

2006—Public Law ch. 321 is signed into law by Governor Richard Codey, establishing the New Jersey Death Penalty Study Commission and staying all executions pending the results of the study.

January 2007—The New Jersey Death Penalty Study Commission issues its final report. The Commission recommends replacement of the death penalty with life imprisonment without possibility of parole, to be served in maximum security prison. The Commission further recommends that any cost savings be used to benefit the survivors of homicide victims.

January 2007—A poll released by Quinnipiac University indicates that 51% of New Jerseyans prefer life without parole to the death penalty for defendants convicted of murder.

December 10, 2007—The New Jersey Senate approves S.171, which abolishes the death penalty in New Jersey and replaces it with a sentence of life imprisonment without the possibility of parole.

December 13, 2007—The New Jersey General Assembly approves S. 171.

December 16, 2007—Governor Jon S. Corzine commutes the sentences of the eight inmates remaining on death row to life imprisonment without the possibility of parole.

December 17, 2007—Governor Corzine signs S.171 into law. New Jersey becomes the first state in nearly forty years to legislatively repeal the death penalty.

December 18, 2007—The Colosseum, ancient site of public executions, is illuminated in tribute to New Jersey's actions.

December 18, 2007—The United Nations General Assembly calls for a worldwide moratorium on executions.

SPEAKER BIOGRAPHIES

Sen. Christopher "Kip" Bateman

Assembly Sponsor of Repeal Bill

Senator Christopher "Kip" Bateman is the Deputy Conference Leader in the New Jersey Legislature. He received his B.A. from Ithaca College, majoring in political science and history, and his J.D. from Seton Hall University School of Law.

Senator Bateman is a partner at DiFrancesco, Bateman, Coley, Yospin, Kunzman, Davis & Lehrer. He was a member of the Somerset County Board of Freeholders from 1988-94, serving as director in 1992, and was a member of the Township of Branchburg Committee 1983-88, serving as mayor in 1986.

Senator Bateman was a member of the General Assembly from 1994 to 2007, during which time he served as Assistant Republican Leader (2004-2005), Assistant Republican Whip (2002-03), Majority Whip (1996), and Assistant Majority Whip (1994-95).

Prof. Wilfredo Caraballo

Assembly Sponsor of Repeal Bill

Professor, Seton Hall University School of Law

Professor Caraballo received his B.A. from St. Joseph's College and his J.D. from New York University. He previously worked for Legal Aid in New York City and has published in the area of commercial law. He was a Distinguished Visiting Professor at New York University School of Law in 1986 and served as associate dean from 1988 through March 1990. He took leave to serve as the Public Advocate of New Jersey from 1990 to 1992. He came to Seton Hall in 1975.

From 1996-2008, Professor Caraballo served as a member of the state assembly representing the 28th Legislative District. He was Speaker Pro Tempore (2006-2008), Parliamentarian (2002-2006), and Associate Minority Leader (1998-2001).

Kathy Barrett Carter

Editorial Board Member, The Star-Ledger

Kathy Barrett Carter is an editorial writer for *The Star-Ledger*. Prior to joining the editorial board in September 2004, Ms. Carter worked in the State House Bureau of the newspaper in Trenton for many years, covering law-related legislative issues and legal affairs, including those before the New Jersey Supreme Court, the appellate division of superior court and the United States District Court for the District of New Jersey (Trenton). She has written extensively about such pertinent issues as racial profiling, school

funding, the death penalty, family law issues, sexual harassment, and Megan's Law. Before she came to *The Star Ledger*, Ms. Carter was a reporter for *The Courier News* in Bridgewater. She also wrote a column for the *New Jersey Law Journal* for many years.

Ms. Carter is a graduate of Howard University School of Journalism in Washington, D.C. and also has a master's degree in political science from Brown University. She is a frequent commentator on Public Radio.

Hon. James H. Coleman, Jr.

Associate Justice, Supreme Court of New Jersey (Ret.)

James H. Coleman, Jr. is of counsel to Porzio, Bromberg & Newman, P.C. He joined the firm following a long judicial career, in which he was an associate justice on the New Jersey Supreme Court from 1994-2003. Prior to this, Justice Coleman spent sixteen years on the bench of the New Jersey Superior Court.

Justice Coleman graduated *cum laude* from Virginia State University in 1956, and received his J.D. from Howard University School of Law in 1959. He also holds an Honorary Doctor of Laws from Virginia State University (1995), Widener University (1995), and Essex County College (2000).

Justice Coleman is also the chairman of the Board of Trustees at Legal Services of New Jersey. He currently focuses his practice on advising attorneys and clients on appellate strategy and on acting as a mediator or arbitrator of complex private and public disputes.

