

## End The Death Penalty Support Senate Bill 5476



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These are hard times. Our government is in financial distress. As a society, we need to scrutinize our current spending and look for creative ways to cut costs and maximize the resources we have. Within the criminal justice system, there is one obvious way to save money and improve the justice system at the same time – abolish the death penalty. Senate Bill 5476 aims to do just that.

I oppose the death penalty for many reasons. In my humble opinion, it doesn't work. While the studies may be inconclusive, based on my 22 years of representing people who committed murder, I can say with certainty – The death penalty is **not a deterrent** to murder.

However, in these current hard times, the focus is correctly on the financial costs to us as taxpayers. Are we getting our money's worth out of this law? A common **misperception** is that the death penalty costs less than a life sentence. In Washington, and across the country, death penalties eventually get reversed in over 75% of the cases. These cases are scrutinized by experienced judges and rightly so. They are not reversed for frivolous reasons as people are sometimes led to believe. Hundreds of thousands, even millions, are spent to achieve these death verdicts and to have them reviewed during the appeal process, yet relatively few are affirmed on appeal.

Some are quick to say we should limit the length of the appeal process. At what cost to us as a society? Without these appeals, we know innocent people would have been executed. Is it not still a fundamental belief that it is better for a guilty person to go free than for an innocent person to be convicted, much less executed, for something they didn't do? Because of advances in forensic DNA, we know that, since 1989, **249** people have been exonerated and released from prison after serving an average of over **12 years** for crimes of rape and murder they **DID NOT COMMIT**. That includes **17 released from Death Row**. Thankfully, there was a thorough appeal process. What happened before 1989 and these advances in forensic DNA?

Where's the benefit for these high costs of capital punishment? Given such a low "success" rate, the death penalty has **no benefit**, including no deterrent effect. Study after study in state after state has clearly proven that a death penalty case costs significantly more than a life sentence case. But, it has no clearly observable impact on deterring murder. Much of the research has shown the opposite effect, that is generally higher murder rates in states with an active death penalty (the so-called "brutalization effect"). The few studies suggesting a deterrent effect have been widely criticized as unscientific or badly skewed and biased. Strictly from the cost/benefit analysis, the death penalty has little bang for its huge buck.

We're all going to have to tighten our belts while the economy gets itself righted. The courts and criminal justice system are no exception. The necessity is there and the time is right to explore reforms in sentencing practices and the death penalty that will save taxpayer resources and make our society better and stronger in the decades ahead. Please contact your legislators and ask them to support Senate Bill 5476.