDA**, or **ALABAMA**. But we are human. Despite the sometimes very best efforts of police, prosecutors, judges, juries, witnesses, and defense attorneys, mistakes can and will happen. **In a death case, even one small mistake can be deadly.**
- The factors leading to wrongful convictions include shoddy forensics, jailhouse snitches, mistaken eyewitnesses, coerced confessions, inadequate representation, hidden evidence, jurors that do not understand the process, and more — all problems that have happened here.
- In the most comprehensive state death penalty study in the nation, an **ILLINOIS** Commission recommended 85 reforms essential to decrease the risk of wrongful executions. The committee also found that *even if all 85 reforms were implemented, they could not completely eliminate the risk.*
- In the last five years, **MARYLAND** hasn't implemented a single reform of its death penalty system.

Mistakes happen right here in Maryland

The risk of executing the innocent is not simply a matter for other states to wrestle with. Below are only a few examples of Maryland cases we know about. How many others are not so lucky?

- Kirk Bloodsworth was twice tried and wrongly convicted in Baltimore County for the rape and murder of Dawn Hamilton. He was sentenced to die and spent nearly a decade behind bars before DNA testing exonerated him in 1993.
- Anthony Gray was threatened with the death penalty for a 1991 Calvert County murder he did not commit. To avoid execution, Gray confessed to the crime and served seven years of a life sentence before he was exonerated. He was released nearly a year and a half *after* someone else was convicted of the murder.

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- Bernard Webster spent 20 years in prison for a rape he did not commit. He was convicted on the basis of testimony by Baltimore County police chemist Concepcion Bacasnot, whose faulty work touched at least 480 cases before she came under investigation in 2003. Her work has been characterized as gross incompetence or even fraud, and questioning in another case found she lacked knowledge of basic serology and had bungled several basic tests.
- James Owens, Jr. and James Thompson have spent two decades behind bars for the 1988 rape and murder of Colleen Williar in Baltimore. DNA testing in October 2006 revealed that the biological evidence in the case does not belong to them. They were initially convicted on the basis of jailhouse snitch testimony, hair evidence — now largely viewed as junk science — and a questionable confession by Thompson, who is mentally impaired. Both men remain in prison awaiting a new trial.
- Chris Conover spent 18 years in prison for a double murder. Though dozens of people said that Conover was at a birthday party at the time of the murder, he was convicted on the basis of hair evidence and the testimony of a surviving victim who said Conover “resembled” one of the attackers. Eyewitness identification is far less reliable than once believed, however, and Conover was freed after DNA tests revealed the hair did not belong to him. He signed an Alford plea to avoid spending another full year in prison awaiting a new trial.
- Robert C. Griffin was released in August 2006 after spending 20 years in prison for the murder of Annie Cruse. DNA testing exonerated Griffin, but he accepted a plea deal for time served rather than wait for a new trial.
- Keith Longtin was interrogated for 38 hours in the murder of his wife Donna Zinetti. He was held in jail for eight months on the basis of a false “confession” he says he never made. Although DNA evidence was available in the case, homicide detectives never bothered to test it — even after police in the sex crimes unit suggested that the case resembled that of a serial rapist they were tracking. Longtin was only exonerated after the sex crimes unit conducted its own DNA tests and found he was completely innocent of the crime.

DNA can't solve the problem.

While DNA is an important new technology, it is merely a window into all of the things that can go wrong at each step of a criminal case. Most murders don't involve any biological evidence to test. Moreover, DNA testing is only as accurate as the human beings conducting the tests. Recent crime lab scandals in **OKLAHOMA**, **TEXAS**, **WASHINGTON**, and right here in **MARYLAND** have revealed that DNA and other forensic evidence can be misread, compromised, or even tainted.

Exonerations don't mean the system is “working”

Many exonerations have come as a result of the extraordinary efforts of people outside the regular channels — pro bono lawyers, students, family, and friends working above and beyond the call of duty — and a few good samaritans inside the system who pursued “hunches” outside their purview.

No system is error proof. It's time to substitute the death penalty with life without parole — a swift and severe punishment that guarantees Maryland will never risk executing an innocent person. No other reform can make that guarantee.