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Subject: Letters, Innocence and the death penalty, Washington Post
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To: Letters to the Editor
Washington Post

Regarding innocence and the death penalty, the Washington Post needs to go a little further. ("Death Row and DNA", 12/16/00; Page A26). Most of the media appears happy to accept claims by the biased anti-death penalty movement, that some 85-90 people have been exonerated from US death rows, since 1973. What is not revealed is that the anti-death penalty movement freely admits that they make no distinction between the factually innocent and the legally innocent. Big difference.

Based on a review of such claims, it appears that anti-death penalty sources MAY have identified from 20-40 such factually innocent people, or approximately 0.5% of the nearly 7000 sentenced to death since 1973.

These alleged innocents include 9 "exonerated" as a result of negative findings in post conviction DNA testing. I put the exonerated in quotations, because I don't know how many of those DNA exonerations have been completely cleared from any involvement in the subject murders.

It is an understatement to say that any innocents sentenced to death is an unintended and undesirable result. However, in recognizing that reality, another fact is revealed. It unlikely that there is any other criminal justice sanction, anywhere in the world, which has greater accuracy in conviction and in correcting error, than does the US death penalty. In the future, cases, where DNA is determinative of guilt or innocence, will be discovered prior to trial, thereby making the death penalty even safer.

All acknowledge that executions are irreversible. We must also acknowledge that living murders harm and murder, again, in prison, after escape and after improper release. Yet, we find no proof of an innocent executed in the US since 1900. Based on the available evidence, the irreversible loss of innocent life is infinitely greater if we fail to execute murderers.

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