

Attention New Yorkers:

There is no more critical time to help end New York's death penalty!

In June 2004, the New York Court of Appeals wiped the death penalty off the books. But our victory is fragile. *Your involvement* can keep it from coming back.

SAMPLE LETTER TO ASSEMBLYMEMBERS

Dear Assemblyman/woman ___,

I am writing to ask you to oppose reinstatement of New York's death penalty law, which the Court of Appeals struck down in June.

The death penalty has cost New Yorkers at least \$170 million and has been a complete failure by anyone's measure, diverting public resources that might have been used for education, crime control, victims' assistance, or other programs offering proven public benefits.

The death penalty offers no such benefits. According to all reputable studies, it does not deter crime. Since it was reinstated in 1995, the homicide rate has risen significantly in Rochester, where the death penalty often has been sought, and fallen dramatically in Manhattan, where a death sentence never has been sought. Victims' family members are not healed by the death penalty, but are re-victimized by a criminal justice system that exploits their pain and makes promises it cannot keep. At least 115 innocent people across the country have been sentenced to death and later exonerated. New Yorkers have been sentenced to life sentences and then found innocent.

A quick fix by the legislature merely prolongs the charade. With life without parole now on the books, there is no justification to bring the death penalty back. Let it die.

Sincerely,

[Your signature, name, and address]

If you can do one thing:

Contact: Your Assemblymember

Reach him/her: enter your zip code at www.vote-smart.org OR call the Assembly Public Information Office at 518-455-4218

Tell him/her: "New York's death penalty is wasteful and unfair. The quick fix won't fix its many problems. Let the death penalty die."

If you can do two things:

Contact: Assembly Speaker Sheldon Silver

Reach him at: LOB 932, Albany, NY 12248 OR

phone: 518-455-3791

fax: 518-455-5459

speaker@assembly.state.ny.us

Tell him: "Thank you for taking the death penalty seriously and opposing the Senate's 'quick fix.' New York doesn't need the death penalty. Let it die."

If you can do three things:

Contact: New Yorkers Against the Death Penalty (local) or Equal Justice USA (national) to find out what else you can do. Sign up for action alerts and other ways to get involved. Then pass this flyer around to your friends so they can also be a part of our victory!

In-state information:

New Yorkers Against the Death Penalty

40 N. Main Ave, Albany, NY 12203

(888) 224-6579

www.nyadp.org

info@nyadp.org

National information:

Equal Justice USA/Quixote Center

PO Box 5206, Hyattsville, MD 20782

(301) 699-0042

www.quixote.org/ej

ejusa@quixote.org

*The Senate has already passed a "quick fix" reinstating the death penalty. The Assembly has paused for now, but can act as soon as this month! If we lose this window, we won't have another one for years. **The time to act is now!***

New York's death penalty

Did you know?

There are compelling concerns about unfairness and wastefulness in New York's death penalty. The Court of Appeals gave New Yorkers an unprecedented opportunity to look at our state's 10-year death penalty experiment and decide whether we really want it back. Consider the facts:

Executing the innocent

- Since 1973, at least 116 death row inmates have been released after evidence proved they were innocent.
- Bobby McLaughlin, an innocent man convicted of murder in New York and sentenced to life in prison, put it most powerfully when he said: "If there was a death penalty in New York [when I was convicted], I would now be ashes in an urn in my parents' living room."
- Commissions in both Illinois and Massachusetts studied the death penalty and made dozens of recommendations to reduce the risk of executing the innocent. The Illinois Commission added that even if all 85 of its recommendations were put in place, the risk would not be eliminated completely. Yet New York's death penalty law lacks many of the recommended reforms.

Racial and geographic bias

- In New York, those accused of murdering white victims are *more than twice as likely* to face the death penalty than those who murder black victims, according to a recent study by the Center for Law and Justice in Albany.
- Six counties account for the majority of the cases where the death penalty has been sought.

New Yorkers prefer life without the possibility of parole

- Most New Yorkers (53%) prefer life without parole to the death penalty. Only 38% prefer the death penalty. Among registered Democrats in New York, *only 25 percent* prefer the death penalty. (March 2003 Quinnipiac University poll)
- When New York's death penalty statute was enacted, our state did not have life without the possibility of parole on the books. Now that such an option is available, the death penalty is not needed to keep those convicted of murder off the streets for good.
- Hundreds of organizations across New York have called for a moratorium on executions while the system's many problems are examined. The "quick fix" passed by the Senate does nothing to address the death penalty's flaws.

Expensive and inefficient

- Since New York reinstated the death penalty in 1995, New York taxpayers have spent at least \$170 million pursuing capital cases without a single execution taking place.
- Most state studies have found that a system of life without parole is significantly cheaper than the death penalty system, even when including the costs of long-term imprisonment. The death penalty's cost diverts resources from other areas, including crime prevention and victims' services.
- Yet the death penalty is not a deterrent. In Rochester, for example, where prosecutors have sought the death penalty a number of times, the crime rate has gone up, while the crime rate in Manhattan, where the death penalty has never been sought, has dramatically declined.

What you can do

The Court of Appeals overturned New York's death penalty in June. But the Assembly could vote to bring it back anytime. If they bring it back without considering all of the evidence, another \$170 million and another 10 years will go by, only to have the Courts throw out the statute again or to find that dozens of innocent people have been sentenced to die. Wouldn't New York's resources be better spent preventing crime and serving the needs of victims with *real* assistance?

- Contact your Assemblymember and tell him/her to "let the death penalty die"
- Contact New Yorkers Against the Death Penalty (statewide) or Equal Justice USA/Quixote Center (national) to receive more information and action alerts at critical moments during the campaign. We need your support now, more than ever, to take advantage of this unprecedented opportunity to improve our criminal justice system.
- Copy this flyer (or call us for copies) and pass it around at your church, synagogue, civic group, or to family and friends.
- Write a letter to the editor of your local newspaper, saying that the New York should let the death penalty die.