

May 21, 1979

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and certainty. It is well nigh impossible to hastily and quickly put somebody to death in this or any other state which operates under the U.S. Constitution. That is why having a death penalty on the books, Senator Venditte, Senator Labeledz and others, is a hoax and a sham being worked on the public. It is like an unloaded gun. If nobody knows the gun is unloaded, it serves as a threat and perhaps puts people in fear. But let everybody become aware that the gun is not loaded and it has no purpose whatsoever. The death penalty has been on the books in this state since 1903. That is when the first execution occurred. There have been none in the last two decades in the state, so it is clear with the increasing rate of homicide in this state, while the death penalty is on the books, that the existence of a death penalty does no good as far as affecting homicide rates. I have to mention again since Senator Venditte is taking us over the same ground again that the Simants case took three years and four months to convict the man and put him on death row. Then Senator Venditte talks about law and order. It was a law enforcement person who did a stupid thing that caused that sentence of death to be vacated and the whole procedure, Senator Venditte, must be started again. Thus, you see the defects in the machinery of death put in place by any state which has a death penalty. You give the public the impression that a protection is available which as a matter of fact is not. The thirty year sentence will work. All of the other sentences that exist in the law of this state can be reduced or totally nullified by the Board of Pardons, but I have not heard anybody express that as a reason not to provide an appropriate penalty for rape, for manslaughter, for aggravated assault, or any other crime against a person. Therefore, I would suggest that we treat this amendment in the way that it should be treated. It should be defeated. The bill should be advanced to the Governor's desk, and as a matter of fact, I'm going to meet with him again this afternoon. There are people taking this issue very seriously, and for your information, the Governor is not happy at the prospect of being the one who would be in office if an execution should occur. I had it brought to me that Governor Exon was most delighted that he escaped from this state before anybody was executed.

PRESIDENT: Fifteen seconds.

SENATOR CHAMBERS: So it is one thing to make a lot of statements to the public and another thing to make those

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