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## **Victims' families, law enforcement, exonerees, and others join to support ending Montana's death penalty**

*Hearing in House Judiciary shows strong support for death penalty repeal*

(HELENA) – Proponents of a bill to end Montana's death penalty and replace it with life without parole told legislators today that the current death penalty system is broken beyond repair, costs too much, and hurts the people of Montana.

They were testifying on Senate Bill 236. Under the proposed measure, a prisoner would never become eligible for parole and could never be released from prison.

The bill comes amid growing scrutiny over capital punishment throughout the United States. Executions and death sentences are at an all-time low, the Supreme Court has routinely rejected death penalty expansions, and states are re-evaluating their death penalty laws as they buckle under the enormous financial burden the death penalty creates.

New Mexico Governor Bill Richardson signed a bill earlier this month that ended the death penalty in his state., Maryland, Connecticut, Kansas, Connecticut and Nebraska are all entertaining similar measures this session. They do so at the same time public opinion is turning against the death penalty, as demonstrated in a recent poll of Montana voters.

Montana bill sponsor, Senator Dave Wanzonried, told committee members, "We, as legislators, are charged with keeping the public safe, and the death penalty fails to do that. It takes resources away from real crime prevention and re-victimizes families who seek healing from the loss of a loved one."

A letter signed by more than 30 Montana murder victims' family members was given to the committee. The letter asks legislators to vote in favor of SB 236 stating, "We are family members and loved ones of murder victims... Though we share different perspectives on the death penalty, every one of us agrees that Montana's capital punishment system does not work for victims' families and that our state is better off without it."

Witnesses spoke about the endless suffering that the death penalty inflicts on victims' families. "Little did my family and I know that when [the murderer] was sentenced to death, we were sentenced too. Our sentence has been going on for 20 years and there has been no execution," said Miriam Thimm Kelle, whose brother, Jim, was tortured and murdered in Nebraska. "Having seen firsthand what the death penalty has done to my family, I think it should be abolished. I think the death penalty does absolutely nothing for victims except cause us more pain."

Linda Wetzel, who taught murder victim Thomas Running Rabbit in school and remains close friends with the family, told the committee that she has watched the family suffer through almost 30 years of endless appeals and unwanted media attention. “If a killer is sentenced to life without parole, it is over. He does not get widespread coverage of an appeal. His appeal process is short and simple and does not get the attention death cases get. We need to help victims. We need to get rid of the death penalty and replace it with life without parole and make the ‘celebrity defendant’ just a nobody who spends the rest of his life in a cell with no one paying attention to him.”

Ron McAndrew, former warden of Florida's Death Row, told the committee that the death penalty also victimizes correction employees. “I saw staff traumatized by the duties they were asked to perform. Some of my colleagues turned to drugs and alcohol to numb the pain of knowing that a man had died by their hands.”

McAndrew also said the death penalty did nothing to help make prisons safer. “I don’t believe there is a single qualified prison warden in this country that wouldn’t trade the death penalty for more resources to keep his or her facility safe. The death penalty system is just a drain on those resources, and it serves no purpose in the safety of the public or prisons.”

Other proponents talked about the financial burden the death penalty puts on the state and counties. “While I was county attorney, I watched my small county struggle every year to provide adequate funds to its law enforcement agencies,” said Tom Biglen, former county attorney for Sweet Grass County. “One capital case — just one — can devastate a small county’s budget.”

Jimmy Ray Bromgard, who was exonerated in 2002 after serving more than 14 years in Deer Lodge State Prison, warned that there is no way to make the death penalty process shorter or less expensive except to shorten the process. Such a move could allow an innocent person to be executed.

“It wasn’t until after my appeals that my innocence was proven,” Bromgard stated; “If I were sentenced to death, I would have been executed after my appeals ran out, and it’s likely my innocence would have never been proven.”

Randy Steidl, who spent 17 years on death row for a crime he didn’t commit, told the committee that a system run by human beings will always be fallible. Since 1973, 130 people have been sentenced to death and were later found to be innocent.

“Mistakes are made, innocent people are convicted, and terminal injustice is perpetrated,” Steidl said. “An innocent man can be released from prison. He cannot be released from the grave.”

Proponents of the bill also released a poll showing that most Montanans support doing away with the death penalty. The Mellman Group’s survey shows that Montana voters prefer life in prison without parole over the death penalty. The poll found that 53 percent of those surveyed believe that the sentence of life without the possibility of parole is “an acceptable substitute for the death penalty.” Only 39 percent disagreed. The poll also shows that a plurality of voters in the state believe that a punishment other than the death penalty is appropriate in cases of murder. Overall, only 40 percent of those surveyed said they thought that the death penalty should be the punishment for murder — 47 percent preferred life without parole or some other sentence.

“We’ve come a long way since we reinstated the death penalty in 1974,” said Senator Wanzenried. “We now have the option to put someone away for life – a punishment that is both swift and sure. It’s time we put an end to this failed and wasteful system.”