

Written Testimony

Bill: Senate 10-200

Date: February 18, 2020

Name: Arthur C. Jones, Ph.D.

Representing: Cure d'Ars Catholic Church, Denver

Position on Bill: For the Repeal of the Death Penalty

I am 74 years old. Years ago, when I was in my 40s, an uncle (one of my mother's brothers) shot and killed two of our extended family members – a mother and her 12-year-old son – in the heat of an argument. This was tragic for our family, and we were all in a rage about it. This was an uncle who was not well liked in the family, and this heinous act was one more reason for us to hate him. Some family members initially began wishing that he could get put to death (New York State had recently ended all executions, and death penalty sentences were virtually nonexistent going forward). But in extended family discussions, we all agreed that it would have made no sense for yet another life to be ended by human beings. My uncle was sentenced to life in prison. But the family has been unanimous in rejoicing that he was not sentenced to death.

I personally don't see any situation in which a death penalty is warranted. There is no scientific evidence that it works to prevent others from committing violent crimes, and I believe it is inexcusable morally for the State to willfully take another's life. I also am pained by all of the wrongful convictions that have been documented around the country, many of which have ended in tragic, wrongful executions. I urge our state legislators to vote to repeal the death penalty in Colorado.

A handwritten signature in black ink, appearing to read "Arthur C. Jones". The signature is written in a cursive style with a large initial "A" and "C".

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WRITTEN TESTIMONY
SENATE BILL 10-200 on February 18, 2020
Marion Weinzapfel
Representing Cure d'Arms Catholic Church
for Repeal of CO Death Penalty.

As a pastoral associate and Sister of St. Joseph I marched in front of our Denver Federal Courthouse as Timothy McVeigh was being tried; I sat next to Mrs. Vann whose son Gregory was killed by one of the current death row residents, and I got a phone call when Mrs. Cassell's daughter Dawn was murdered.

I hold any family member who has lost someone due to violence in deepest respect. I know that these innocent families will always carry this suffering. I know that killing the killer doesn't heal the hurt. We just need to know we are safe.

- 1) Pope Francis spoke to Congress during his 2015 visit to the United States
"In a word, if we want security, let us give security; if we want life, let us give life; ... The Golden Rule also reminds us of our responsibility to protect and defend human life at every stage of its development. (He was advocating for the) **global abolition of the death penalty.** (He said) **every life is sacred**, every human person is endowed with an **inalienable dignity**, and society can only benefit from the **rehabilitation** of those convicted of crimes. He said, Recently my brother bishops here in the United States renewed their call for the abolition of the death penalty. Not only do I support them, but I also offer encouragement to all those who are convinced that a **just and necessary punishment must never exclude the dimension of hope and the goal of rehabilitation.**
- 2) June—August 2019 The United States Conference of Catholic Bishops together with approval from the Vatican's Office of Doctrine, approved the English wording that updated the Universal Catechism of the Catholic Church. The words are "...the **death penalty is inadmissible** because it is an attack on the **inviolability and dignity of the person.**"
- 3) This summer I visited Montgomery's Legacy Museum and the Memorial for Peace and Justice, the works of Bryan Stevenson and the Equal Justice Initiative. Perhaps you've seen the recent release, "Just Mercy."
 - a. I learned that **for every 9 people executed, one person on death row has been exonerated.** One example is Charles Ray Finch, exonerated in North Carolina after 43 years in prison becoming the 166th person to be exonerated in the U.S. after being sentenced to death. The EJI website explains that wrongful convictions are driven by a number of factors including erroneous eyewitness identifications, false and coerced confessions, and inadequate legal defense among others. *How can we condone such a remedy to violence when it is so fraught with error?*
 - b. Our death penalty system treats you better if you're rich and guilty than if you're poor and innocent. Racial disparity exists. Many scholars point to the reality that mass incarceration is the new slavery, the new Jim Crow.

Let us repeal the death penalty in Colorado. Let us make this major step toward restoring our Beloved Community caring both for the victims' families and offenders who are still human beings.

Marion Weinzapfel

The Wyoming Department of Education is pleased to announce the results of the 1998-1999 Wyoming State Assessment. The assessment was administered to students in grades 3, 4, 5, 8, and 11. The results show that students performed well on the assessment, with scores generally higher than in previous years. This indicates that students are making progress in their learning and are prepared for the challenges of the 21st century.

