



DNA Won't Stop All Death Penalty Mistakes

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By Gary Drinkard, Ron Keine, and Randy Steidl

Randy Steidl spent seventeen years in Illinois prisons, including twelve on death row, for a crime he did not commit. Gary Drinkard spent almost six years on Alabama's death row before being fully exonerated. Ron Keine served two years on death row in New Mexico, innocent and wrongfully convicted.

We are first-hand living proof that the system is broken. We were each in the prime of our lives – our twenties and thirties – when we were stripped of the opportunity to make progress in our careers, continue raising our children, or just enjoy a walk in the fresh air. We were going to die, executed for nothing we had done. But though we often felt like giving up, we kept fighting and earned our freedom.

After proving our innocence, we joined Witness to Innocence, the only national organization composed of and led by exonerated death row survivors and their families. We have fought to repeal the death penalty both state-by-state and nationwide, and here's why:

It is impossible to impose the death penalty without mistakes and the American criminal justice system provides no reliable safeguards against the execution of innocent people. In fact, for every nine executions, one death row prisoner has been freed. Today, there have been 164 people exonerated from death row – but how many other innocent people still await execution or have already been killed?

Some have argued that advances in DNA technology make these mistakes unlikely. However, DNA is unavailable in most cases, and DNA is not an all-encompassing safety net. Other evidence used to convict and sentence people can also be mistaken. Look at Ron's case: The primary witness was coerced by prosecutors and fully retracted her story in a set of taped newspaper interviews. Still, the judge refused to grant a new trial, and the taped interviews mysteriously disappeared. Ron was finally released after the murder weapon was traced to a law enforcement officer who admitted to the killing. Gary's wrongful conviction was also due to false testimony and prosecutorial misconduct, and

Randy's case was riddled with political corruption that led all the way to the Illinois Governor's office.

The fact of the matter is that the only way to avoid executing an innocent person is to stop imposing the death penalty. Thankfully, capital punishment has been in steady decline over the last several years. In 2018, there were 25 executions, the fourth consecutive year with fewer than 30. The death row population declined for the 18th straight year, with fewer than 2,500 people facing active death sentences for the first time in 25 years. After Washington state ruled the death penalty unconstitutional, there are now 20 states that have abolished the death penalty.

This is huge progress, and the three of us are committed to continuing our fight until *every* state has abolished the death penalty. That brings us here to Cheyenne.

Earlier this month, the Wyoming House of Representatives passed a bill to repeal the death penalty. Members of the House realized that the cost of the death penalty, paired with its proven lack of deterrence and the terrible risk of executing an innocent person, made this practice too unsustainable, unsuitable, and unreliable. The facts are there for the Senate to consider as well: The death penalty costs nearly \$1 million a year in Wyoming despite there being no one on death row; this money could be better spent improving communities through mental health and drug treatment programs, crime prevention efforts, and school safety. Eighty-eight percent of criminologists believed the death penalty was not a deterrent to murder in a 2009 survey.

We, as death row survivors, are calling for the Senate to reflect on not only these facts, but on our stories, and to put an end to the death penalty. With Wyoming's death row currently empty, now is the perfect time to repeal capital punishment and ensure that not one more innocent man or woman will fill those cells on death row.

Remember, there's no reversing a wrongful execution.

Gary Drinkard, past Witness to Innocence Peer Specialist, served over 5 years on Alabama death row and was exonerated in 2001. Ron Keine, Witness to Innocence Board Member, served 2 years on New Mexico death row and was exonerated in 1976. Randy Steidl, past Board Chair of Witness to Innocence, served 16 years on Illinois death row and was exonerated in 2004.