DISTINGUISHED NATIONAL COMMITTEE RELEASES
UPDATED GUIDING PRINCIPLES FOR REFORM OF
DEATH PENALTY SYSTEMS

Judges, Prosecutors, Law Enforcement Officials
Urge Changes to Increase Reliability and Fairness

Today in Washington, the members of the Constitution Project’s bipartisan, blue-ribbon Death Penalty Initiative released an updated set of guiding principles for reform of death penalty systems in the United States. Timed to correspond with an important death penalty hearing in the Senate Judiciary Constitution, Civil Rights and Property Rights Subcommittee, Mandatory Justice: The Death Penalty Revisited examines problems and solutions relevant to all capital punishment systems in the United States.

“We all have different perspectives on the death penalty and the criminal justice system, but Mandatory Justice lays out the basic principles that simply must be part of any fair and accurate death penalty system,” said the Honorable Gerald Kogan, co-chair of the Death Penalty Initiative. “Given the great impact of these issues, both on our legal system and in the lives of so many Americans, the committee found it critical to identify both specific weaknesses and specific solutions relevant to any capital punishment system. The Constitution Project has once again drawn a bipartisan constitutional road map for us to follow.”

Justice Kogan is a former Chief Justice of the Florida Supreme Court and the former Chief Prosecutor, Homicide and Capital Crimes Division, of Dade County, Florida. He co-chairs the Death Penalty Initiative committee with the Honorable Charles F. Baird, a former judge on the Texas Court of Criminal Appeals; and Beth A. Wilkinson, Esq., who was a prosecutor in the Oklahoma City bombing case. They have ably led the committee – which comprises current and former FBI officials, state attorneys general, religious leaders, victims of crime, and academics in addition to other experts and community leaders – through a multi-year inquiry into a topic of critical importance in American society.

The death penalty has received significant attention in recent months and years as problems with accuracy and fairness have surfaced repeatedly. New biological testing methods have exonerated many people previously convicted of capital crimes; serious mistakes and even misconduct in crime labs have called trial results into question; and continued problems with the quality of and resources for defense services plague many state systems.
In *Mandatory Justice: The Death Penalty Revisited*, the Death Penalty Initiative committee moves beyond philosophical differences about the death penalty itself, instead identifying specific improvements that can address some of these problems and ultimately serve all stakeholders in the system. The Constitution Project, renowned for its ability to move beyond politics and find broad political consensus on some of the most complicated constitutional and policy questions facing our nation today, once again provides a common-sense road map for reform.

The Constitution Project’s Death Penalty Initiative was established in 2000, motivated by a “profound concern that, in recent years and around the country, procedural safeguards and other assurances of fundamental fairness in the administration of capital punishment have been revealed to be deeply flawed.” In addition to the co-chairs, the Initiative is guided by a professionally and ideologically diverse committee of criminal justice experts:

- **The Reverend James E. Andrews**, Stated Clerk of the General Assembly (retired), Presbyterian Church (United States of America)
- **The Honorable Harry Barnes, Jr.**, former United States Ambassador to Romania, India, and Chile
- **The Honorable Charles B. Blackmar**, former Chief Justice, Supreme Court of Missouri
- **William G. Broadus, Esq.**, former Attorney General, Commonwealth of Virginia
- **David I. Bruck, Esq.**, Clinical Professor of Law and Director, Virginia Capital Case Clearinghouse, Washington and Lee University School of Law
- **The Honorable Robert J. Burns**, retired Judge, Jefferson Parish, Louisiana
- **Rosalynn Carter**, Vice Chair of The Carter Center**
- **W. J. Michael Cody, Esq.**, former Attorney General, State of Tennessee
- **The Honorable Mario M. Cuomo**, former Governor, State of New York***
- **The Honorable John J. Gibbons**, Partner, Gibbons, Del Deo, Dolan, Griffinger & Vecchione; former Chief Judge, United States Court of Appeals for the Third Circuit
- **Thomas A. Gottschalk, Esq.**, Executive Vice President and General Counsel, General Motors Corporation
- **Charles A. Gruber**, Chief of Police, South Barrington Police Department; Past President, International Association of Chiefs of Police; Past President, Illinois Association of Chiefs of Police
- **Cardinal William H. Keeler**, Archbishop of Baltimore
- **Paula M. Kurland**, Victim Advocate; Founding Member, Bridges to Life (a victim offender program in Texas); Mother of murder victim
- **David Lawrence, Jr.**, President, The Early Childhood Initiative Foundation; former Publisher, *Miami Herald* and *Detroit Free Press*
- **Timothy Lynch**, Director, Project on Criminal Justice, Cato Institute**
- **The Honorable Abner J. Mikva**, Visiting Professor of Law, University of Chicago Law School; former Member of Congress (D-IL); former Chief Judge, United States Court of Appeals for the D.C. Circuit; White House Counsel, Clinton Administration
- **Sam D. Millsap, Jr.**, former district attorney Bexar County, San Antonio, Texas**
- **The Honorable Sheila M. Murphy**, Executive Director, Illinois Death Penalty Education Project; former Presiding Judge, Sixth District, State of Illinois
- **LeRoy Riddick, M.D.**, Forensic Pathologist ***
- **Chase Riveland**, former Secretary, Department of Corrections, State of Washington
The full text of *Mandatory Justice: The Death Penalty Revisited* is available at [www.constitutionproject.org](http://www.constitutionproject.org).

The Constitution Project is a 501(c)(3) nonprofit organization that seeks to formulate bipartisan solutions to contemporary constitutional and legal issues by combining high-level scholarship and public education.

*Organizational affiliations of committee members are listed for identification purposes only.**

**Member from 1999-2004.

***Member from 1999-2002.

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