

Editorial: Replace the Death Penalty

March 6, 2015

Lincoln Journal Star Editorial Board

One of the reasons that support for the death penalty is eroding was evident at last week's legislative hearing on the latest attempt to replace the death sentence with a sentence of life in prison without possibility of parole.

Some family members of murder victims say the seemingly endless appeals in death penalty cases traumatize them again and again, and give unwarranted notoriety to the killer.

Miriam Thimm Kelle's brother was murdered by cult leader Michael Ryan almost 30 years ago. Without the death penalty, Kelle said, Ryan would more likely have spent the past three decades in obscurity.

Her family should be united in memory of her brother, Kelle said. Instead it is divided between those, like her, who want the penalty changed to life without parole and those who still hope to see him executed.

That may never happen. Ryan has terminal brain cancer. Kelle said he may not survive the year. "He's going to cheat the executioner," said Sen. Ernie Chambers, who introduced LB268 to replace the death penalty.

There was a time when the death penalty was an issue that divided liberals and conservatives.

Now there is considerable support among conservatives for doing away with the death penalty, as shown by the fact that seven

Republican state senators are co-sponsoring Chambers' bill.

The conservative argument against the death penalty is rooted in the view that government is too prone to error, too arbitrary and too inefficient to apply such an irreversible sanction. There's little doubt that the government's effort to use the death penalty is costly. Study after study has shown that death penalty cases are more costly. The average cost of an execution in Nebraska is estimated to be \$15 million, according to Nebraskans for Alternatives to the Death Penalty.

As retired Lincoln police Capt. Jim Davidsaver said in a Local View in the Journal Star last year, "The United States Supreme Court has dictated capital cases must be handled differently, so they are especially complicated and time consuming. The millions of dollars we've spent on the death penalty would have been much better invested in more police officers, additional resources or training for our current officers."

The arguments in favor LB268 are objective, factual and overwhelming.

On more than one occasion in recent years, a majority of state senators has supported replacing the death penalty with a sentence of life in prison without parole, only to be defeated by a filibuster or a veto. The Journal Star editorial board hopes this is the year the majority prevails.