TESTIMONY FOR THE MARYLAND COMMISSION ON CAPITAL PUNISHMENT

Good afternoon. My name is Juan Roberto Meléndez-Colón. I was born in Brooklyn, New York, and raised on the island of Puerto Rico. I immigrated to the United States as a young man to try to make a better life for myself. I was in search of the American dream. Instead, I lived the American nightmare.

In 1984, I was convicted and sentenced to death in Florida for a crime I did not commit. Almost eighteen years later, on January 3, 2002, I was exonerated and released from death row. I was the 99th person in the United States to be exonerated and released from death row since 1973. Today, 129 of us have been exonerated.. I know that Maryland has also made mistakes in murder cases and has sent an innocent person to death row. I thank God that Kirk Bloodsworth is here with us today and that he wasn't executed. There are lessons to be learned from all of these mistakes. Please keep in mind as you hear my testimony that my story is not at all unusual.

I am a very lucky man to be alive today and to be able to speak with you. Unlike Kirk, I had no DNA evidence in my case. I think it's important for you to understand that DNA is not available in most murder cases. DNA is **not** the answer to preventing wrongful convictions.

I can say with certainty that I was not saved by the system. I was saved **in spite of the system.** If it weren't for the very fortunate discovery of the taped confession of the real killer – 16 years after I had been sentenced to death – I would not be sitting here with you today. Eventually, it was discovered that the real murderer confessed to killing about 20 people. Had it not been for what some call pure luck or what I like to think of as miracles, the state of Florida would have killed me.

Let me tell you a little about death row. Death row is hell! I lived in a six-by-nine foot cell, infested with rats and roaches. I suffered terribly. But my family – and especially my dear mother – also suffered a lot, probably suffered more than I did. I remember receiving a letter from her while I was on death row that said: "Son, I just built an altar. I put a statue of the Virgin of the Guadalupe in there and I cut roses. I pray five rosaries every day, seeking for a miracle. I know you didn't do this. Have faith, put your trust in God and that miracle will happen. One day, you will be free." Her belief in my innocence and her faith in God gave me strength. It gave me hope and it gave me the will to live. But at times it was so hard. At times I wanted to commit suicide. A lot of my friends did commit suicide. Every time I wanted to

commit suicide, God would send me an awesome dream . . . a dream of happier times . . . a dream of my childhood . . . a dream of hope. The hope that one day I would be free.

One of the hardest things for me when I was on death row was when they would take another inmate to execute him – someone who lived in the cell next to me. Someone I trusted. Someone who was like family to me. And one day, they just took him away, and I couldn't do anything to save him. I knew the state of Florida was going to kill him. I knew the exact moment when he was being killed in the electric chair because I could hear the buzzing of the electricity, and the lights would cut on and off. I knew that the state of Florida was burning the life out of another one of my dear friends . . . men I had grown to love. And I believethat some of these men were innocent: Jesse Tafero, Leo Jones, Benny Demps and probably Pedro Medina.

There will always be the risk of executing an innocent person. It is a law that is made and carried out by humans. And humans make mistakes. As long as the law exists, sooner or later a mistake will be made and an innocent person will be executed in Maryland. It's only a matter of time. And it doesn't need to happen. Maryland can protect its citizens and protect innocent lives – including lives like mine – without having the death penalty.

Thank you for the opportunity to speak with you today.

Juan Roberto Meléndez-Colón
Albuquerque, New Mexico
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