Prof. George W. Conk

Symposium Co-Chairman

*Professor and Senior Fellow, Stein Center for Law and Ethics,
Fordham University School of Law*

Professor George W. Conk is of counsel to Tulipan & Conk, P.C. (North Bergen, N.J.) and is a Certified Civil Trial Attorney. He received his A.B. from the College of the Holy Cross, his M.A. from Boston University, and his J.D. from Rutgers–Newark School of Law. Mr. Conk taught at Seton Hall University School of Law from 1995-2001. Since 2002, Professor Conk has served as adjunct

professor at Fordham University School of Law, where he teaches products liability, remedies, and professional responsibility.

A leading scholar on torts and product liability law, his work has appeared in such publications as the *Yale Law Journal*, the *UCLA Law Review*, and the *Penn State Law Review*. He has twice received Fulbright grants to lecture in China. His translation from Chinese to English of the basic principles of tort law in the draft Civil Code of China was published by Peking University Press in 2005. His essay, *A New Tort Code Emerges in China*, appeared in the *Fordham International Law Journal* in 2007.

An elected member of the American Law Institute, Professor Conk was recognized as one of the Top 100 Lawyers in New Jersey by the Rutgers Newark Law School Alumni Association.

Gov. Jon S. Corzine

Governor of New Jersey

Governor Corzine was sworn into office as New Jersey's 54th Governor on January 17, 2006. On December 17, 2007, Governor Jon S. Corzine signed the bill repealing the death penalty in New Jersey. He was the first governor ever to sign such a measure.

Governor Corzine graduated Phi Beta Kappa from the University of Illinois at Urbana-Champaign in 1969 and enlisted in the U.S. Marine Corps Reserve, serving until 1975. In 1973, Governor Corzine received his MBA from the University of Chicago and went to work at Bank Ohio. He later worked at Goldman Sachs, where he was named partner in 1980, and chairman and CEO in 1994. After a highly successful tenure, Governor Corzine left Goldman Sachs in May of 1999.

Governor Corzine was elected to the United States Senate in November 2000, where he sought new federal investments in New Jersey's transportation network, pursued new safeguards to protect chemical facilities against terrorist attack, introduced legislation to improve access to education and healthcare, fought for stronger environmental policies, and was a leader of the effort in Congress to crack down on corporate abuse.

*Celeste Fitzgerald**Director, New Jerseyans for Alternatives to the Death Penalty*

Celeste Fitzgerald, program director of NJADP, has extensive experience in the death penalty abolition/moratorium movement. Ms. Fitzgerald was NJADP's chairperson from its founding in 1999 until 2001, when she joined the staff of Equal Justice USA, a national organization that assists state death penalty moratorium campaigns. While with Equal Justice USA, Ms. Fitzgerald coordinated NJADP's 2002-2003 study bill campaign. As NJADP's full-time program director since January 2004, she coordinates a team of organizers, interns, and media, legal, and political professionals who join the committed network of NJADP volunteers and allied organizations in this campaign. Under Ms. Fitzgerald's leadership, NJADP successfully lobbied for the passage of the nation's first legislatively-imposed moratorium on executions. The legislation, which also created a study commission to examine all aspects of New Jersey's death penalty, was signed into law by Governor Richard Codey on January 12, 2006.

*Hon. Alan B. Handler**Associate Justice, Supreme Court of New Jersey (Ret.)*

Associate Justice Alan B. Handler has long opposed capital punishment. He was a member of the supreme court for more than twenty-two years, retiring on September 1, 1999. First appointed to the superior court in 1968 by Governor Richard J. Hughes, Justice Handler was assigned to the appellate division in 1973. He resigned from the bench in 1976 to serve as counsel to Governor Brendan Byrne. In March 1977, he joined then-Chief Justice Richard J. Hughes on the New Jersey Supreme Court. He was the longest-serving member of the then current court at the time he retired.

Justice Handler served as Deputy Attorney General from 1961 to 1964 and as First Assistant Attorney General from 1964 to 1968. He attended Newark Academy and Princeton University, where he was a member of Phi Beta Kappa, and graduated *magna cum laude* in 1953 from the Woodrow Wilson School of Public and International Affairs. He received his law degree from Harvard

Law School in 1956 and was admitted to the New Jersey Bar the same year.

Dean Patrick E. Hobbs

Dean, Seton Hall University School of Law

Patrick E. Hobbs was named dean of Seton Hall University School of Law in 1999. He previously served as a professor of law at the law school as well as associate dean of finance from 1996 to 1999. Dean Hobbs graduated *magna cum laude* from Seton Hall University with a B.S. in accounting. He received his J.D. from the University of North Carolina at Chapel Hill and his LL.M. from New York University.

