



**MENTAL HEALTH
COLORADO**

Repeal of the Death Penalty SB20-100

Good Afternoon Representative Weissman and Judiciary Committee Members.

My name is Moe Keller, Director of Advocacy for Mental Health Colorado. We are a non profit, non partisan agency dedicated to promoting mental health, ending stigma and ensuring equitable access to mental health and substance use services. We are in support of SB 20-100, repealing the death penalty.

The process of determining guilt and imposing sentence even for minor charges, is necessarily more complex for individuals with mental health conditions. Our system cannot meet a high enough standard of care for providing legal representation as well as psychological and psychiatric evaluation for individuals with mental health conditions involved in death penalty cases.

People with serious mental illnesses are at a substantial disadvantage in defending themselves when they face criminal charges, and those difficulties are compounded when the charges are so serious that the death penalty is sought. Stigma and fear are significant factors in jury verdicts in such cases, and the criminal justice system can fail to do justice. As a result, people with mental illness are at heightened risk for losing their lives to application of the death penalty. Our system is at risk of being more gravely compromised.

Historically, individuals with serious mental illness have been threatened and coerced into false confessions, have difficulty understanding their rights, and have less access because of their mental illness to safeguards designed to protect fundamental rights, including the right to effective assistance of legal counsel. The criminal justice system's failure to guarantee due process for people with mental illnesses makes discriminatory application of the death penalty more likely. Overall, the administration of the death penalty is increasingly fraught with enormous expense, too frequent errors and unequal application.

For these reasons, Colorado should join the 21 other states that have repealed the death penalty.

Thank you for taking my comments into consideration.

Sincerely,

Moe Keller, Director of Advocacy

Mental Health Colorado 720-208-2224