

House Corrections and Juvenile Justice Committee
February 19, 2019
HB 2282, Abolishing the Death Penalty

Chairman Jennings and Members of the Corrections and Juvenile Justice Committee:

My name is Mary Head and I am writing to urge your support of HB 2282, which would repeal the death penalty and replace it with life in prison without parole. I speak to you from the perspective of someone who has lost a loved one to murder. This event was excruciatingly painful and has had a lasting impact on my family.

My sister Patricia Erikson lived in the small town of Norwood, Colorado, where everyone knew everyone else and no one locked their doors. On May 17, 1984, a man walked into Pat's house in Colorado THANKFULLY after her daughter had left for school. While Pat was still asleep, this intruder shot her twice. The murder was devastating for my mother, my siblings, and myself, and most especially my 13-year-old niece, who was the one to discover her mother's dead body.

One never gets over the murder of a loved one, but one must choose how to respond to it and move on in life. I have always opposed the death penalty on moral grounds, but I also have looked at it in practical terms. The more I have observed how the death penalty works in reality, the more I have become convinced that our system of capital punishment is broken and fails murder victims' families.

In my sister's case, the death penalty was never on the table – in fact, there was never even a trial. Though there was a suspect in the killing of my sister, no one was ever tried for the murder. As you can imagine, we were frustrated and angry that no one was brought to justice for taking my sister's life and robbing her daughter of a mother. ---- AND We know our story is not unique. Each year, thousands of murders across the country go unsolved.

Given that many cases like my sister's go unsolved, I have a hard time understanding why Kansas and other states dedicate time and resources to keeping the death penalty when those resources could be reallocated towards solving cold cases and providing much needed support to families. There have been over 2,400 murders in Kansas since the state reinstated in the death penalty in 1994. In a small handful of cases, prosecutors seek the death penalty, which means that extra time, money, and resources go into these cases, but for what purpose? Capital cases languish in the courts for years and some death sentences are overturned.

I can only imagine how painful the years-long appeals process is for the families with the continual reopening of the wounds. My own experience of preparing this written testimony brought back my own painful memories Pat's funeral as well as visions of my niece's inconsolable weeping. The thought of victims' families reliving those memories

again and again throughout the appeals process is reason enough to put offenders in prison for life, thus providing the families with some finality and the ability to move on with their lives.

Kansas can do better than keeping in place its broken death penalty. Given that our state has a limited amount of resources for law enforcement and public safety, we need to use these resources wisely and not on a costly death penalty that fails to make our state safer. Kansas would be better served focusing its attention and resources on helping the families of murder victims and investigating other unsolved murders.

Murder shakes families and the broader community, and it understandably challenges us on an issue such as capital punishment. The murder of my sister deeply challenged my views on the subject, but I still reject the death penalty for many reasons including its failure to be a deterrent to crime, the real possibility of executing an innocent person, and the high cost. But I especially recognize that it fails to help families and communities in the aftermath of tragedy. Kansas reinstated the death penalty in 1994, pours millions into this system with few results, and will do so for the foreseeable future.

Now is the time to end this dysfunctional system, and I hope that you will take advantage of this opportunity.

Sincerely,

Mary Head

Lawrence, KS

We family members of murder victims have had the unfortunate experience of becoming members of a club that we joined involuntarily and would give anything to leave. Others may love and support us, but they will never truly know how we feel. -- Like it or not, we share a bond, yet each of us must come to his or her own decision on the question of the death penalty. I can only speak for myself and wouldn't presume that all others share my views. That said, any disagreements we have cannot diminish the respect and sympathy I feel for those who have suffered a similar loss.