

Reasons to drop death penalty

Editorial

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State legislators need no further proof about the merits of the death penalty law than to listen to the families of murder victims. Their pain at the thought that their loved one's killer can walk free after a successful appeal or at the end of his sentence should convince any wary lawmaker that life without parole is a far better punishment than a cell on death row.

Those cells have become the permanent home of New Jersey's murderers as they await the outcomes of appeal after appeal to their death penalty sentences. As a result, no inmate — as heinous as his crime may have been — has been executed since the state restored the death penalty in 1982.

The Death Penalty Study Commission conducted a hearing Wednesday on whether to recommend changes to the law to the Legislature. The answer is clearly "yes," with life without parole the best alternative.

That would spare Joanne Barlieb of Atco the fear that her mother's killer in a 1985 convenience store robbery could be free and on the streets in 14 years. "Our family was forced to relive the nightmare three times," Barlieb told the panel of their courtroom appearances.

That penalty would also mean that Robert O. Marshall, 66, of Dover Township, would not be eligible for parole in eight years for his role in the contract murder of his wife in 1984. "Marshall not only has escaped the death penalty, but he will probably see freedom in time to enjoy it," said Richard Pompelio, director of a victims' rights organization.

Marshall was resentenced to life in prison with parole eligibility in 2014 after judges, in one of Marshall's numerous appeals, ruled that his defense was inadequate during the death penalty phase.

One legislator, Sen. Robert Martin, R-Morris, told the commission that the death penalty should be abolished. Fine-tuning it hasn't worked, Martin said. Instead, "it has erected a nightmare for many of the victims' families," he said.

All of these appeals cost money, which was cited by Sen. Raymond Lesniak, D-Union, as another reason to drop the law, which he supported in 1982. Now adopting the stance of death penalty opponents, Lesniak also said "there is no foolproof system to prevent the execution of an innocent person."

The evidence against the death penalty law is convincing. It has to go, with life without parole the sentence that serves justice and the families left behind.

