

**Hearing on HB 2167 to Repeal the Death Penalty  
House Corrections and Juvenile Justice Committee**

*February 13, 2017*

**TESTIMONY IN FAVOR OF HB 2167  
Submitted by Floyd Bledsoe**

Dear Chairman Jennings and Committee Members:

I strongly urge you to pass HB 2167 and end the death penalty in Kansas. The Kansas criminal justice system is too imperfect to trust it with the death penalty. I know from spending over 16 years in a Kansas prison for a murder I didn't commit until DNA and other evidence proved my innocence.

Many factors can send an innocent person to prison or, worse, death row: eyewitness errors, junk science, false confessions, snitch testimony, and prosecutorial misconduct. Needed reforms, such as videotaping interrogations, can help minimize these problems. But we can never eliminate wrongful convictions entirely. The criminal justice system is a human system and as such will always be imperfect.

That is why the death penalty has no place in Kansas or anywhere for that matter. As an irrevocable penalty, the death penalty demands perfection, and that is something our criminal justice system cannot guarantee. Whenever the death penalty remains in place, so does the risk of executing an innocent person.

My case shows the danger in believing that Kansas is immune from this risk. In 1999, I was wrongfully convicted of a murder in Oskaloosa. The murder occurred after the advent of DNA technology, but it failed to protect me at the time. By ignoring key evidence and relying on questionable testimony, officials became convinced of my guilt.

As my experience illustrates, the criminal justice system does not always play out like a CSI episode. On TV, officials rely on high-tech gadgets to always catch the bad guy without any doubt. Reality is messier. In many cases prosecutors rely on questionable witnesses or junk science when making their case at trial.

And at that point in the legal process, demonstrating your innocence becomes a monumental challenge. When the government says you're guilty—and marshals all its resources to prove it—who is going to believe you? No matter how much you protest, people assume you *must* be guilty.

This nightmare occurs too often. There have been nearly 2,000 exonerations nationwide, and over 155 exonerations of individuals wrongfully sentenced to death. Other innocent individuals remain behind bars.

What happened to me is a tragedy. I am thankful, though, that I am alive and have had the opportunity to rebuild my life. If someone is wrongfully executed, it is an injustice that the state is powerless to address.

Kansas can—and should—eliminate that risk by ending the death penalty now. There is no reason for lawmakers to put off this needed reform any longer.

Thank you for considering my testimony.

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