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Statement on death penalty

My name is Minnie Cassell and my daughter Dawn was killed in a domestic violence situation on August 31, 2007.

One of the first questions I was asked when we went to court, was did we want to go for the death penalty. The answer was NO, I do not believe in the death penalty.

Going for the death penalty would not have brought my daughter back. I do not want the stain on my soul of demanding that he be put to death.

I do not want to relive the circumstances of her death over and over again. I prefer to remember her as she was when I last saw her, which was when they came and went to church with me the Sunday before he killed her. Yes, he went to church that Sunday.

Those who have done such horrendous things will be punished. But it does not have to be the hand of man that does it. That would be lowering them to the same level.

I miss her, but I am at peace. I know where she is. She is wrapped in the loving arms of Jesus.

“Do not look for revenge. Do not repay anyone evil for evil. Vengeance is mine, I will repay says the Lord.”

Romans 12:17-19

Thank you

State House of Representatives – Death Penalty – 02/18/2020

Thank you for this opportunity to testify against the death penalty in the State of Colorado. My name is Deacon Clarence McDavid. I was ordained as a Deacon for the Archdiocese of Denver by then Archbishop Francis Stafford in May 1987. Since my ordination I have had the pleasure of being assigned to and serving Curé d'Ars Catholic Church. If I had the ability, I would prohibit the death penalty throughout our nation. Why? The death penalty violates the law of God. Remember the commandment; Thou shall not kill. This commandment does not say that the state can kill but that individuals cannot. It very clearly and simply states that to kill another person is to go against the commandments provided by God.

When Pope Francis made his Apostolic visit to the United States, he addressed the issue of the death penalty. He called for the "global abolition of the death penalty." His reasoning for wanting the abolition of the death penalty is because it "diminishes hope and the goal of rehabilitation" of the individual. No matter how serious of a crime a perpetrator may commit, the Catholic Church sees that there is always hope of rehabilitation. Those who have worked within prison ministry have witnessed genuine conversion of heart with individuals who have committed the most serious crimes.

The Catholic Bishops of the United States in June 2019 voted overwhelmingly to update the Catechism of the Catholic Church. The reason for the update is that "the death penalty is inadmissible because it is an attack on the inviolability and dignity of the person." What does that mean? It means that we as people must respect the dignity of life in all people no matter their position, no matter their financial status, no matter their age, no matter their health, no matter if they are born or unborn, no matter if they are elderly, no matter if they are in the final stages of their life. We must honor the holiness of life itself.

There are several reasons for being against the death penalty. My emphasis is on the law of God as found in the Commandments. It is also within the teachings of the Catholic Church. It is also found in what Jesus Christ stated when he said that we must "love one another." He even went further and said that we are to "love our neighbor as yourself." We cannot turn our backs on those who are difficult or those who make poor decisions or those who commit violent acts. They too are our neighbors.

One final comment. I am aware that many innocent people die each day due to violent acts. The violent acts may be in the workplace, in homes, in the streets, or in our schools. These individuals who have been killed leave behind families, friends and communities who mourn their loss. I sincerely pray for those families, friends and communities. Many families cry out for justice and for an end to the life of the one who took the life of their loved one. But killing the killer only violates God's law. It does not bring back to life those who have been killed. I pray for anyone who has been impacted by the loss of a loved one through the act of violence. I also pray that we may see that the death penalty is also a violent act. Thank you.

Note on the side of
history

Maintain Justice
Fight for Justice

Orphaned Children

Death Penalty seeks a
end. But is it really
the end.

35% Black is disproportionately

Good Afternoon. Thank you for having me. My name is Jared Hurst, I am from Aspen, Colorado, and I attend Aspen Country Day School. As Martin Luther King Junior once said, "The time is always right to do what is right." Martin Luther King Junior is credited for having some of the most inspiring and ethically advanced ideas, and yet our current legal system completely ignores these philosophies. SB-100 will realign Colorado with the moral compass of our citizens. Revenge seems to be a natural human instinct. But, all revenge does is create more victims. The death penalty is a way of feeding the monster that is revenge. As a child, I often heard the phrase, two wrongs don't make a right. And it is painful to see that lesson being completely disregarded, especially when the stakes are this high. The power to take a person's life is a power that no human should have. As Former Governor John Hickenlooper stated, "If the State of Colorado is going to undertake the responsibility of executing a human being, the system must operate flawlessly. Colorado's system for capital punishment is *not* flawless." There is a reason keeping capital punishment legal makes the United States an outlier in regards to our close allies. We have placed ourselves along side Iran, Saudia Arabia, and China. We continue to deny we are trailing in the moral race we are a part of. This is Colorado's opportunity to catch up. Another unethical reality about the death penalty is that black people make up 34 percent of the executed despite

