

# Death-penalty executions drop nationwide

## Florida had one execution in 2010

By Anthony Colarossi, Orlando Sentinel

4:55 p.m. EST, December 21, 2010

Florida is following a national trend of executing fewer death row prisoners, according to a year-end report released today by the Death Penalty Information Center.

Executions nationwide dropped 12 percent during 2010 compared to 2009, according to the report. And as usual, Texas led the nation with 17 executions this year, down from 24 the year before. Florida had one execution this year and two in 2009.

Meanwhile, the DPIC estimates 114 new death sentences nationwide during 2010, close to last year's total of 112, which the organization said was the lowest since reinstatement of the death penalty in this country back in 1976. The estimate considers a few potential death sentences still playing out at year's end.

Officials with the Washington, D.C.-based group attributed the numbers to a host of factors, including concerns about executing those who may be wrongly convicted.

"Whether it's concerns about the high costs of the death penalty at a time when budgets are being slashed, the risks of executing the innocent, unfairness, or other reasons, the nation continued to move away from the death penalty in 2010," said Richard Dieter, DPIC's executive director.

While the numbers clearly show a decrease in executions, William Cervone, president of the Florida Prosecuting Attorneys Association, said that doesn't necessarily mean there is a political or public move away from support for capital punishment.

"The debate is alive and well and I don't think there's any national consensus that the death penalty should be done away with," said Cervone, State Attorney in the 8<sup>th</sup> Circuit in [Gainesville](#).

Randy Means, with Orange-Osceola State Attorney Lawson Lamar's office, said, "We see these numbers as just trends."

Prosecutors here in the 9<sup>th</sup> Circuit, see nothing "fundamentally different" in the number of capital cases they come across or the charging decisions in eligible cases, Means said.

Factors explaining fewer executions here and elsewhere might include the personal politics of

individual governors and the various stages of inmate appeals, Cervone noted. By bringing up appellate issues and challenges year after year, defense attorneys can prolong the lives of their clients and effectively slow the number of executions, he said.

"It's impossible to create a generalization and say we're moving away from it [the death penalty]," he said, adding that he has seen no indication from state legislators that they would seek to repeal the death penalty in Florida due to costs or other factors.

Dieter, however, noted in a statement that despite the political shifts seen nationally during November's elections, several state elections and polling data show "opposing the death penalty is an acceptable position for elected officials and candidates."

Dieter added, "Voters hold other issues, such as the economy and jobs, as much higher priorities."

This year saw 12 states, mostly in the South, carrying out at least one execution. Seven states carried out more than one execution, the report found. Since the country reinstated the death penalty, 82 percent of executions have occurred in the South.

The DPIC's national, year-end numbers come soon after the initial meetings of Florida's Innocence Commission, a Florida Supreme Court-created panel established to look at wrongful convictions and ways to prevent them from happening in the future.

Florida has executed 69 people since reinstatement, according to the Florida Department of Corrections. Inmates here remain on Death Row an average of 12.68 years before execution. There are 393 inmates on Florida's Death Row. All but one are men.

The one Florida inmate executed this year was Martin Grossman. The 45-year-old was executed by lethal injection Feb. 16 after spending more than 24 years on Death Row for a [Pinellas County](#) murder. Grossman beat and shot Florida wildlife officer Margaret "Peggy" Park in December 1984. Before the execution, Grossman expressed remorse to Park's family.

In its state-by-state count of death row exonerations, the DPIC website shows Florida with 23 "innocent" people freed from Death Row through the years. Florida holds the highest count in that statistic. Illinois is second with 20. Nationally, 26 states had seen 138 death row exonerations between 1973 and late October.

Cervone insisted an exoneration does not necessarily mean a person did not do the crime.

"I strongly dispute the concept of exonerations equaling innocence," he said.

At the same time, he said, "We are participating in the Innocence Commission. No prosecutor wants to convict an innocent person, ever."

*Anthony Colarossi can be reached at [acolarossi@orlandosentinel.com](mailto:acolarossi@orlandosentinel.com) or 407-420-5447.*

Copyright © 2011, [Orlando Sentinel](#)