

ACLU predicts the demise of death penalty within 10 years

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OF THE STAR TEAM

Roger Coleman was executed by lethal injection in Virginia because his attorney missed a deadline filing an appeal.

Calvin Burdine came close to walking the "last mile" to the execution chamber because his defense attorney fell asleep during his trial and that did not stop the judge who heard the case from sentencing him to death by lethal injection.

The two cases, and that of Juan Meléndez Colón, were among the reasons attorney Jeff Ganso, legal director of the American Civil Liberties Union of Ohio, and Alvin J. Bronstein, director emeritus of the ACLU's prison project, gave for being against the death penalty.

In the case of the lawyer who fell asleep at his client's trial, an appeals court said the state was obliged to provide an attorney

for anyone accused of a capital offense, said Ganso, it was not obliged to make certain the lawyer remained awake at trial.

The appeal was finally heard before a panel of 15 judges of whom six saw nothing wrong with upholding the conviction of a defendant whose lawyer slept through his trial, Ganso said.

In talks at an ACLU conference at the Inter American University Law School last week, both presented arguments that it was inhumane punishment and most civilized countries, including all in Europe, had abolished the death penalty.

Bronstein pointed to Canada, which banned the death penalty in 1984. Since then the murder rate has been on the decline.

The attorney added that even though polls show there is an increase in the number of Americans who favor the death penalty, he believes it will be abolished within the next 10 years.

According to Bronstein, the Supreme Court has been paring away at the way the federal and state governments have been carrying out executions, such as on youths or the mentally

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From left: Jeff Ganso, legal director for the American Civil Liberties Union in Ohio, Alvin Bronstein, ACLU National Prison Project director emeritus, and Juan Meléndez Colón.

impaired, as an indication that the justices are turning away from capital punishment.

Ganso agreed that the death penalty would be abolished, but he did not believe it would occur as soon as 10 years from now.