In the wake of Ronell Wilson’s death sentence, four exonerated prisoners and death penalty spoke out against the death penalty and New York state’s flawed criminal justice system at the National Black Theater in Harlem on February 6th, 2007.

The death penalty is no longer America’s sweetheart. Executions are on hold in 11 states across the country, compelled by public horror at the inhumane, drawn out deaths by lethal injection such as Stanley Tookie Williams in California and Angel Nieves Diaz in Florida. 12 states, along with the District of Columbia, do not have the death penalty on their books.

In New York state, public support for the death penalty has plummeted by 20% since the 1990s. In a September 2006 New York Times-CBS poll, only 29% of New Yorkers said they favored the death penalty, while 50% preferred life in prison without parole. Yet on January 30th, U.S. District Judge Nicholas Garaufis condemned Ronell Wilson to die for killing two undercover New York Police officers in Staten Island during a sting operation in 2003, New York’s first death sentence in over 50 years.

The impact of Wilson’s sentencing reverberated a week later at the National Black Theater in Harlem, as four wrongfully convicted men spoke about their ordeals at a panel hosted by the Campaign to end the Death Penalty and New Yorkers against the Death Penalty. Jeffrey Deskovic, Lawrence Hayes, Alan Newton, and Yusef Salaam were all exonerated of crimes ranging from robbery to rape to murder. However, they spent anywhere from 6 to 21 years in prison, and Hayes passed 2 years of his life on death row.

“It’s important for us to talk about the people that are innocent and wrongfully convicted, but it’s also important for us to talk about the ones that are guilty,” said Lee Wengraf, a board member of the Campaign to End the Death Penalty. Focusing on the intervention of U.S. Attorney General Alberto Gonzalez, which was instrumental in moving Wilson’s case from state to federal court (the New York Court of Appeals ruled that the death penalty violates the state’s constitution), Wengraf excoriated the government for “making an example” out of Wilson:

“Ronell is one of the many thousands of people who the government disinvested itself from – they said it was ok to strip the social investment from communities [like the Stapleton Houses, where Wilson grew up], which creates conditions that foster crime.”

“Every time they push forward cases like this, they also rob the public of a basic understand of who’s responsible for what in this society. They want the Ronell Wilsons on death row so they can say; ‘they’re the worst of the worst, they’re the ones causing problems.’” Lawrence Hayes, a former Black Panther who was wrongfully convicted for killing a police officer in 1970, spent two years on death row in New York before the state’s death penalty was abolished in 1973 (it was reintroduced in 1995). Sent back to prison several times for his activism following his release on parole in 1991, Hayes spoke passionately about the harm America’s fixation with the death penalty wreaks at home and abroad:

“This country is holding humanity back from that next step, which is to appreciate, value, and respect life. And we right here have an opportunity to change that.”

Yusef Salaam is living proof of how public hysteria and overzealous authorities pervert America’s criminal justice system. Convicted at the age of 15 along with four other teenagers for rape and assault in the infamous Central Park jogger case, Salaam was exonerated in 2002 when a serial rapist [Indymedia does blah. Content is good, and free to use for non-commercial purposes under the Open Content license. if you have questions, email someone.]
already behind bars confessed to the crime. Throughout his trial, real estate tycoon Donald Trump took out advertisements in the major New York papers advocating the death penalty for Salaam and his co-defendants [http://www.globalblacknews.com/Trump.html].

Though his name has been cleared, Salaam has struggled to hold down a steady job because his conviction hasn’t been fully cleared. Moreover, he is still suffering from the pain of a lost youth, spent behind bars instead of the classroom. “I never had a high school graduation, don’t know what it’s like to be on prom – my first job getting a full paycheck came in my late 20’s,” he said.

