



OFFICE OF THE DISTRICT ATTORNEY  
COUNTY OF TULARE

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August 2016

“I am so frustrated with California’s death penalty, why would I vote yes on Prop 66 to support it?” This was a question recently posed to me from someone who supports the concept of death as a penalty, but like many Californians, she is frustrated with the fact that it’s not enforced, it’s not timely, and inmates on death row appear to have better living conditions than prisoners in general population. It is completely understandable to want to vote “no” out of frustration with our current system, but I encourage voters to review Proposition 66 closely, we will be mending a broken system, not ending it.

Prop 66 will change the appeal process and set time limits for a defendant to begin the appeal process. It will speed up the process and ensure that appeals are heard in a timely manner. It creates a balance of respecting the legal rights of defendants, while eliminating legal and procedural delay tactics. A defendant sentenced to death will have qualified death penalty appeals counsel assigned to him or her immediately, eliminating the current average wait time of five or more years. The appeal process and review will begin at the local jurisdiction, which is the appropriate starting point, after all, who would know more about the factual scenario than the local trial court?

If you were as repulsed as I was learning about convicted murderer Scott Peterson playing basketball in the sunshine, you will be pleased to know that Prop 66 will give the California Department of Corrections complete discretion in housing inmates sentenced to death. Eliminating single cell housing for inmates on death row will save millions of dollars every year. It will also require inmates to work and pay victim restitution.

A common tactic in any debate regarding the death penalty is how much money California will save if it simply abolished. Some reports put the savings at 150 million dollars. This is a staggering figure and it underscores the frustration with the system, but remember, this system is not just broken, it’s expensive and broken. It is rather disingenuous to run up the cost of a program through mismanagement and then argue “we will save money if we just get rid of it.” Don’t use the cost of the endless, inevitable, and sometimes baseless stall tactics as a justification to end the death penalty. Doing so ignores the reality that California would pay the cost of housing, feeding, and medical care to savage murderers until they die of old age.

What is important to focus on as debates heat up over this proposition, is that the death penalty is reserved for the worst of the worst offenders, which is roughly only 2% of all convicted murderers in the state. The killers currently sitting on death row have murdered

over 1,000 victims. This includes 226 children and 43 police officers. Of those 1,000 victims, it was proven that 294 of them were raped and/or tortured. In no way does Prop 66 attempt to eliminate due process protections to the convicted, instead it would actually provide increased protections by having an attorney appointed immediately upon sentencing and not waiting several years. I also urge caution if (and when) opponents of the Death Penalty argue the risk of an “innocent” person being put to death. It is an absolute fact that not one death row prisoner in California has been exonerated. This is not surprising as our state scrutinizes these convictions thoroughly.

Do not let your frustration erode hope. Hope for families and friends of these victims who deserve to see judgement carried out. If you are frustrated, imagine for a moment how the families of 1,000 victims feel every day. We owe it to them to fix a broken system and carry out judgement as it was intended in each one of these cases. Prop 66 would allow a reliable, fair, and meaningful process to bring those victim’s families justice. That’s why the California District Attorney’s Association, law enforcement leaders, and victim’s rights advocates across this great State join me in supporting Prop 66.

Tim Ward  
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