Dean Hobbs was recently appointed a commissioner on the New Jersey State Commission of Investigation by former Governor James McGreevey. He is a member of the Standards Review Committee of the American Bar Association, Section of Legal Education and Admissions to the Bar, and has twice chaired the Law School Development Committee. He also serves as a member of the boards of the Newark Alliance, Lexis-Nexis, Newark Beth Israel Medical Center, the New Jersey Commission of Professionalism and the New Jersey Institute for Continuing Legal Education. In 2004, he served as chair of the Newark, New Jersey Mayor's Blue Ribbon Commission on the Downtown Core Redevelopment.

Dale Jones, Esq.

Assistant Public Defender and former death penalty trial attorney

An attorney with the Public Defender's office since 1974, Mr. Jones is responsible for supervising the Mercer, Middlesex, Monmouth and Union county regional public defender offices as well as the Law Guardian Program. Since 1984, he has coordinated statewide training programs, death penalty defense activities and ancillary services applications. Mr. Jones is also the legislative liaison for the agency.

Mr. Jones is a member of the New Jersey Supreme Court's Criminal Practice and Evidence Committees and has been a Certified Criminal Trial Attorney since 1982. He is a graduate of

the Rutgers Newark College of Arts and Sciences and Rutgers University School of Law.

Sen. Raymond J. Lesniak

Senate Sponsor of Repeal Bill

Senator Raymond J. Lesniak, the sponsor of the groundbreaking repeal bill, graduated from Rutgers University in 1971 with a B.A. in economics. In 1974, he received his J.D. from St. John's University School of Law, graduating with honors. He was admitted to the New Jersey Bar in 1974 and served as staff attorney and interim Director of the Office of Poverty and the Law, Department of Community Affairs. He is a partner in the law firm of Weiner Lesniak in Parsippany, N.J.

In 1977, Senator Lesniak was elected to the general assembly, where he remained until 1983, when he was elected to the state senate. As senator, he has served as Chairman of the Labor, Industry & Professions Committee (1988-1993) and as a member of the Senate Education Committee (1990-1991). He currently serves as chair of the Senate Economic Growth Committee, vice-chair of the Senate Commerce Committee, member of the Senate Judiciary Committee, and member of the Legislative Oversight Committee.

Assoc. Dean R. Erik Lillquist

Associate Dean and Professor of Law

Seton Hall University School of Law

Associate Dean Lillquist teaches in the areas of criminal law and procedure, evidence, contracts, and electronic commerce. His current research interests include the interaction between theories of human-decision making and the legal process and understanding the implications of biology, medicine and psychology for law. Dean Lillquist received his B.S. in biology and B.A. in history from Stanford University in 1989 and his J.D. from the University of Virginia in 1995. At the University of Virginia, he was elected to the Order of the Coif and was the editor-in-chief of the *Virginia Law Review*. After law school, Dean Lillquist clerked for the Honorable John M. Walker, Jr. of the United States Court

of Appeals for the Second Circuit. He then joined the firm of Lankler, Siffert & Wohl, where he specialized in criminal defense.

Dean Lillquist joined the faculty of Seton Hall University School of Law in 1999, where he is the director of the Institute of Law, Science and Technology. In the Fall of 2004, Dean Lillquist visited at the University of Minnesota School of Law. He was named a Dean's Fellow at Seton Hall in 2005, and associate dean for finance and administration in 2007.

Lawrence S. Lustberg, Esq.

Chair, Criminal Defense Department, Gibbons P.C.

Lawrence S. Lustberg chairs the Criminal Defense Department at Gibbons, P.C., and is the director of the John J. Gibbons Fellowship in Public Interest and Constitutional Law. He received his B.A., *magna cum laude*, from Harvard University in 1979, and graduated from the International Graduate School, University of Stockholm (Sweden) in 1980. He received his J.D., *cum laude*, from Harvard Law School in 1983.

Mr. Lustberg is a fellow at the American College of Trial Lawyers, member of the New Jersey Commission on Government Efficiency and Reform, and chairman of the Subcommittee on Corrections, Probation and Parole Practices.

He is currently an adjunct assistant professor of law at both Seton Hall University School of Law (1992-present) and Rutgers University Law School (1991-present).

