

Conservatives and death penalty

April 22, 2013

Perhaps some readers were startled by a reference in a George Will column (LJS, April 14) to “the conservative case against the death penalty.”

Yes, it’s true.

Some conservatives have turned against the death penalty, and there’s evidence that tide is growing stronger.

In fact, at the renowned Conservative Political Action Conference this year there was even a booth for Conservatives Concerned About the Death Penalty.

Nebraskans who oppose the penalty should take note. In a red state like Nebraska, it’s the conservative arguments that hold the most potential to change the minds of state senators.

An effort to repeal the death penalty is a perennial in the Legislature. The bill introduced this year by Sen. Ernie Chambers is out of committee and will be debated on the floor in coming weeks.

For some conservatives, opposition to the death penalty is part of their general mistrust of government. Edward Crane, founder of the CATO Institute, put it this way, “My own view on capital punishment is that it is morally justified but that the government is often so inept and corrupt that innocent people might die as a result. Thus, I personally oppose capital punishment.”

That view has become more mainstream in conservative circles because DNA technology has shown that some of the murderers facing death sentences in the United States actually are innocent.

Mary Kate Cary, a speechwriter for former President George H.W. Bush, said, “It’s becoming harder to justify the death penalty in the face of evidence that our system is flawed. ... For years, people like me thought that being tough on crime meant supporting the death penalty. Times have changed, and it’s time for conservatives to get on the right side of the death penalty argument. One can oppose the death penalty and still be in favor of a tough, affordable, accurate and fair criminal justice system.”

Nebraskans in recent years have seen repeated examples of how the criminal justice system can deliver a flawed result, ranging from the convictions overturned in the Beatrice Six cases to the murder charges in the Murdock case that were dropped after it turned out blood evidence was planted by a crime scene investigator, who later was convicted of planting evidence.

Another conservative argument against the death penalty is cost. It’s cheaper to keep murderers in prison without parole than it is to pay for the seemingly endless appeals that are required to reduce error and bias in administering the death penalty.

Republicans in the Legislature should take note. They can vote for repeal of the death penalty without turning in their conservative credentials.