

# Alaska State Legislature

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## REPRESENTATIVE MIKE CHENAULT

SPEAKER OF THE HOUSE

### SPONSOR STATEMENT

#### COMMITTEE SUBSTITUTE for HOUSE BILL 9 (LS0036\E)

**An Act relating to murder; authorizing capital punishment, classifying murder in the first degree as a capital felony, and allowing the imposition of the death penalty for certain murders; establishing sentencing procedures for capital felonies; and amending Rules 32, 32.1, and 32.3, Alaska Rules of Criminal Procedure, and Rules 204, 209, 210, and 212, Alaska Rules of Appellate Procedure."**

The impetus for HB 9 really comes from what I view as society's inability to reform or rehabilitate certain criminals. People who commit the most monstrous of crimes will not have the opportunity to reoffend if a death sentence is carried out. 36 states currently have a death penalty on their books, whether they use it or not, and while I don't believe it's a deterrent to crime, I believe it should be an option for the justice system to brandish against the most heinous unremorseful criminals in our society.

Alaska is currently awaiting the trial of a man previously accused of murder who is going on trial for the torture and brutal murder of another woman. Federal prosecutors are deciding whether he should face the death penalty. Many Alaskans believe he should. It is important to note that if this individual had not committed Federal crimes in connection with this case, he would be prosecuted by the state and under current law would not be eligible for the death penalty. But would his torture and murder of a woman be any less offensive?

The most common argument against the death penalty is that you might execute an innocent individual. Let me be perfectly clear in stating I believe that the death penalty should only be used in cases where there is no question of guilt or innocence. No one supports innocent people being put to death for crimes they did not commit. But technology continues to make it more difficult for criminals to hide their offenses and I've included safe guards in the legislation to help ensure that people are not wrongfully convicted and sentenced to death.

It is my hope that we can engage in a healthy dialogue about the death penalty. The Alaska Territorial Legislature abolished the death penalty in 1957. I believe it is time for us to reexamine the issue, discuss advancements made in the judicial system, and once again consider how we as a society can most effectively dispense justice. I want this legislation to give Alaskans the confidence that we have a system of justice they can rely on to handle the most heinous members of our society.