

February 13, 2017

House Committee on Corrections and Juvenile Justice

Testimony regarding HB 2167

Chairman J. Russell Jennings and members of the Committee:

The **League of Women Voters of Kansas** is a grassroots, volunteer, political organization with nine local Leagues across the state. Membership is open to women and men of at least 16 years of age. There are currently 900 members across the state.

For nearly 100 years, LWVK has encouraged the informed and active participation of citizens in government and has influenced public policy through education and advocacy. The League never opposes or endorses candidates or political parties.

Established in 1935, the Kansas death penalty has been abolished and reinstated three times. The current death penalty was enacted in 1994 when Gov. Finney allowed it to become law without her signature. At the national level, the League of Women Voters US adopted a position in support of death penalty abolition in 2006. The Kansas League was one of many states to follow with their own position at the state level after completing an in-depth study, looking at many facets of the death penalty system including court processes, prison sentences, and deterrence.<sup>1</sup>

There are two major reasons that the League of Women Voters of Kansas supports abolition. First, the **cost to the state** is higher than replacing the death penalty with life without parole sentences. Several studies have examined the cost of Kansas' death penalty since its reinstatement in 1994. The findings of these studies are consistent: a death sentence costs more than the alternative of life in prison without parole.

- 1994 Fiscal Note estimated that, when Kansas reinstated the death penalty, it would cost the state an extra \$2.4 – 4.2 million per year.

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<sup>1</sup> League of Women Voters of Kansas

- 2003 Legislative Post Audit found that capital cases ending in a death sentence cost over their lifetime 70% more (\$1.2 million v \$740,000) than similar cases in which the death penalty was not sought.
- 2014 Judicial Council Study found that defense and district court costs are 3-4 times higher for trials where the death penalty is sought than for trials in similar cases where it is not sought.<sup>2</sup>

Kansas taxpayers can easily see that it takes a long time for death penalty cases to work through the court system. Capital trials and appeals take much longer, and time is money.

The second major reason that the League is in opposition to the death penalty is that there will always be **the risk of executing an innocent person**. Wrongful convictions happen, even with the best law enforcement officers and attorneys. Mistakes will always be made. It is wrong for Kansas to keep the death penalty when there is any risk of an innocent person being convicted and sentenced to death. On average, it takes more than 10 years for evidence proving innocence to emerge.<sup>3</sup>

One might think that the fear of the death penalty would be a deterrent to crime. However, of the more than 100 studies conducted over the past 50 years, none have reported with any credibility that it deters violent crime. In fact, FBI data from the past decade show that states without the death penalty have lower overall murder rates than those with it. As of 2011, the gap was 18%.<sup>4</sup>

The League appreciates the opportunity to provide testimony reflecting our consensus regarding this issue which values and protects human life.

Teresa Briggs  
Board Member  
League of Women Voters, Kansas

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<sup>2</sup> Kansas Coalition Against the Death Penalty

<sup>3</sup> The Innocence Project

<sup>4</sup> Death Penalty Information Center