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JUDGE DECLARES FEDERAL DEATH PENALTY UNCONSTITUTIONAL AS QUESTIONS OF INNOCENCE, FAIRNESS PERSIST

WASHINGTON, DC -- Federal District Court Judge Jed Rakoff today ruled that the federal death penalty is unconstitutional, and it cannot be sought in the case before him, U.S. v. Quinones, because the demonstrated risk of executing an innocent person is too great and violates substantive due process. According to the Death Penalty Information Center (DPIC), 101 death row inmates from across the nation have been exonerated and released from death row since the death penalty was reinstated.

"There is growing national concern about capital punishment and the flawed system that has wrongfully convicted more than 100 innocent people who were later released from death row," said Richard Dieter, DPIC Executive Director. "Judge Rakoff joins a lengthy list of death penalty proponents and opponents who have raised serious doubts about the fairness and accuracy of the death penalty. There is no question that innocent lives are at risk, and while this risk remains, we should halt executions and take a closer look at the viability of capital punishment."

Today's ruling is the first of its kind since the federal death penalty was reinstated in 1988 and expanded in 1994. Rakoff's ruling referenced a number of death penalty studies and statistics that led to his conclusion, including the wrongfully-convicted persons on DPIC's list of death row exonerees. This list and additional information about these cases are available online at <http://www.deathpenaltyinfo.org/innoc.html>.

Currently, there are 27 inmates on the federal death row in Terre Haute, Ind. In June 2001, the Justice Department carried out its first executions since 1963 when it executed Timothy McVeigh and Juan Raul Garza.

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