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New Mexico lawmakers vote to repeal the death penalty

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THE ISSUE: New Mexico lawmakers voted last week to repeal the death penalty.

New Mexico's Legislature has voted to do away with the state's death penalty. It's an idea Alabama lawmakers should entertain as well.

The debate doesn't have to be - shouldn't be - about coddling criminals. It should be about the best way to protect the public and exact justice for those who commit the worst crimes.

The death penalty is one approach. But as New Mexico's lawmakers came to realize, it's not the best way.

If New Mexico Gov. Bill Richardson signs the bill into law, those convicted of crimes that once would have been grounds for the death penalty will be sentenced instead to life in prison without any chance for parole. The public will be just as safe, but without the dangers and downsides of inflicting the death penalty.

What's so bad about the death penalty?

Start first with fallibility. Even the best justice system ever devised by man isn't perfect. The innocent are wrongly convicted. Crucial evidence falls through the cracks. Checks and balances fail. Bias seeps in.

Error is inevitable - and unacceptable when a life is on the line.

For this reason, courts scour death penalty cases for mistakes. The scrutiny is necessary, yet it comes at a terrible price, both for the families of murder victims and for taxpayers.

The death penalty process - often a cycle of appeals, reversals, new trials, execution dates, last-minute reprieves - is grueling not only for condemned inmates' families but also for victims' families. In New Mexico, families of victims were among those who supported doing away with the death penalty.

Sparing killers' lives spares victims' loved ones from additional suffering. Moreover, it spares taxpayers an enormous expense. It's counterintuitive but true: It is cheaper to lock criminals up for life than to execute them.

When a death sentence is on the table, longer trials are required, more lawyers and experts may be involved, and multiple appeals are the norm. More and more states are taking notice of what that means to the bottom line.

Maryland Gov. Martin O'Malley recently argued his state could no longer afford to pursue death sentences. He said the cost of those trials triples the expense of regular homicide trials.

A single death sentence can cost millions of dollars to pursue. You can lock someone away for a lifetime without spending nearly that much.

The high cost was referenced in 2007 when New Jersey abandoned the death penalty, and it has been

raised in recent legislative debates in a number of states considering doing the same - among them, Kansas, Colorado, Montana, Nebraska and New Mexico.

In New Mexico, one capital crime alone - a prison guard's stabbing death at the hands of three inmates - proved a budget-buster for the state's attorney general. When courts ordered more money for defense lawyers and state legislators refused to pony up, the office was forced to drop its push for the death penalty in the case. New Mexico Attorney General Gary King told the Chicago Tribune afterward his office's budget simply couldn't absorb the expense. He predicted an end to capital punishment in his state even before the Legislature took action.

True, New Mexico didn't have Alabama's appetite for death. The Southwestern state has executed only one person in the past half-century, and it has only two people on Death Row. Alabama has more than 200 on its Death Row, and has executed 40 people just since 1983.

But that just means the costs and pitfalls of pursuing the death penalty are multiplied many times over here in the Heart of Dixie.

New Mexico legislators decided there was a better way. Alabama's lawmakers should, too.

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