Death penalty center saves lives through law

By JOE GYAN JR.
New Orleans bureau

NEW ORLEANS — Saving lives through law. That's how New Orleans lawyer Nicholas Trenticosta, acting director of the Loyola Death Penalty Resource Center, describes the work of the federally-funded regional facility.

Established in the fall of 1986, the center here and similar centers in 14 other states locate and secure attorneys for death row clients, probe the condemned inmates' backgrounds in an effort to mitigate their sentences, and — in many cases — represent those prisoners in court.

The Loyola Death Penalty Resource Center currently represents six of the 32 men on Louisiana's death row, including Robert Sawyer, who is scheduled to be executed Dec. 14 for the 1989 slaying of an Avondale woman.

"The importance of our center is being able to provide continuing representation to people who are scheduled to be executed," Trenticosta, 35, said during a recent interview.

Once a death sentence is affirmed on direct appeal, a condemned person is entitled by law to have the first-degree murder conviction and sentence reviewed in state and federal courts. The 6th Amendment of the U.S. Constitution, however, does not provide free legal representation in state court beyond the trial and direct appeal phases, he said.

"It's state work that's important," said Trenticosta, an LSU graduate. "You can't go to federal court with issues that you haven't investigated and spent a lot of time on in the state courts."

A private lawyer generally requires a $25,000 fee for a murder defense, he said, and the men on Louisiana's death row — or any state's death row for that matter — cannot come up with that kind of money.

Without the privilege of representation by a court-appointed attorney, Trenticosta said, condemned prisoners would find themselves at the end of their rope.

Court-appointed lawyers in Louisiana, however, receive a maximum of $1,000 in criminal cases, he said.

"We expect a lawyer to put on a case for life for a thousand dollars, and there's not a lawyer in this town, in this country, that will tell you a thousand dollars is adequate to do anything in a criminal case, especially a capital punishment case," Trenticosta said.

Trenticosta is quick to respond to possible critics of the Loyola Death Penalty Resource Center — which he described as a "federal public defender community service organization" — and its mission, noting that two-thirds of all death sentences are reversed in the United States.