



## UTAH LAW ENFORCEMENT LEGISLATIVE COMMITTEE

*Utah Chiefs of Police Association*

*Utah Department of Public Safety*

*Utah Department of Natural Resources*

*Utah Peace Officers Association*

*Utah Sheriffs' Association*

*Utah Department of Corrections*

*Utah Statewide Association of Prosecutors*

*Utah Attorney General's Office*

### Opposition Statement to HB 147 Death Penalty Amendments Utah Law Enforcement Legislative Committee (ULELC)

The domestic terrorism attack on the Alfred P Murrah federal building was one of the most horrific acts of terrorism in American history. The attack left over 650 people wounded and 168 dead, including 19 children. Before the attacks of 9-11, it was the second deadliest terrorist attack on American soil. The man found guilty of planning and carrying out the attack in Oklahoma was executed six years later. Today, we face a decision to hold individuals like this accountable; individuals who have committed horrendous crimes against innocent people.

A key component of the criminal justice process is accountability. Accountability is often overlooked for the desire to rehabilitate. But how do we rehabilitate those who commit some of the most heinous crimes as the attack discussed above? Life in prison as an alternative to the death penalty does little to assure rehabilitation, it does not resolve with restitution for the victim, and more commonly, those sentenced to life without parole pose a significant risk to other inmates and prison personnel.

Investigative and legal processes and procedures practiced today does much to protect innocent people from being wrongfully convicted and sentenced to death. Defendants' rights to fair trial, legal counsel, and a thorough court examination are reliable checks and balances that nearly eliminate wrongful convictions on such serious crimes.

The death penalty process is not perfect. It should continue to be refined and discussed. We do not wish for each family of the many victims to re-live horrors of losing their loved ones as they deal with ongoing appeals, re-trials, and hearings. Because the current process is emotionally taxing on these individuals, the process should be more efficient to avoid undue burden.

Capital punishment is not a mandatory sentence, but it is a necessary option. The checks and balances in place ensure that this punishment is only used for those who commit the most egregious crimes against individuals and society at large. The decision to issue the death penalty is made solely by a prosecuting attorney. The state should not take away a valuable tool that is used to maintain public safety. Rather, the state should continue to trust prosecutors who hold this decision making authority.

In Utah, the death penalty is rarely sought, it is not misused, and no one on "death row" has ever been exonerated. Capital punishment in Utah is only held for the very few who do not value the lives of innocent people. If we lose this option, we lose an opportunity to balance the scales of justice.

The ULELC unanimously opposes HB 147 for the reasons stated above. We urge you to do the same.

Respectfully,

The Utah Law Enforcement Legislative Committee

Note: The ULELC vote was 5-0-3 (3 voting members abstained)