

terrible crime and one perhaps deserving of the death penalty, the persuasive fact is that the other defendants who are equally culpable with the defendant have escaped the death penalty, therefore, it would be excessive, disproportionate and certainly unfair if the defendant received the death penalty." The prosecutor in that case was named Everett. So this man did not receive the death penalty either. The judge indicated that it was a case perhaps deserving of the death penalty, but it was not imposed on anybody so all three of those individuals at some point will be returned to the streets. When you look at how the death penalty is arrived at, you have 93 county attorneys. That is the individual who determines whether somebody is going to subject to the death penalty or not and as a result of that, we have in effect 93 different death penalty laws in the state, depending on the attitude of the county attorney. If you look at the committee report in your bill, you'll see that a representative of the county attorneys appeared but in a neutral position. He stated that he could not take a position on the bill because the county attorneys association was split, so he appeared for informational purposes only. If those whose job it is to prosecute these crimes and who seek the death penalty could not reach a consensus sufficiently strong to take a position, it should tell you something about the uncertainty even among law enforcement persons about the propriety of a death penalty. If you wanted to look at the number who are subject to the death penalty as opposed to the few who get it, you should ask yourself the question why that happens. If everybody eligible for the death penalty were, in fact, executed, there would be such a torrent of blood in this state and every state that I'm certain repeal would occur. But it shouldn't take a blood bath of citizens being killed in a ceremonial calculated fashion by the state to bring about such a result as that. Now it would seem, if the death penalty is a deterrent, you would have the fewest murders in the state where the death penalty is carried out. Texas executes. They have made it clear they will execute and they have been executing people. Louisiana has made it clear that they will execute people and they have been executing them. Florida is right up there with the states who carry out the executions, but the city in America that has the highest murder rate in this country is Miami, located in Florida where they carry out executions on a regular basis. The state with the number one murder rate in the country is Texas where they have a death penalty and