In the last 2 ½ years, 10 prisoners sentenced to lengthy prison terms in New York state have been found innocent after reviews of evidence in their case. Jeffrey Deskovic (convicted of rape, murder, and possession of a weapon in 1989, given a 15 to life term) and Alan Newton (convicted of rape and robbery in 1984, given a 40-yearn sentence) were both released last year after the DNA evidence in their case was reexamined at the insistence of the Innocence Project, a litigation organization dedicated to freeing wrongfully convicted prisoners and reforming the criminal justice system [http://www.innocenceproject.org].

Deskovic and Newton maintained their innocence while in prison and tried to request reviews of the evidence presented during their trial. However, both men encountered stiff resistance from the courts and district attorneys when they sought to reopen their cases.

Deskovic’s appeal to the New York Court of Appeals was turned down because he unknowingly filed his petition four days late. Then-Westchester County District Attorney Jeanine Pirro (who twice refused to review the DNA evidence, telling him to “come back when you have an attorney”) took the stance that the tardy petition was “prejudicial against the people,” and the judge dismissed Deskovic’s petition without being heard. The Innocence Project took up his case in 2005, and Deskovic was found innocent when the DNA in his case was traced to a convicted murdered in an upstate prison [http://truthinjustice.org/Deskovic.htm].

“The criminal justice system is broken,” Deskovic told the assembled crowd. “Guilt and innocence don’t matter – finality of a conviction is given greater importance than obtaining justice.” Based on his own ordeal, Deskovic recommended greater oversight of prosecutors and strict punishment for misconduct, the videotaping of police interrogations to guard against coerced confessions, and a sustained effort to improve the quality of public defenders.

For his part, Newton sought to have the DNA samples from the woman he was wrongly convicted of raping re-tested. He first requested the rape kit in 1994, and was told that it could not be located. This cycle went on for a decade, until the Innocence Project convinced the Bronx District Attorney’s Office to look into the matter – the kit was found right where records indicated it would be [http://www.innocenceproject.org/case/display_profile.php?id=184]. “You know why prosecutors withhold evidence? Because they’re not about justice, they’re about seeking convictions. It’s a job to them,” Newton said, echoing Deskovic’s call for increased oversight of prosecutors.

The case for axing the death penalty is strong – relatives of homicide victims have given testimony to state commissions in New York and New Jersey advocating its abolition, and studies show that it is more expensive to execute a prisoner rather than incarcerate them for life [http://www.deathpenaltyinfo.org/article.php?did=108&scid=7#From%20DPIC].

Janice Greishaber, the mother of a murder victim, addressed members of the New York State Assembly in December 2005 about how death sentences prolong the suffering of bereaved relatives. “The death penalty brings as much pain as it does relief,” she said. “It creates an entirely new layer of pain, and many survivors of homicide victims would prefer that the offender in their case spend a ifetime of unimaginably painful confinement before dying a lonely and often painful death behind bars.”

Even New York’s Federal Courts are not single-minded in this matter – on February 9th, a jury refused to reach a unanimous verdict to execute drug kingpin Kenneth McGriff for ordering the assassination of two rivals in the 1980s [http://www.nytimes.com/2007/02/10/nyregion/10mcgriff.html]. According to one of McGriff’s lawyers, David Ruhnke, the death penalty was an unlikely outcome in the case because “the rest of the country is falling out of love with the death penalty, and the Bush administration is still in the infatuation stage.”

So why, if a criminal with as much blood on his hands as McGriff is spared the death penalty, has Ronell Wilson been
sentenced to die (and agonize through years of appeals)? Perhaps the comments of Ben Davis, a volunteer with the Campaign to End the Death Penalty, shed some light on the matter: “Because Ronell offered to spend every day of the rest of his life in prison, the prosecution said, ‘no, we will try this in front of the cameras for five months as a death penalty case. They want to show there is a person that they can put down like a dog.”

For further information about the death penalty and wrongfully convicted prisoners:

The Innocence Project -http://www.innocenceproject.org
Campaign to End the Death Penalty -http://www.nodeathpenalty.org
New Yorkers Against the Death Penalty -http://www.nydap.org