Prof. Robert J. Martin

Symposium Co-Chair

Senate Sponsor of Repeal Bill

Professor, Seton Hall University School of Law

Professor Martin served twenty-three years in the New Jersey Legislature as assemblyman and senator, representing the 26th District. During his tenure, he served on the Senate Judiciary Committee, the Education Committee, and the Joint Committee on the Public Schools. In 2005, he received the Eastern Regional Conference of State Government's annual Leadership Award for

his work in promoting mutual cooperation and programs among the New England and Middle Atlantic states.

Prof. Martin is also a member of the Board of Directors of the New Jersey Institute of Continuing Legal Education (ICLE), the Executive Committee of the Council of State Governments, the New Jersey State Employment and Training Commission, and the Education Commission of the States.

Professor Martin received his B.A. from Dickinson College, his M.A., with distinction, from Lehigh University, his J.D., *magna cum laude*, from Seton Hall University, and his LL.M. from New York University, where he was awarded the Seymour Goldstein Memorial Prize for academic excellence. He also earned an Ed.D. from Columbia University, concentrating in school law.

W. Michael Murphy, Jr., Esq.

Former Morris County Prosecutor

W. Michael Murphy, Jr. is a former Morris County Prosecutor and former candidate for governor of New Jersey. He is also a registered lobbyist in the State of New Jersey, the U.S. House of Representatives, and the U.S. Senate. Mr. Murphy is also the chairman of Garden State Preservation Trust, and is the immediate past chairman and a member of the Board of Trustees of the Public Policy Center of New Jersey. In addition, he served as President of the New Jersey Prosecutors Association and chaired the association's Legislative Committee.

Mr. Murphy holds a B.A. degree from Georgetown University and a J.D. from Seton Hall University School of Law. He is also a graduate of the Senior Executives in State and Local Government program at Harvard's Kennedy School of Government. After law school, Mr. Murphy served in the State Office of the Public Defender and later also worked in private practice, specializing in such areas as land use planning, products liability, and civil and corporate litigation.

Hon. Deborah T. Poritz

Chief Justice, Supreme Court of New Jersey (Ret.)

Justice Deborah T. Poritz was Chief Justice of the New Jersey Supreme Court from 1996 to 2006. She was also the first female

state Attorney General, serving from 1994 to 1996.

In September 1996, Justice Poritz received the Alumna Award of Merit from the University of Pennsylvania Law School, and in May 1997 received the Alumna of the Year Award from Brooklyn College. She has also received honorary degrees from Rutgers University School of Law, Seton Hall University School of Law, Drew University, Montclair University, Monmouth University and Thomas Edison State College. She has been presented with the National Association of Women Judges' Lifetime Achievement Award and the Civic Leadership Award from the New Jersey Council for the Humanities.

Chief Justice Poritz received her bachelor's degree from Brooklyn College in 1958, graduating *magna cum laude*, studied English and American literature at Columbia University on a Woodrow Wilson Fellowship, and then continued graduate studies at Brandeis University. In 1977, former Chief Justice Poritz received her J.D. from the University of Pennsylvania Law School.

David A. Ruhnke, Esq.

Ruhnke & Barrett, private defense attorney

As of the Spring of 2007, David Ruhnke had tried a total of 15 capital cases to a verdict, including nine federal cases. Among these is the embassy bombing case tried in the Southern District of New York in the spring of 2001 where the jury spared the lives of two al-Qaeda operatives who had participated in the simultaneous terrorist bombings of American embassies in East Africa, resulting in 224 deaths and thousands of injuries. Mr. Ruhnke tried the first post-1988 federal death penalty cases in the Eastern, Southern and Northern Districts of New York as well as the first such case in the Middle District of Pennsylvania. He is a former assistant federal public defender and has been in private practice for the past twenty-five years. He lectures frequently on the defense of capital cases.

James K. Smith, Esq.

Assistant Public Defender

James K. Smith graduated from Muhlenberg College in 1969 and from Georgetown University Law Center in 1972. While in law

school, he worked as an intern for the Public Defender Service for the District of Columbia. Mr. Smith joined the appellate section of the Office of the Public Defender in 1972, and has worked there ever since. James K. Smith was the Deputy in charge of the office from July, 1979 until March, 1989.

Hon. Peter G. Verniero

Associate Justice, New Jersey Supreme Court (Ret.)

Justice Verniero was nominated to serve on the New Jersey Supreme Court by Governor Christine Todd Whitman. He was sworn in on September 1, 1999 by then-Justice Marie L. Garibaldi and remained on the bench until 2006.

Justice Verniero graduated *summa cum laude* from Drew University in 1981, where he was also Phi Beta Kappa. In 1984, he graduated with honors from Duke University School of Law and was admitted to the New Jersey Bar. From 1984 to 1985, Justice Verniero served as a law clerk to Supreme Court Associate Justice Robert L. Clifford.