being only 13 percent of the general population. While only four percent of colorado's citizens are black, 100% of it's death row inmates are black. These statistics raise the debate over whether we as a state can risk execution when the stakes are this high. And the answer to that question is no. The Death Penalty is an unjust and unethical way to punish crime or fulfill the heart's desire. The value of life can be kept with alternate sentences. So why would we kill someone who is no risk to society? All ethics point to the removal of the death penalty because it is hypocritical and immoral to deny the value of a life. The power to take away a human's life is not something we can take lightly and we must realize how urgent this problem is. Dr. King's legacy is one to be remembered and respected. His ideas and philosophies are rightfully held in the highest esteem. If Dr. King were alive today he would be adamantly opposed to the death penalty. I hope you can see why SB-100 will be an important, positive change for this state and, in the long term, this country. Thank you in advance for your support of SB-100.

Good afternoon and thank you for having me. My name is Amelia Hecht and I am a proud third-generation citizen of Colorado. I go to Aspen Country Day School and my goal is to speak up for the issues I care about. The ethics of the death penalty are clear.

Taking a life for a crime is not justice, ***it's vengeance***. As an ethical exercise consider the idea that science can accurately predict if in the future someone is going to commit a murder.

Depending on the level of certainty in the science, one could ask if the state has the right, as protector of current and future citizens, to execute that person before the crime is committed.

The point is when, on what grounds, and with what biases, should legal execution be decided by the state? Ethically it is impossible to justify the morality of punishing someone by killing them. How can we possibly execute someone when four percent of executed people are innocent? Then aren't we all at risk? The death of one innocent person at the hands of the state alone is persuasive

enough to stop state sanctioned killings. It is hard to accept that murder is legal depending on who does it. The ethical argument against the death penalty is in no way an argument in favor of taking it easy on criminals. A life sentence without the possibility of parole is morally as far as a civilized society should punish. Many people would argue that a democratic society is only as peaceful and civilized as our government's worst acts. A government that sanctions brutality cannot promote a society of no killing and one that values human life. It is more important to protect the innocent who have been wrongfully convicted and face the death penalty, than it is to punish the guilty. And if an innocent person can be sentenced to death, it is an end to all justice. To paraphrase Benjamin Franklin, it is better to let twenty guilty men go free than one innocent man be killed. SB-100 will remove the barbaric practice of state sanctioned killing and place Colorado among the most peaceful, civilized and evolved states in the

Union. Colorado's statehood is founded on the motto written on the flag *ni sine numine*, which is translated from Latin to mean nothing without providence. This motto guides Coloradans to follow God's commandment: thou shalt not kill. ***This leaves no exception for the state.*** Thank you for your support of SB-100.

What does a bill look like on the business and labor committee?

What got you started in politics?

Good afternoon, Mr. Weissman and Judiciary Committee members, and thank you for having me. My name is Taylor Lewis. I am a Colorado citizen and I attend Aspen Country Day School. I am here in support of SB-100. Voting in favor of SB-100 will put an end to the injustice of killing someone for killing someone. Lawyer and Social Justice Activist Bryan Stevenson said, "The death penalty is not about whether people deserve to die for the crimes they commit. The real question of capital punishment in this country is, do we deserve to kill?" (PAUSE) I have been taught my whole life that two wrongs don't make a right. Why isn't this being applied to the justice system? One of the primary reasons people are sentenced to death is if they commit premeditated murder. Why are we punishing someone with the same action that we are saying is

unacceptable? Murder is wrong. It doesn't matter who commits it, it could be the government, an average colorado citizen or a child. No matter who you are, no matter the circumstances, *it is wrong*. A person who has committed such an awful felony deserves to be punished but the Death Penalty is not the right answer, no matter how severe the crime. If we continue to teach people that murder is wrong by murdering them, nothing will *ever* become right. Having the Death Penalty legal is a mistake, but this is a mistake we can correct.

