



**LEAGUE OF WOMEN VOTERS of KANSAS asks this**

**committee to repeal the death penalty for a number of reasons not the least of which is the cost.**

Though it may seem counterintuitive, the death penalty in Kansas and the US is far more expensive than death in prison by the **Life Without Parole** sentence (LWOP) because the death penalty verdict can have many years of appeals with the state paying for the lawyers and court costs for both sides for indigent prisoner.

**The Judicial Council Death Penalty Advisory Committee** met after the 2009 Session to address a bill's legal language and the cost of the death penalty. This committee included prosecutors, judges, defense attorneys, legislators and law school professors. Their report indicates:

- **"Death penalty cases are more expensive than non-death prosecutions for many reasons, including higher trial costs, higher appeal costs, potential retrial costs, and lost opportunity costs."**
- **"death penalty cases in Kansas have proven more expensive to defend at trial and on appeal than non-death cases."**
- **"...if the death penalty were repealed in Kansas, it is expected that the state would realize a cost savings."**

**"Cases in which the death penalty was sought and imposed could cost about 70% more than cases in which the death penalty wasn't sought.**

*Estimated median cost of a case ending in a death penalty:*

*Estimated median cost of a case not ending in a death penalty:*

**\$1,200,000**

**\$740,000**

(the calculations included the cost

of

long term incarceration)

**The League of Women Voters** has long supported the efforts of the Kansas Coalition Against the Death Penalty and points out that:

1. It is too costly to the state.
2. Evidence shows it is not a deterrent to others.
3. One sentenced to die in prison (Life Without Parole) receives only one automatic appeal, not several.
4. A guilty person may be acquitted because juries may be less willing to return a guilty verdict if the penalty is death.
5. Because death is different from death in prison and mistakes cannot be corrected, a death sentence results in years of mandatory appeals that often

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result in reversal. ( In a sample of 350 death sentences, 118, or nearly one-third, were reversed in part or in whole. )

6. An innocent person may be wrongfully convicted and it cannot be remedied
7. Victims' Families Prefer **Life Without Parole (LWOP)** because the case does not drag on through the many appeals. The current average for appeals is 17 years -- and getting longer every day. Appeals in one state took more than 25 years before the executions finally occurred.
8. LWOP convict is not provided any court-appointed attorneys after this appeal is complete, usually within two years of the initial sentence.
9. LWOP sentences receive no special consideration on appeal, which limits the possibility they will be reduced or reversed
10. Unlike death penalty cases, however, LWOP assures **Death in Prison and it is a Swift Sentence with a certain fate.**