

**S.B. No. 280 (RAISED) AN ACT REVISING THE PENALTY FOR CAPITAL FELONIES**  
**March 14, 2012**

**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 280, An Act Revising the Penalty for Capitol Felonies. I very much appreciate the opportunity to testify before you today.**

**As a result of this proposed bill, those who are currently on death row, including the two defendants who savagely murdered my sister-in law and two nieces, 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.**

**Therein, lies a major problem with this bill. It is a lie. If this body truly wants to abolish the death penalty even though it is not what the majority of the citizens of Connecticut wants, at least be honest about it and change the language. There is no such thing as the prospective abolition of the death penalty. I spoke directly with many of you last year and that was one of the common threads in our conversations. In private conversation many of you admitted that a prospective bill made no sense and would only create a slew of appeals from those inmates currently on death row and that the outcome would essentially void their death sentences.**

**Connecticut needs to keep the death penalty on the books for the most heinous of murders. Because we have the death penalty in Connecticut, just last month, Leslie Williams plead guilty to capitol felony, assault, attempted escape from custody and other charges in return for a sentence of life in prison without the possibility of release. Back in 2008, Mr. Williams invaded a home, left one woman for dead and raped and murdered another and then dumped her body. This all occurred just four short weeks after he had served eight years for the rape of a five year old girl. Williams would never had plead to a sentence with no release had the other option not been death. You see, vicious murderers such as Williams, Komisarjevsky and Hayes are bold when they are taunting and murdering their victims, yet, afraid when facing death themselves.**

**The argument that we must abolish the death penalty because of the risk of executing an innocent does not hold truth, particularly in Connecticut. No knowledgeable and honest party questions that the death penalty**

has the most extensive due process protections in the United States criminal law. Therefore, actual innocents are more likely to be sentenced to life imprisonment and more likely to die in prison serving under that sentence, that it is that an actual innocent will be executed. None of the men currently on death row are innocent nor have we ever executed an innocent man in Connecticut.

The argument that life imprisonment is a worse fate than death is also flawed. What percentage of capital murderers seek a plea deal for death? It doesn't happen because death is feared and life is preferred. The high cost of life imprisonment and geriatric care is just one justification for reducing sentences. Other examples that prove life in prison does not necessarily mean life in prison are commutation and pardon. Surely, we are all aware of Haley Barbour's recent pardons. He granted full pardons or clemency to about 200 people, including convicted shoplifters, rapists, burglars, and embezzlers---plus fourteen murderers. Mr. Barbour said that he did this out of mercy. "The pardons were intended to allow them to find gainful employment or acquire professional licenses as well as hunt and vote," Barbour said. Where is the mercy and justice for the victims? Similarly, here in Connecticut, a vote for repeal is a vote for criminals and a vote against victims.

Pope John Paul II declared in his March 25, 1995 encyclical, *The Gospel of Life*, that "execution is appropriate to defend society". Please do the honorable thing and defend society. Send the criminals the message that Connecticut is not soft on crime. Repair Connecticut's death penalty, do not repeal it.