Over the past 244 years America has changed a lot. We have changed our laws, our actions, and how we think about situations and decisions. The great thing about time is that it allows people to put their actions into perspective and correct any mistakes that had been made. Imagine if child labor was still

legal. That was a harsh and cruel system for children. These actions were all legal once but, with time, we realized that they shouldn't be; so we corrected them. As a society, we have made so many mistakes in the past and it's understandable because we are humans, as long as we can change for the better. The Death Penalty is another great example except for the fact that it is current. My classmates and I are here to show you how and why this punishment is cruel and unjust. Now it's your job to correct this mistake. Thank you for your support of SB-100.

Written Testimony

Written testimony is a public record under the Colorado Open Records Act (CORA) and is provided to individuals upon request. Individuals submitting written testimony must use this sheet, but do not need to complete the optional portions. Attachments to this sheet are permitted. Please see a staff person for any questions regarding written testimony.

Bill: SB20-100

Date: 2-19-2020

THANK YOU REPRESENTATIVES
ARNOT AND BENAVIDEZ, FOR BRINGING
THIS BRAVE BILL BEFORE US. MY
NAME IS MICHAEL NEIL AND I RISE
TO STRONGLY SUPPORT SB 20-100 ON
BEHALF OF CCDC AND MYSELF. I RISE AS AN ACTIVE CITIZEN,
PERSON OF CONSCIENCE, AND MEMBER OF THE MOUNTAIN VIEW
FRIENDS MEETING PEACE AND JUSTICE SUBCOMMITTEE. THERE
ARE MANY REASONS TO SUPPORT THIS BILL, FROM MORAL AND
EQUITY GROUNDS TO FISCAL CONCERNS, AS WELL AS DISABILITY
ONES. NOT ONLY DO MANY HOLD THAT ALLOWING THE STATE
TO KILL IS A MORAL ABOMINATION THAT LOWERS THE STATE
TO THE LEVEL OF THE INDIVIDUAL BEING EXECUTED, BUT
THE DEATH PENALTY IS GROSSLY MISAPPLIED, BEING HEAVILY
WEIGHTED TOWARDS PEOPLE OF COLOR, THOSE IN POVERTY,
AND THOSE WITH DISABILITIES. I KNOW NOT WHETHER ANY
MEMBERS OF THE HOUSE BELONG TO THE SOCIETY OF FRIENDS
OR OTHER HISTORIC PEACE CHURCHES, ALONG WITH RELIGIOUS
MOVEMENTS THAT HAVE PREACHED A REPEAL OF THE DEATH
PENALTY FOR DECADES (FROM UNITARIAN UNIVERSALISTS TO
EPISCOPALIANS TO MANY CATHOLICS TO JEWS), BUT I
IMAGINE SO. I CAN UNDERSTAND THAT, FOR THOSE WHO HAVE
EXPERIENCED LOSS DUE TO MURDER, THIS IS NOT AN EASY

Name	MICHAEL NEIL	
Address (optional)	2551 S-HIGH ST.	
City (optional)	DENVER	Zip (optional) 80210
Telephone: (optional)	303 744 1635	
Email: (optional)		
Representing	CCDC SELF	
Position on Bill:	For <input checked="" type="checkbox"/>	Against <input type="checkbox"/>
	Neutral <input type="checkbox"/>	

Written Testimony

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Bill:

Date:

DIMINISHED CAPACITY... THE LIST GROWS TO 87 OF THE LAST 100. FURTHER, DUE TO APPEALS, THE DEATH PENALTY IS FAR MORE EXPENSIVE THAN LIFE IMPRISONMENT.

