



# LEAGUE OF WOMEN VOTERS OF TEXAS

## TESTIMONY LEAGUE OF WOMEN VOTERS OF TEXAS Criminal Jurisprudence Committee Monday, April 17, 2017

I am Susybelle Gosslee testifying as a member and on behalf of the League of Women Voters of Texas speaking in support of House Bill 64 to abolish the death penalty. We appreciate this opportunity to appear before you today to share the League of Women Voters of Texas position on this bill.

The League of Women Voters supports the abolition of the death penalty. Our position, like other League positions, is derived through a lengthy and thoughtful process involving the participation of Leagues across the United States, including 25 Texas Leagues and their members.

The League has concerns with the entire process of capital punishment from arrest to the execution. The League believes in respecting all life and promotes meeting human needs. We recognize that every murder is horrendous. We support providing public safety; yet, many other factors raise issues about capital punishment.

The death penalty is discriminatory and is used disproportionately against the poor, minorities, and members of racial, ethnic and religious communities. Since humans are fallible and humans administer the death penalty process, the risk of executing an innocent person can not be eliminated.

The costs associated with putting a person to death are astronomical. Studies reported by the Death Penalty Information Center say that death penalty cases cost \$1.26 million while the cost for a case without the death penalty is \$740,000. Maintaining a death row prisoner costs the state \$90,000 per year more than a prisoner in general population, according to Jeanne Woodford, former Warden of San Quentin. A minority of Texas counties produce the most death penalties at a time when the state can not afford this process. It is wise for this legislative session to reconsider the death penalty.

We are concerned about executing innocent people because once a person is executed there is no opportunity to bring that person back to life to have a new trial if and when new evidence is revealed. Exonerations occur because of mistakes. For example, fifty-four Texans were exonerated in 2015 for different crimes with most of those cases coming from Harris County. The number of exonerations rose in 2016. Harris County again had forty-eight drug cases where there were exonerations. The latest study of exonerations between 2000 and 2011 shows that there was an average of 5 exonerations per year. Death penalty cases are rarely reinvestigated or re-tried though there have been exonerations of death row inmates. No system will be perfect, but with this history of Texas exonerations in another crime area, questions are raised beyond a reasonable doubt of death penalty cases being without mistakes.



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There are numerous cases of executing people with a history of mental illness. Kelsey Patterson's case is an example. The Texas Board of Pardons recommended that he be spared, but the governor at the time would not commute the sentence, so he was executed. Kelsey was diagnosed as a paranoid schizophrenic at twenty-one years of age. His parents believe that there is an inverse relationship between funding for mental health care in Texas and funding for prison space and corrections. The number of non-prison beds and funding for medication for persons with mental illness and intellectual disabilities are not adequate to meet needs. Instead of putting Patterson in a mental institution after he committed the murders, he was put on death row.

By all indications, prosecutors used faulty science and a jailhouse informer to convict and execute Cameron Todd Willingham. The science was not credible at the time of the trial but was still used. Years later, the science in the Willingham case clearly raises questions about the state having executed an innocent man as has been reported in detail in The New Yorker magazine. In addition, it has been shown that jailhouse "snitches" are not reliable.

The costs associated with executions and many other factors raise the issue of beyond a reasonable doubt in capital murder cases. Public support for capital punishment has declined, and death sentences and executions have dropped to historic lows. The League supports and urges you, the 85<sup>th</sup> Texas Legislature, to support the abolition of the death penalty, or at the least, establish a moratorium on all executions in Texas while an official study of the capital punishment system is conducted. Please support HB 64.

Thank you for your attention.

**For additional information, please contact: Susybelles Goslee Capitol Punishment Issue Chair, [sgoslee@airmail.net](mailto:sgoslee@airmail.net) 214-732-8610**

The League of Women Voters of Texas (LWV-TX) is a nonpartisan citizens' organization that has fought since 1919 to improve our government and engage all citizens in the decisions that impact their lives. It represents more than 5000 members and supporters throughout Texas.

The League of Women Voters never supports or opposes candidates for office or political parties. The member-driven organization of women and men encourages the informed and active participation of citizens in government and seeks to influence public policy through education and advocacy of positions based on extensive issue study and consensus.