



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

February 6, 2007

The Honorable Eleanor Holmes Norton
U.S. House of Representatives
Washington, D.C. 20515

Dear Delegate Norton:

Thank you for your letter, dated January 8, 2007, to Jeffrey A. Taylor, U.S. Attorney for the District of Columbia, regarding federal death penalty prosecutions in the District of Columbia. We understand your position on this important issue and appreciate your writing to express your views.

Please be assured that the Department of Justice takes all death penalty decisions very seriously and gives them the full and careful attention that they demand. In deciding whether to seek the death penalty in a federal case in this District, the U.S. Attorney for the District of Columbia is in the same position as U.S. Attorneys in other jurisdictions that do not have the death penalty under local law (including Alaska, Hawaii, Iowa, Maine, Massachusetts, Michigan, Minnesota, North Dakota, Rhode Island, Vermont, West Virginia, and Wisconsin). All U.S. Attorneys are bound to apply the federal law to federal cases, as you recognize. The Department of Justice has a protocol that ensures that the federal death penalty is applied uniformly throughout the country, regardless of the local laws.

We want to make sure that you are made fully aware of the recent history of death penalty cases in this District. Your letter suggested that the practice has changed significantly during the current Administration, and we do not believe that the facts support that conclusion. As you know, Congress enacted procedures for implementation of the federal death penalty in the Omnibus Crime Bill of 1994, during the Clinton Administration. During that Administration, Attorney General Janet Reno authorized the United States Attorney to seek the death penalty in four cases in the District of Columbia, with the following outcomes: United States v. Wayne Perry, Criminal No. 92-474 (defendant pleaded guilty and was sentenced to life imprisonment without parole); United States v. Carl Cooper, Criminal No. 99-266 (defendant pleaded guilty and was sentenced to life imprisonment without parole); United States v. Tommy Edelin, et al., Criminal No. 98-264 (jury decided to impose sentence of life imprisonment without parole); and United States v. Kevin Gray and Rodney Moore, Criminal No. 00-157 (jury unable to achieve unanimity during the penalty phase; both defendants sentenced to life imprisonment without parole).

