

March 7, 2011

ATTN: Hon. Eric Coleman, Senator  
Hon. Gerald Fox III, House Representative  
Chairmen of the Judiciary Committee  
Room 2500  
Legislative Office Building  
Hartford, Connecticut 06106

IN RE: **Senate Bill #1035, An Act Repealing  
The Death Penalty  
Connecticut Legislative Session, 2011**

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Good morning, ladies and gentlemen of the Judiciary Committee. I appear before you today to lend my voice to those in support of Senate Bill # 1035, An Act Repealing the Death Penalty.

At the outset, let me state that I have come to the belief that the notion of State-sanctioned killing is illogical and morally unjust. With that being said, there are far more learned and eloquent men and women who are here to address the moral aspects of this debate.

Perhaps I can bring a somewhat unique perspective to the floor of this chamber. As most of you will recall, my 15 minutes of fame occurred a few years back, when I had the rather unusual duty of representing a gentleman who wished to waive any further appeals, and allow the sentence of execution by lethal injection to take place. As we all know, when Michael Ross was finally put to death in May of 2005, it was the first time in Connecticut that the ultimate penalty was actually carried out in 45 years, when Joseph "Mad Dog" Taborsky died in the electric chair at the old Wethersfield State Prison.

Now I don't know very much about Mr. Taborsky, but I do know a little bit about Michael Ross. Like Taborsky, and all of the other men that currently reside on death row, my client was a human being. Now, I am fully aware that I venture onto thin ice when attempting to elaborate on the humanity of a convicted serial killer, but I'd ask you to hear me out. Like all of us, my client knew what it meant to laugh, to cry, to think, yes, even to feel compassion. The response to that statement is that the young girls who were his victims were deprived by him of engaging in those basic human functions, because of his horrific acts. Once Ross began receiving the appropriate medication, and the "demons" were cleared from his brain, he lived for many years tortured by that

realization. I observed on a constant basis that he was a man who harbored an enormous sense of revulsion, disgust and contempt for what he had done to these young women, and the effect that this had on their families and loved ones. While he was thought by many to be some kind of "monster", or "the poster child for the death penalty", I can assure everyone in this room that this human being, who I came to know, had a conscience and a degree of goodness within him, that, years before, had been masked by his mental illness.

It was those very qualities that caused him, after years and years of careful reflection and consideration, to make the decision that he did. And in the end, his reasoning serves as a lesson to all of us, who are debating this issue again in 2011.

For Michael Ross, his decision was a moral one. In contrast to the commonly-held belief, he absolutely had no desire to die. He did not welcome the prospect of death by lethal injection, and on many occasions spoke and wrote eloquently in opposition to capital punishment. He believed that the notion of execution of another human being was morally wrong. What drove my client to his ultimate decision, however, was, in his mind, the need to make a moral choice....a choice between wrongs, if you will. Ross felt that to continue to pursue legal appeals that he had available to him, (a process that would still be years away from completion, had he taken that route), was a much greater "wrong", because it continued to inflict pain on the families of his victims. He was never quite sure if his death would bring "closure" to them, but he felt that it would put a definitive end to the continuation of the anguish that the constant drumbeat of attention to his case would surely bring. History has proven him quite right, in this respect. I would ask you to consider this....when is the last time that anyone in this

room discussed, debated or even thought about Michael Ross? I would venture to guess that, for most of you, it was the day after he died.

And that is exactly the point that I'm leading up to, today. If, in 1987, Michael Ross had been sentenced to life in prison without the possibility of release, he would be nothing more than an afterthought, one of the many names that disappear into the morass of court records from decades ago. This once promising, intelligent, Ivy-league graduate would have been relegated to the realm of anonymity and obscurity, where his primary identity for the rest of his days would be as Inmate # 127404.

My wife, Michele, assisted me closely throughout the proceedings leading up to Mr. Ross' final moments. The two of us came to know some of the family members of his victims, as the court proceedings dragged on. They are typical members of Connecticut society...caring, intelligent, law-abiding, and possessing of strong family values. After suffering the incomprehensible horror of losing their daughters in an unspeakable way, they then were forced to endure years of torture, as the legal system, to them, continued to prolong their agony. When the execution of Michael Ross occurred, Michele and I heard from some of them. They spoke of closure. Interestingly, some went further and stated that they experienced no particular sense of satisfaction from seeing Mr. Ross put to death, rather, they were just relieved to see the process finally come to an end.

My point is that this "ending of the process" could have occurred some 18 years before. None of the protracted legal proceedings occurred at the behest of Ross, yet they continued, interminably for the victim's families, generating a whirlwind of media coverage that, for them, only served to prolong their inability to heal. I am not in their

shoes, thank God, and I don't know whether anyone ever truly "heals" from such a loss. But if there is any truth to the adage that "time heals all wounds", that process could have begun in 1987, rather than 2005 for many of these innocent people, had my client been sentenced to life in prison.

In conclusion, my experience has strengthened my belief that the time has come to abolish capital punishment in the State of Connecticut. It is my hope that the members of this Committee arrive at the same conclusion, and vote favorably on Senate Bill #1035. Thank you very much for listening. I would be happy to answer any questions that my comments may have elicited.

**T.R. Paulding Jr.**