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## Troy King misjudges role

Thursday, September 27, 2007

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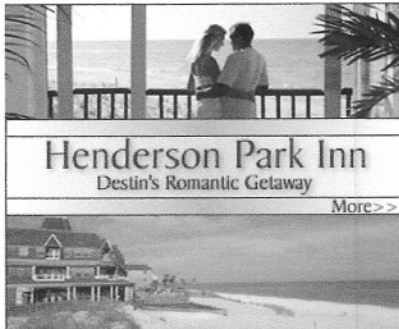
**THE ISSUE:** Attorney General Troy King's job is not to win convictions or death sentences at all costs. It's to do justice.

Give Troy King credit for appreciating a good sound bite, if not the pivotal role prosecutors are supposed to play in the criminal justice system.

Alabama's attorney general demonstrated as much in his recent actions with regard to a death-penalty case in Shelby County and again Saturday in his remarks to a rally in Birmingham to memorialize homicide victims.

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"No more standing with criminals. No more standing against victims," King said at the National Day of Remembrance for Homicide Victims. "I may stand alone, but I stand with you."

Of course, nobody wants to stand against those who are traumatized by brutal, senseless crimes. But King's words - coupled with his actions of late - suggest the attorney general truly does not grasp the real role prosecutors are supposed to play in courts of justice.

Justice is the key word here.

In the course of doing their jobs, prosecutors certainly give voice to the pain and injuries suffered by crime victims. But their job is not to represent victims or their survivors, or to win convictions, or to ensure the maximum punishment is inflicted.

Their job, simply put, is to see that justice is done. Sometimes, that might even mean taking a different view than crime victims or their loved ones.

King demonstrated a lack of appreciation of his responsibilities this month in seizing control of a Shelby County death penalty case after accusing District Attorney Robby Owens of taking the side of the defendants who held up a pawn shop in 1996 and killed the store's owner and manager.

Owens' infraction? He concluded that since a U.S. Supreme Court ruling made it impossible to execute the 16-year-old triggerman, it wouldn't be fair to execute a 19-year-old co-defendant who didn't kill anyone. He concluded it wouldn't be justice to execute an accomplice if the actual killer escaped the ultimate punishment because of his age at the time of the crime.

As Owens acknowledges, none of this can be expected to be welcome news to the families of victims John Burleson and Janice Littleton; their personal loss is too great. But victims are not required to be dispassionate. Prosecutors are.

All but one of the state's 42 district attorneys joined in criticizing King for the "scathing verbal attack" on Owens. A statement from the Alabama District Attorneys Association said Owens did what prosecutors are supposed to do - that is, seek justice.

Owens' stance in the LaSamuel Gamble case "epitomizes the fairness and courage that should be demonstrated when a district attorney is faced with the daunting task of making a decision concerning the most important and undeniably the most controversial issue within our criminal justice system - the fair and equal application of the death penalty," the statement said.

True, some of these district attorneys don't, in our estimation, always practice this principle as well as they preached it last week to King. But that doesn't excuse King's conduct.

King came to the job lacking prosecutorial experience, so maybe he just doesn't get it. Or maybe he does get it, and he just doesn't care. Either way, that's not what Alabama needs in its top prosecutor.

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