

Senator Coleman, Representative Fox and members of the Judiciary:

My name is Johanna Petit Chapman and I am here today to voice my opposition to S.B. 1035 An Act Repealing The Death Penalty and H.B. 6425, An Act Revising The Penalty For Capital Felonies. I very much appreciate the opportunity to testify before you today. Keeping my comments to three minutes on such a critical issue will be difficult, but let me start with seven hours of terror that invaded our family's lives and the permanent consequences of that terror.

On July 23, 2007, the sanctity of my brother's home was invaded by evil. Two men broke into my brother Bill's home while he and his wife, Jennifer, and two daughters, Hayley and Michaela slept. They beat his head with a baseball bat, threatened him with a gun and took him to the basement where they covered his head, secured him to a pole and left him for dead. He would eventually lose 7 pints of blood. They then turned the horror onto Jen and the girls...waking them, and tying each of them to their beds. For the next seven hours they robbed and raped. Eventually, Jen was raped and strangled to death as the girls listened upstairs. The men then doused the house, Jen and the girls with gasoline. Hayley and Michaela were tied to their beds as this occurred. The unimaginable horror of having gasoline poured on and around you as you lie helplessly tied to your bed would be one of the last worldly things that my two nieces would experience. The last being the heat of fire and the smell of smoke.

While I am hesitant to relay these horrid details once again, I feel that it is essential for you to understand the loss that the victims families feel as best as you can.

According to these proposed bills, those who are currently on death row, including the one defendant from our case who was sentenced to death last year, will still be executed. Before he was elected, I listened with interest to Governor Malloy when he spoke on this subject. He said that he was in favor of the death penalty for the two defendants in our case, if that was the penalty given. He also said that he is not in favor of the death penalty and would sign a bill abolishing the death penalty if the bill passed.

I find this line of reasoning to be...at the very minimum...flawed. Actually, I find it to be disingenuous. You are fooling yourselves if you think that once you abolish the death penalty any executions will be carried out. We have a flawed death penalty process on the books now. Endless appeals make it very

difficult for it to ever be used. This is in spite of the fact that in Connecticut and the USA over the past 20 years, the public has supported the death penalty. In Connecticut, the Quinnipiac Poll from October 13, 2010, shows that support for the death penalty is over 60% and nearly 80% for specific cases. It should not be a political issue, Pope John Paul II declared in his March 25, 1995 encyclical, The Gospel of Life, that "execution is appropriate to defend society". You all know that abolishing the death penalty will create multiple special appeals by those already sentenced to death. Please do not fool yourselves into thinking that such evil will not occur again and that it cannot enter into your lives. The death penalty is just punishment for those currently on death row, as it is just punishment for similar heinous crimes in the future.

If the death penalty is abolished in Connecticut no lawyer in their right mind would ever offer to plead guilty in exchange for life without possibility of release. Without the death penalty as a possible sentence for those clearly guilty of a capital felony, every single defense attorney is going to tell their client, "Let's take the chance and go to trial". Honestly, ask yourselves...what would they have to lose? The worst case scenario would be that their client gets life without the possibility of release. And, unfortunately for us, the best case scenario would be that their client gets life WITH the possibility of release. I can only imagine that this will not only bog down the system, but also give more murderers the opportunity to be on our streets again.

Virginia has a system that works in 3.5 to 7 years from arrest to execution by setting appropriate time lines for appeals and limiting habeas corpus appeals unless there is new evidence. That is where the problem lays within our current death penalty...the absurd appeals game. I believe that there are some people who commit such heinous, cruel and depraved murders, that they forfeit their right to live in civilized society and that includes in prison. While I understand that prison life is no picnic, inmates do have the ability to read books, take classes, shop at the commissary, play sports, lift weights and write to loved ones. Please, before you consider throwing the death penalty out...consider refining the appeals process. Keep the death penalty in Connecticut as just punishment for the most horrendous crimes.