Name	MICHAEL WEIL		
Address (optional)	2551 S. HIGH ST.		
City (optional)	DENVER	Zip (optional)	80210
Telephone: (optional)	303 744 1655		
Email: (optional)			
Representing	CCDC SELF		
Position on Bill:	For	Against	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	Neutral		
	<input type="checkbox"/>	<input type="checkbox"/>	

IN THIS TIME OF UNCERTAINTY OF STANDARDS, HYPER-PREVALENCE OF PEOPLE WITH DISABILITIES ON DEATH ROW ACROSS THE NATION, AND DESPITE BEING IN A STATE THAT USES THE DEATH PENALTY RARELY, I ARGUE THAT COLORADO'S OWN STANDARD OF DETERMINING INTELLECTUAL IMPAIRMENT IS SO HIGH, THAT AN INDIGENT PERSON WITH A DISABILITY AND AN OVERWORKED PUBLIC DEFENDER IS TOO LIKELY TO FALL THROUGH THE CRACKS FOR THIS ISSUE TO BE IGNORED. A BAN WOULD ENSURE NO PERSON WITH A DISABILITY WOULD BE PUT TO DEATH.

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From: Annie Moser <jeankunse@icloud.com>

Date: February 16, 2020 at 5:24:31 PM MST

To: anniemoser5@gmail.com

February 15, 2020

Dear Committee:

I am writing to urge you to take definitive steps to end the use of the death penalty in in Colo. We can both protect society from violence and promote a culture that respects all human life without resorting to state-sanctioned executions.

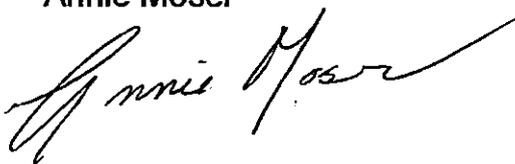
Our nation's founding documents affirm the right to life. Today, sentences such as life in prison without parole make it possible to protect society without having to kill a person convicted of violent crime. If, as a society, we wish to affirm that killing is wrong, we cannot do this by killing more people.

Recent studies and new technologies have provided strong evidence against the use of the death penalty. Since 1973, at least 130 people from 26 states have been exonerated from death row after evidence of innocence was found. Between 2000 and 2011, there has been an average of 5 exonerations per year (Death Penalty Information Center, Fact Sheet 2012).

Studies in state after state have also shown that the death penalty is more costly than alternative sentences. For example, the California death penalty system costs taxpayers \$114 million per year more than it would cost to keep the same convicted criminals in prison for life (*L.A. Times*, March 6, 2005).

Additionally, there is strong evidence that the death penalty is applied unfairly. According to the Death Penalty Information Center, over 90% of those on death row in the United States were too poor to afford their own attorney. Studies in states across the country have shown that geography plays a key role in who lives and dies. Similar cases might result in a death sentence in one county but not in a nearby county. According to the NAACP Legal Defense Fund, over 80% of those executed in the U.S. were convicted of killing a white person, even though African Americans are the victims in at least half of all homicides. In Colorado, we can help end the culture of violence and death that impacts so many of our communities by demonstrating that we will not end a human life if there are alternative and effective means to protect society from violent crime. I urge you to work to end the use of the death penalty in Colorado.

Sincerely,
Annie Moser



To whom it may concern:

I am writing to voice my opposition to the death penalty.

1. We cannot take a life and not call it murder.
2. The justice system is not always right and innocent people have been put to death.
3. It is against the law of God to kill another person.
4. There is no way to justify the treatment of the people on death row as well as money spent housing them for many years.

I understand that the people that are wanting the death penalty think it is justice, but it can never bring back the loss of their loved ones.

Thank you for your time and consideration on this very important matter.

Respectfully

Marionne Oliva

2/18/20

Dear Committee Members,

I am writing to ask your serious consideration of the repeal of the death penalty. While I have heard multiple reasons for eliminating this penalty, there are three that remain uppermost in my heart and mind:

1. Evidence continues to mount that innocent people face execution. I am aware the current 3 on death row have been proven guilty, I am looking toward future convictions.
2. The death penalty has historically been racially biased. It has been excessively applied to people of color who lack adequate resources for legal representation.
3. Even some of the worst offenders, given time, can make amends and turn their lives around. All life is precious. Life in prison demonstrates that we value even the most hardened criminal.

The death penalty was repealed once in Colorado. You now have the opportunity to take this important step again. Please vote to repeal the death penalty. Thank you for your time. Thank you for your wisdom as you listen to all sides on this issue.

Sincerely,
Maureen Henemann
House District 9,
Denver, 80231

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Main body of the page containing faint, illegible text or markings, possibly bleed-through from the reverse side.