



Byron Williams: Study shows it is time to do away with death penalty

By Byron Williams
Columnist

Article Last Updated: 07/06/2008 06:51:49 PM PDT

THE NEWLY released report by the California Commission on the Fair Administration of Justice can lead the staunchest supporters of capital punishment to only one conclusion: In its current form, the California death penalty policy does not work.

This should prompt death-penalty advocates to then ask: How much am I willing to pay to shore up the current deficiencies?

According to the report, since the death penalty was reinstated in 1978, California has created a costly and dysfunctional system that operates at such a sluggish pace that it has essentially morphed into a more expensive life sentence.

Since its reinstatement, California has executed 13 individuals while 670 current sit on death row. Conservative estimates indicated much more than \$100 million in tax money is spent annually on this ineffectual policy.

The report also takes into account the emotional levy placed on families of murder victims who are deluded into believing that justice will be delivered within their lifetimes.

This may be the most insidious aspect of the death-penalty policy as victims' families are used as

political pawns while prosecutors seek a justice that in all likelihood will not come to fruition.

The strain these cases place on the justice system in terms of the time and attention taken away from the court's other business is also heavy. If the political will exists to reduce the average lapse of time from sentence to execution to the national average of 12 years, the report estimates California would be required to allocate nearly twice what it currently spends.

A majority of Californians has long supported the death penalty. Support for capital punishment is a prerequisite for anyone harboring visions of one day becoming the state's governor.

I fully understand the visceral and emotional reaction for wanting the death penalty.

If I were to lose a loved one, that might well be my initial desire. But can visceral and emotional reactions serve as the basis for a public policy, especially one that does not work?


The report leaves Californians with three choices: Make the necessary reforms, eliminate the death penalty or maintain the status quo.

Let's assume momentarily that the status quo and eliminating the death penalty are off the table — that leaves implementing the recommendations of the commission.

Given the state's current fiscal crisis, is there the political will to double the existing budget to bring the lapse time between sentencing and execution within the national average?

Are death-penalty advocates ready to take to the streets to demand more money be given to the attorney general's office? Who is going to lobby for


Advertisement



(800) 755-7323

Subscribe today!

www.insidebayarea.com/services



Print Powered By 



more funds to be directed for DNA testing? Are Californians willing to reduce the number of crimes that are death-penalty eligible — the most in the country — to reduce the escalating backlog?

Group.

Californians must confront how bad they want to be in the execution business.

Is having a death penalty worth more than investing in the state's social and economic infrastructure?

Let's be honest: There is not the corresponding will to provide the financial resources with the political rhetoric that advocates capital punishment. But without such will how can California sustain the policy?

The other option would be to maintain the current policy and ignore the Fourteenth Amendment of the U.S. Constitution by doing away with certain appeals, which would no doubt greatly speed the process.

Public support for the death penalty hangs more on emotion and red herrings than actual data. Life without parole does not mean that convicted murderers who are currently death-penalty eligible will somehow be released.


As the report recommends, the time has come to address death-penalty reform in a frank and honest way. To function effectively, the death penalty must be carried out with reasonable dispatch, but at the same time in a manner that assures fairness, accuracy and nondiscrimination.

The simple, most cost-effective measure, however, would be to eliminate the death penalty. It's not as if the majority on death row are not already dying of natural causes as opposed to lethal injection.


Williams is a columnist for Bay Area News

Advertisement

(800) 755-7323



Subscribe today!
www.insidebayarea.com/services



Print Powered By 