

# Editorial: Kill the death penalty

June 5, 2015

Who knew rural, conservative Nebraska would be a social justice leader? A bipartisan coalition of legislators recently overrode the governor's veto to ban capital punishment in the Cornhusker State. Nebraska became the 19th state—and the first conservative state in 40 years—to eliminate the death penalty.

Led by Republicans, Nebraska demonstrated millions of Americans other than liberals have come to the conclusion capital punishment is wrong and should be abolished.



Editor Marv KnoxTexas—long the leader in executing criminals—should follow suit. It's time to kill the death penalty in the Lone Star State.

At least seven reasons point to the wisdom and justice of replacing death row with life without parole:

- **Wrongful convictions.** Nationwide, 153 people have been released from death rows because of wrongful convictions in the past 42 years, the [Death Penalty Information Center reported](#). That total includes a dozen in Texas.

For example, Texas convicted Anthony Graves in 1994 of assisting in multiple murders. According to [Amnesty International](#), no physical evidence linked him to the crimes, and the prosecution relied upon

testimony of the murderer, Robert Carter, to convict Graves.

Carter later recanted that testimony. And in 2006, a special prosecutor said: “We found not one piece of credible evidence that links Anthony Graves to the commission of this capital murder. He is an innocent man.”

After Illinois acknowledged 13 wrongful death-row convictions, then-Gov. George Ryan, a Republican, put a moratorium on executions. “I have grave concerns about our state’s shameful record of convicting innocent people and putting them on death row,” he explained. “I cannot support a system which ... has proven to be so fraught with error and has come so close to the ultimate nightmare—the state’s taking of innocent life.”

The 153 overturned death-row convictions are not comprehensive. No doubt, states have executed innocent people. That makes our states murderers.

- ***Racial bias and class disparity.*** The indictment, conviction and execution of Americans is disproportionately influenced by the defendant’s race and/or economic class.

According to the Death Penalty Information Center, African-Americans comprise 41.64 percent of the current U.S. [death-row population](#), although they comprise [only 13.2 percent](#) of the overall population. In Texas, blacks account for 115 of 275 death-row inmates (41.67 percent), while they represent 12.4 percent of the state’s population.

Also, increasing numbers of death-penalty opponents point out economic and social class plays a factor in capital punishment convictions. Defendants who can afford adequate representation more often are acquitted or receive lighter sentences than those who rely on lesser defense.

Amnesty International notes the “overwhelming majority of death-row

inmates”—77 percent—were executed for killing white victims, “even though African-Americans make up about half of all homicide victims.”

A person shouldn’t land on death row simply because she or he is a minority race, most typically black, or poor. Nor should the murderer of a white person pay a higher price than the murderer of a black person.

- **Botched executions.** Across the years, states turned away from electric chairs, gas chambers and hanging gallows because they produced gruesome deaths. “Death by lethal injection” seemed like a sterile, medical alternative.

Of course, that’s not accurate. When Oklahoma executed Clayton Lockett in 2014, he writhed in agony 40 minutes before he died of a heart attack. Last year, Arizona took almost two hours to execute a prisoner.

We cannot pretend to oppose cruel and unusual punishment when botched executions suspend the condemned in agony.

- **Deterrence.** Simply put, capital punishment doesn’t deter crime.

“The empirical research ... strongly supports the conclusion that the death penalty does not add deterrent effects to those already achieved by long imprisonment,” the Death Penalty Focus website [reports](#).

Researchers surveyed members of the American Society of Criminology, the Academy of Criminal Justice Sciences and the Law and Society Association. “The overwhelming majority did not believe that the death penalty is a proven deterrent to homicide,” their report said. “Over 80 percent believe the existing research fails to support a deterrence justification for the death penalty. Similarly, over 75 percent of those polled do not believe that increasing the number of executions, or decreasing the time spent on death row before execution, would produce a general deterrent effect.”

Specifically, FBI statistics showed the 14 states without capital punishment in 2008 encountered homicide rates at or below the national level, Amnesty International reported.

- **Expense.** In an era of cyclical economic recessions and government cutbacks of health care and basic infrastructure, capital punishment costs too much.

The California Commission on the Fair Administration of Justice documented the cost of keeping an inmate on death row is \$90,000 per year more than keeping him in a maximum-security prison with a sentence of life without parole, [The Economist reported](#).

Studies show the cost of a death sentence is six to eight times more expensive than a life sentence, *Time* magazine said.

- **Large and cumbersome government.** The complicated and lengthy legal process of sentencing someone to death and eventually carrying out that sentence increases the size of government. At minimum, it requires an initial trial, a sentencing phase and at least one appeal.

This is one reason fiscal conservatives are turning against capital punishment. In Nebraska, conservative lawmakers led the charge and cited government efficiency as a reason.

“We would have ended any other government programs that inefficient and costly a long time ago,” Nebraska Republican legislator Colby Coash told *The Economist*.

“It is costing our state money,” Coash [said in the Washington Post](#). “So, we’re approaching this from a good-government perspective and saying: ‘Look, this is a program that’s not working. We should just get rid of it.’”

“The conservative thing to do is to oppose” capital punishment, Marc

Hyden, head of Conservatives Concerned About the Death Penalty, [told](#) the American Bar Association's *ABA Journal*. "There's no bigger government program than one that can kill you."

• ***Faith and the Great Commission.*** Increasingly, Christians—conservatives and liberals alike—are acknowledging capital punishment counters Christian principles.

"It was a faith-based decision," Republican Kentucky state representative David Floyd told *ABA Journal*, explaining his turn against the death penalty. "All human life has breath, God breathed life, and you shouldn't take a life."

From a purely practical standpoint, an execution curtails the Great Commission. An executed person is not a candidate for salvation. If we execute someone, we—not God—decide he or she has lost all opportunity to accept a saving relationship with Jesus.

It's past time to abolish the death penalty.

Of course, the latest session of the Texas Legislature adjourned May 31. Our state won't be able to eliminate capital punishment until the next session convenes in 2017. Lawmakers and concerned citizens should spend the next 19 months preparing legislation to kill the death penalty. Meanwhile, Gov. Greg Abbott should place a moratorium on executions until the Legislature can take up the matter.

In a conservative state that prides itself on limited government, fiscal responsibility and justice, it's the right thing to do.