

Curran calls for an end to capital punishment

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BY JOHN O'CONNOR
Daily Record Business Writer

Claiming the planned executions of up to seven Maryland inmates — and the fallibility of the legal system — had prompted a crisis of conscience, Attorney General J. Joseph Curran Jr. yesterday announced his support for a bill outlawing the state's death penalty.

The bill, sponsored by Sen. Sharon Grosfeld, D-Montgomery, is one of many introduced in the past few years to install a moratorium or end the state's death penalty; but it was Curran's support, despite his position as the state's top law enforcement agent, that drew interest and criticism.

Maryland had so infrequently invoked the punishment — only three times in 40 years — that many in the state had become complacent about the death penalty, Curran said. But Gov. Robert L. Ehrlich Jr.'s decision to end the state's death penalty moratorium and the "inevitability of a mistake" meant Maryland could no longer wait to discuss the issue.

Watershed

"In the fractured history of the death penalty in Maryland," Curran said, "this is a watershed moment. We should hold ourselves to a higher moral standard than those who have wronged."

Since the Supreme Court reinstated the death penalty in 1976, Curran said, more than 800 people have been executed nationwide. But, he added, 103 had also been exonerated through new technology or evidence.

Maryland recently exonerated Bernard Webster through genetic evidence after imprisoning him 20 years for rape. Furthermore, a recent University of Maryland study found a wide racial and geographic disparity in how the state administered the death penalty.

"Despite our best efforts, this system does make mistakes," Curran said. "It's a human system."

Life without parole in Maryland means just that, he said, but allows the state to correct its mistakes.

Maryland's three executions have occurred while he was attorney general, Curran said, and he pledged to enforce the death penalty as long as it remained law.

The opposition of Curran, a Democrat, to the death penalty highlights a major policy division within the GOP-controlled executive branch.

Part of Ehrlich's campaign pledge, said spokeswoman Shareese DeLeaver, included reinstating Maryland's death penalty. Curran's announcement would not change Ehrlich's mind about proceeding with executions, she said.

"This is a sensitive topic," she said. "We respect the opinion of the attorney general, but we respectfully disagree."

Ehrlich would veto Grosfeld's bill, DeLeaver said, should it come across his desk.

Curran's support for the bill also drew criticisms from Republican legislators who saw it as a political move.

"He is supposed to be a public servant," said Del. Carmen Amedori, R-Carroll. "He is

out of line and possibly overstepped his bounds ethically."

Amedori said she might file a formal complaint with the state **Attorney Grievance Commission** and look into the possibility of removing Curran from office.

"How is he going to be able to do his job?" she asked. "His job is not a public defender ... his job is to stand up for the victims."

Despite Amedori's doubts, one veteran trial lawyer saw no conflict of interest.

"I don't think anyone has ever accused Joe Curran of being soft on crime," said Andrew D. Levy, with Brown, Goldstein and Levy in Baltimore and an adjunct professor teaching evidence at the **University of Maryland School of Law**. "He runs a very tough and hard-line office when it comes to crime issues. Joe is a very tough advocate when it comes to defending prosecutions."

While the conventional wisdom may be that a life sentence does not mean life, there is more truth in Maryland's sentencing laws than that, Levy said; neither of the state's last two governors had even granted parole to anyone given a life sentence.

Curran had a responsibility as a statewide public official, Levy said, to speak out on the matter.

Death penalty foe to 'follow the law'

Curran recruits sponsor for ban

By S.A. Miller
THE WASHINGTON TIMES

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ANNAPOLIS — Attorney General J. Joseph Curran Jr. yesterday said his personal opposition to the death penalty does not affect the ability of his office to represent Maryland in appeals of capital-punishment sentences.

"We will follow the law as long as the law is capital punishment," Mr. Curran said during a news conference, in which he called for the abolition of the death penalty.

He said state Sen. Sharon M. Grosfeld, Montgomery County De-

mocrat, would introduce a bill today that would abolish capital punishment.

As many as seven death-row inmates could be executed this year.

"Capital punishment comes only at the intolerable risk of killing an innocent person," Mr. Curran, a Democrat, said in front of the State House. "I cannot let this moment pass without making an appeal for change. I do not take this step lightly."

Gov. Robert L. Ehrlich Jr., a Republican, this month lifted a moratorium on executions that had been