In private practice, Justice Verniero was an associate with Pitney, Hardin, Kipp & Szuch (1985-1987) and a director of Herold & Haines (1990-1993). In 1986, he served as adjunct professor of business law at the County College of Morris.

From January 1994 to February 1995, Justice Verniero served as Governor Whitman's Chief Counsel, following which he became the Governor's Chief of Staff. He remained in that position until July 10, 1996, when he was sworn in as Attorney General. There, he handled several landmark cases, appearing, for example, in defense of Megan's Law before the United States Court of Appeals, which upheld the law in 1997.

Kevin D. Walsh, Esq.

New Jerseyans for Alternatives to the Death Penalty

Kevin D. Walsh is chair of the Legal Committee of New Jerseyans for a Death Penalty Moratorium. He clerked for the Honorable Gary S. Stein, Associate Justice of the New Jersey Supreme Court.

As an attorney in South Jersey, Mr. Walsh works on affordable housing issues. Since 2000, Mr. Walsh has also been involved with the Fair Housing Center, a non-profit legal and policy center

founded in 1975 to advance and protect the Mount Laurel doctrine. He currently serves as Associate Director.

Mr. Walsh represented the challengers of the lethal injection protocol in *In re Readoption with Amendments of Death Penalty Regulations*, N.J.A.C. 10a:23, 367 N.J. Super. 61 (App. Div. 2004), which stayed all executions in New Jersey—never to resume.

Miles S. Winder, III, Esq.

Member of New Jersey Death Penalty Study Commission

Miles S. Winder, III was a member of New Jersey Death Penalty Study Commission. He received his A.B. from Oberlin College 1969 and his J.D. from the University of Denver College of Law in 1972. He is an adjunct faculty member at Raritan Valley Community College.

Mr. Winder is also chair of the Real Property Probate and Trust Law Section of the NJSBA, chair of the District XIII Ethics Committee, and president of the Somerset County Bar Association. He is also a trustee of NJSBA, as well as a member of the Board of Directors at Northwest Jersey Legal Services.

William A. Zarling, Esq.

Former Deputy First Assistant Prosecutor –Mercer County

From 1971-2007, William Allan Zarling was employed by the Mercer County Prosecutor's Office, last serving as Deputy First Assistant Prosecutor. Among his varied responsibilities, he was police legal advisor for over twenty-five years. As a litigator, his experience includes three death-penalty murder trials.

He has taught criminal law, arrest, search and seizure, and domestic violence at the Trenton Police Academy since 1980 and has been an adjunct professor of law and justice at The College of New Jersey since 1981, an adjunct professor at Widener University School of Law (Delaware) from 1990-1999, and a visiting part-time lecturer at Rutgers University School of Law (Camden) since 2000. In September, 2005, he received the second annual "Career Advocacy Award" from the New Jersey County Prosecutor's Association.

Mr. Zarling attended the University of Pennsylvania, Harvard

Law School and served a two-year trial-level clerkship for the New Jersey Superior Court and the United States District Court for the District of New Jersey (Trenton).

Hon. James R. Zazzali

Conference Chairman,

Chief Justice, New Jersey Supreme Court (Ret.)

Chief Justice Zazzali was nominated by Gov. Jon S. Corzine on Sept. 21, 2006. His nomination was confirmed by the Senate on Oct. 23, and he was sworn into office on Oct. 26. He is the seventh Chief Justice to lead the New Jersey Supreme Court since the 1947 Constitution. Chief Justice Zazzali was first named to the Supreme Court on May 18, 2000. He was confirmed on May 25 and sworn in on June 14.

Chief Justice Zazzali graduated from Georgetown College in 1958 and Georgetown Law Center in 1962. He served his clerkship with the Honorable Lawrence A. Whipple. He is admitted to the New Jersey, New York and District of Columbia bars. Chief Justice Zazzali served as Chief of the Appeals Division of the Office of the Essex County Prosecutor, general counsel to the New Jersey Sports and Exposition Authority, Receiver for Bloomfield College, chairman of the New Jersey State Commission of Investigation, vice-chairman of the Disciplinary Review Board, and as New Jersey Attorney General.

In litigation challenging jail conditions, at the request of United States District Judge Harold Ackerman, Chief Justice Zazzali served as Special Master for the county jails in Essex, Monmouth and Bergen Counties. He also served, at the request of the United States State Department, on delegations to United Nations conferences.

He is a former adjunct professor at Seton Hall University School of Law, former member of the editorial board of the *New Jersey Law Journal*, and has contributed to various magazines, newspapers and law journals.