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a homicide; number four and probably most importantly, one of the things that Senator Chambers has been emphasizing over and over again to this body, prosecutorial discretion. As we all know, a prosecutor has a large discretion as to whether or not an individual is to be charged with a capital offense or instead with a noncapital offense. Now what kinds of results have obtained, what do we really know statistically has happened as a result of a so-called lottery of death. Well, we know that a person's status in society is a determinant as to whether or not the lottery is going to spin against him. In a 1967 study by the Stanford Law Review, the study showed that 42% of the blue collar workers convicted of capital offenses had the death penalty imposed whereas only 5% of the white collar workers also convicted of capital offenses had the death penalty imposed. We know that race has always been a determinant in the lottery of death in this nation. We know that in North Carolina, a state with a shameful racial history, that 37% of blacks convicted for killing whites were sentenced to death. On the other hand, no whites, no whites who were convicted of killing black persons were ever sentenced to death. In a Texas study we know that when a homicide is committed by two people, a white and a black person, the black person is convicted of death whereas the white person is not. Well, you can say, well, Johnson, those are the states with shameful racial histories but the same kind of statistics apply in northern states. In New Jersey one-half of the blacks convicted of capital offenses were sentenced to die whereas only one-third of the whites convicted of capital offenses were sentenced to die and the story goes on. In Ohio in terms of gubernatorial commutation of the death penalty the ratio was two to one in favor of whites over black. Until we are no longer a society even tinted with racism....

SPEAKER MARVEL: You have forty-five seconds.

SENATOR JOHNSON: ...we can't afford to impose the death penalty. Now many churches have looked at this issue and I have taken the time to read the church resolutions on the issue and virtually every major denomination who has treated this issue has come out against the death penalty basically on the same grounds that I am using, to wit, that it is randomly applied, that it is an arbitrary and capricious sanction, and in my last thirty seconds, I want to read you a list of the churches: The American Baptist Church, United States Catholic Conference, the Disciples of Christ Church, the Episcopal Church, the Quakers, the American Lutheran Church, the Lutheran Church of America, the Men-