

TESTIMONY BY MS. DARRYL McGRATH
BEFORE THE JOINT JUDICIARY COMMITTEE, ON Senate Bill No. 1035.
March 7, 2011

Good morning, and thank you. My name is Darryl McGrath, and I live in Albany, NY, where I am a member of the journalism faculty at the State University of New York. I am here to speak in support of Senate Bill 1035, which would repeal the death penalty in Connecticut.

In 1986, I was the police reporter at the Record-Journal newspaper's Wallingford bureau when a Wallingford woman, Barbara Pelkey, was found raped, tortured and beaten to death at her workplace. Two years later, an 18-year-old man named Kenneth Ireland was convicted of Mrs. Pelkey's murder and sentenced to 50 years in prison.

As many of you know, Kenneth Ireland was exonerated and freed from prison two years ago after DNA evidence that was unavailable at the time of his arrest proved that he had been wrongly convicted. He served 22 years in prison for a murder he did not commit.

Another man has since been charged with Mrs. Pelkey's murder and is awaiting trial.

I remember how hard the Wallingford police worked on the Pelkey case. One detective kept a photo of Mrs. Pelkey under the glass top of his desk, as a reminder that her grieving family needed answers. Another took a tube of his own blood, sprayed it on a wall and then watched how long it took to dry, to better pinpoint the time of the attack.

But careful police work, not emotions, drove this investigation, and the Wallingford police poured everything they had into the Pelkey case. They consulted with the FBI and with Dr. Henry Lee, who was the head of the state police forensics lab and the world's leading expert on body fluids. This was an extremely careful, thorough investigation and the police did not rush – but still, the wrong man was convicted.

All of us have heard of wrongful convictions that occurred because the police acted in haste or a witness lied. But a wrongful murder conviction can also happen in a careful and completely professional investigation. This happened in the Pelkey case. Kenneth Ireland did not get the death penalty in 1988 largely because of his youth and the fact that the evidence was entirely circumstantial. Had he received the death sentence, he almost certainly would have been executed long before advances in forensic technology could have proven his innocence.

As you consider this bill to repeal the death penalty, please also consider the case of Kenneth Ireland. Even careful police investigations can lead to the conviction of an innocent person. There is no way to make the death penalty entirely fail-safe. I ask you to repeal the death penalty in Connecticut, and vote instead for life in prison without parole.

Thank you.