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New Haven Public Defender Thomas Ullman, center, who served as attorney for confessed murderer Jonathan Mills, addresses the press concerning abolition of the state's death penalty Thursday in Hartford. At far left is New Haven lawyer Hugh Keefe; from right are Hartford lawyer Hubert Santos and New Haven lawyer William Dow.

Repeal death penalty, lawyers say

Group warns of potential for grave errors if innocent people convicted

By Gregory B. Hladky
Capitol Bureau Chief

HARTFORD — Connecticut's criminal defense lawyers added their voices Thursday to the chorus calling for repeal of the death penalty, warning that there will inevitably be errors if executions become commonplace.

"The system we have is broken," said Hugh Keefe, a prominent New Haven defense lawyer. "It makes mistakes."

Keefe said Connecticut police routinely arrest innocent people, and that virtually every defense lawyer has seen innocent clients wrongly convicted in Connecticut courts.

"This is what's going to happen when we start killing people," said Keefe. "It's irrevocable and those mistakes cannot be corrected. There is no second chance when it

ident of the 300-member Connecticut Criminal Defense Lawyers' Association, said his organization is calling on Gov. M. Jodi Rell to reconsider her refusal to issue a reprieve to confessed serial killer Michael Ross and urged lawmakers to repeal the death penalty.

Ross is scheduled to die by lethal injection Jan. 26 for murdering four women, and Rell has said she will veto any repeal bill. Most legislative opponents of the death penalty concede that, even if they get enough votes to pass a repeal bill, they don't have enough support to override a veto.

But members of the defense lawyers' group said they plan to lobby the legislature for repeal.

Fitzpatrick, who served as one of Ross' defense attorneys between 1992 and 2004, said he believes the rising public

"Once you go down the road of executing Michael Ross, the flood gates are open," said Hartford-based defense lawyer Hubert Santos. "Connecticut doesn't want to become another Texas."

But a spokesman for Rell said Thursday that the governor "has not indicated there is anything that would change her mind" on the issue.

All of the lawyers who spoke at Thursday's news conference at the Legislative Office Building agreed with Keefe when he insisted, "This is not about Ross — there are much bigger issues involved."

Keefe also said the defense lawyers are well aware of polls showing strong popular support for the death penalty.

"I for one think most of our legislators will stick their fingers in the air and see what the public wants and they won't do any-

necticut's criminal justice system is "chronically underfunded" means that the system simply fails people it is supposed to help.

"Every day we hear the following refrain: 'We don't have the money to put your client in the program he so desperately needs. Your client has to go on a waiting list because there are no beds available, whether it's substance abuse or mental illness,'" Ullmann said.

"This is a prescription for disaster that sometimes leads our clients onto death row," said Ullmann.

Tara L. Knight of New Haven, the association's president-elect, said a resolution passed by the group's members charges that "the death penalty does not comport with human dignity and our evolving standards of decency."

Knight said the resolution