

ADDRESS

Governor Jon. S. Corzine

Thank you. Thank you all. It is great to be at Seton Hall, which is a great institution in our state.

[Dean] Patrick [Hobbs], thank you for hosting this on such an important issue. I look at this table and see people who I have nothing but admiration for, you know that guy, [Senator Raymond] Lesniak. He gave me two pieces of advice; one was stand for the death penalty, you'll get elected; and the second thing he said was shave your beard, but hit the road from the beginning. He's been a great friend and I think his actions, along with Senator Martin, then a semi-mandate man, and most particularly Wilfredo Caraballo, have been just an incredible profile in courage and for all of that I applaud them. I hope you will right now as well.

It is not exactly an easy issue to take on in the political forum, and if you ask the question in a poll as you prepare yourself for whatever you're involving yourself, it's almost as popular as tolls, but that doesn't mean that one shouldn't stand up for what he or she believes in and it doesn't mean that there shouldn't be leaders who stand up to try to encourage our society along the pathway that is consistent with our moral values and our highest standards of who we are and what we're about. A lot of the people, most of the people in this room I guess, are here because you believe that as well as well as I do. Judge Gibbons, one of my heroes, emphasized not the jurisprudence—by the way, I'm not a lawyer, I'm just an old washed-up bond trader—but the arguments can be made from a lot of different angles. [They] certainly can be made from a perspective of cost-benefit considerations within a jurisprudence context, they can [also] be made from practical considerations about what actually happens in the real world, and then they can be made from a moral context. This is one of those issues that somehow or another I crossed the line on when I was

fifteen or sixteen or going on something like that because of the debates we had in religious context but also in our schools—carry over from the educational process. I felt strongly about it all my life and I don't think that we can walk away from the view that violence begets violence and state-ordained violence is even more strongly committed to that. It does not mean that you have no consideration for the victims, because they are those that have suffered from violence. But I have a very, very hard time understanding how taking a life conveys the message that you want to stop the violence in our society. There are other ways to deal with this and you all, as lawyers and jurists understand that probably better than I do, but just locking somebody away and throwing away the key seems like a common-sense approach that we have taken up here in New Jersey. I'm really proud of our State, I'm proud of our State in a lot of ways. It's filled with great people and two Supreme Court Justices, [a] Chairman of the Federal Reserve Board; recently we had the Chairman of the Joint Chiefs of Staff, didn't like his policies so much, but there are a lot of great people. We have great lawyers. We have people who have contributed throughout history, but we are sending a statement of moral values that I think goes well beyond a lot of the day-to-day debates that we have in the State of New Jersey by what we've done—this is an act of conscience. Yes, the [Death Penalty Study] Commission, which I think did an incredible job, identified that we're spending \$250 million more than we would have if we had done something else, if we hadn't had the death penalty on the books and maybe it costs \$80,000 to incarcerate someone on this issue versus normal incarceration, which is closer to \$35,000,¹ and you know, all of those are practical considerations that need to be taken into account, haven't been used in forty-four years, sort of makes you wonder why something is on the books if it's actually never practiced, but at the end of the day, I don't think this is about anything other than what is simply right or wrong. So I think we have, as a group, because I don't think anyone would have done this [otherwise]; a governor who was uncontrolled by his emotions or his own moral situation could not accomplish

¹ *C.f.* MARY E. FORSBURG, N.J. POLICY PERSPECTIVE, MONEY FOR NOTHING: THE FINANCIAL COST OF NEW JERSEY'S DEATH PENALTY (2005), available at http://www.njpp.org/rpt_moneyfornothing.html.

things unless there were good people who could make the methodical and certain arguments about how we approach this issue, and that was done. It was done thoughtfully by the Commission, it was done and debated thoughtfully within the Legislature, and it had many people from the outside groups—too many to talk about but [which I] congratulate because they fought for this on a day-in-and-day-out basis for a long period of time, for years and years actually, and it is a result that I think gives testimony to how great this great state is.

The second thing I would say about this: our work is not done. We are one state. There is much more to be done. You could put this record on top of New York State,² I guess there are a few folks here from New York law firms or at least people from that judiciary. It's been no practical movement with regard to using the death penalty, not that I'm advocating it, but it seems to me that some of the terms and conditions are the same, they are across the country, and there are mistakes and I have a hard time understanding why—if you knew that there was one person in a cohort set of a hundred people—why you would take a risk for one innocent person to lose his or her life to accomplish what is, the people would argue, that the death penalty is all about. To me that would not be morally right regardless of how you feel about violence begetting violence. So we need to take the enthusiastic, the intellect and the momentum, what momentum we have and take it beyond the State of New Jersey and see what we can really do. Martin Luther King said: “Man must evolve for all human conflict a method of resolution which rejects revenge, aggression and retaliation.”³

On December 17th, New Jersey truly evolved to a higher state.⁴ Let's make sure that we take that message across the country as we go forward. Thank you very much.

² On June 24, 2004, New York's death penalty statute was declared unconstitutional in *People v. LaValle*, 817 N.E.2d 341 (N.Y. 2004).

³ Martin Luther King, Jr., Nobel Peace Prize Acceptance Speech (Dec. 10, 1964), in *I HAVE A DREAM: WRITINGS AND SPEECHES THAT CHANGED THE WORLD* 107 (James M. Washington ed., 1992).

⁴ Act of Dec. 17, 2007, ch. 204, 2007 N.J. LAWS 1427 (codified at N.J. STAT. ANN. § 2C:11-3 (West Supp. 2008)) (repealing the death penalty in New Jersey).

