

Statement of Nancy Filiault in Support of SB 1035

To the Members of the Judiciary Committee

My name is Nancy Filiault and I would ask you to please listen to my personal experience of how the Connecticut Death Penalty Law has affected my family's life. On December 27, 2000, my sister Kitty, 43, her daughter Rachael, 6, and her son Kyle, 4, were brutally murdered in their home. It was said to be (by law enforcement, medical personnel, attorneys, and the press) the most heinous, cruel, and vicious crime that they had ever experienced in the State. Most definitely in the small shoreline town that it affected the most. Within days there was an arrest and already our family was hearing rumors of a death penalty case. In the next five years, I was to get to know the judicial process on a personal level. I always have and always will respect our law enforcement officers and the judicial process that protects the people. It seems pretty simple, you obey the law and live your life, you break the law and you go to prison. The more severe the crime is, the more severe the punishment. Isn't that the way it's supposed to work? Well it doesn't. The more severe the crime, the better the criminal gets treated. There are so many people worrying about criminals' rights. This is where the system fails victims and their families. It took over four and a half years for this case to go to trial. This was a very long four and a half years with no conviction. I was appalled at the money wasted by the defense in the name of justice. An example of this are the psychiatric evaluations that took months at Yale New Haven Hospital and then were never used in the defense case but stopped everything for 9 months. The respect that was given to the criminal even by the judge in the courtroom was beyond insulting to my sister, her children, and all of our families. This criminal was medicated during this trial. If I needed to be medicated for trial I would have to go to a doctor and pay myself, but my sister's murderer received his medication free. I know this was true throughout the trial. He also received psychiatric care. I am not saying that prisoners should be denied medical care. But it should be basic care, not anything they think they need or defense attorneys demand. As far as I am concerned, the only right a four time convicted, confessed, murderer should have is to not be treated with cruel or unusual punishment. It is called punishment for a reason. The convicts should not have the right to bring lawsuits to courts that

are already overloaded. They should not be allowed to participate in classes or "Prison Programs". There is a difference between torture and punishment. You break the law you must deal with the consequences. If our prisons worked they would be a deterrent in themselves.

The prisons have been taken out of the hands of the Department of Corrections. Politics have taken over and gotten in the way; too many rights have been returned to the criminals. I'm talking about violent convicted criminals, which most of the inmates sentenced to life in prison are. They have lost the right to live by society's rules and laws. They are in the hands of the Department of Corrections, yet too many people want convicted criminals coddled. This causes extreme emotional pain. To sit through a murder trial is traumatizing. A "Death Penalty Phase" is beyond words, to have to sit and listen for an entire week (or more) as to why the vicious murderer's life should be spared. Everyone involved with my sisters case thought the jury would choose death, I prayed for a sentence of life in prison yet, It makes me physically ill to think that this jury spared his life, he did not spare my sister's life or her children's. The death penalty law comes down to the jury. Because I did want the absolute worst punishment for my sister's murderer, if I don't believe in the Death Penalty as the ultimate punishment does that mean I value a murderers life more than my sister's? No, I value **life** and having the death penalty as law makes me as a victim have to choose, and makes me no different than a murder if I choose death. I believe my sister's jury was unable to make that choice. We as a society need to take that choice away. Killing is wrong in any way, shape, or form. Killing is breaking the law and even our judicial system should not live above this law. People who think the death penalty is closure for the victims are misguided. A death penalty sentence is never ending and rarely are executions carried out. The appeals process is very well known to be the defense lawyer's way of keeping the case going. And traumatize victim's family. The death penalty never brings closure. There is no closure and there never will be any. There is only life after murder for the victims' families. We learn to live with it. I choose not to live my life with anger about my sister's murder. It takes a lot of energy and work to be angry. Life is too precious and anger leads to violence. Until my sister's murder I always thought that I was for the death penalty. I thought people who kill other people should have to die themselves. And then someone killed my sister and two of her beautiful babies. My heart broke. Killing is so senseless. All killing needs to end. The death penalty makes us all murders. We kill people who kill? This is not the lesson I want to teach my children.

In closing I would like to ask, if you care about victim's families and justice to please do the work that needs to be done to abolish the death penalty in Connecticut it takes courage to stop the violence and stop the cycle of killing.

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