

STATE OF CONNECTICUT
EXECUTIVE CHAMBERS

M. JODI RELL
GOVERNOR

June 5, 2009

The Honorable Susan Bysiewicz
Secretary of the State
18-20 Trinity Street
Hartford, CT 06106

Dear Madame Secretary:

I am hereby returning without my signature HB 6578, *An Act Concerning the Penalty for a Capital Felony*. This bill eliminates the death penalty as a sentencing option for crimes committed on or after the bill's effective date.

There is no doubt that this issue evokes the deeply held passions of individuals on both sides of the issue. I sincerely respect the beliefs of those who support this bill and the passion with which they have presented their case. I cannot, however, sign this bill into law.

As I have stated previously, I understand and sympathize with the anguish and pain of those families who have lost a loved one due to a cruel and heinous crime. These are the crimes forever embedded in our minds, haunting us long after they have been committed. They cause us to lose our innocence relative to the world around us. The death penalty is, and ought to be, reserved for those who have committed crimes that are revolting to our humanity and civilized society.

The death penalty sends a clear message to those who may contemplate such cold, calculated crimes. We will not tolerate those who have murdered in the most vile, dehumanizing fashion. We should not, will not, abide those who have killed for the sake of killing; to those who have taken a precious life and shattered the lives of many more. Dr. William Petit recently quoted Lord Justice Denning, Master of the Rolls of the Court of Appeals in the United Kingdom, who said:

Punishment is the way in which society expresses its denunciation of wrong doing: and, in order to maintain respect for law, it is essential that the punishment inflicted for grave crimes should adequately reflect the revulsion felt by the great majority of citizens for them. It is a mistake to consider the objects of punishment as being deterrent or reformatory or preventive and nothing else. . . . The truth is that some crimes are so

outrageous that society insists on adequate punishment, because the wrong-doer deserves it, irrespective of whether it is a deterrent or not.

There is no doubt that the death penalty is a deterrent to those who contemplate such monstrous acts. The statistics supporting this fact, however, are not easily tabulated. How we do count the person who considered the consequences of the crime and walked away? We cannot, but we know that this occurs. We have a responsibility to act to prevent these heinous crimes and to ensure that criminals will not harm again.

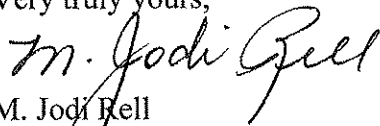
I also take note of the concerns expressed by some regarding the tremendous financial cost to the state, the perception that the death penalty is inconsistently sought for certain crimes, the lengthy appellate process that is involved and the roles that race, gender and economics play when seeking the death penalty.

These very questions, and more, were the basis of a death penalty study commissioned by P.A. 01-151 and analyzed in a comprehensive report submitted to the Legislature on January 8, 2003. The report made significant and thoughtful recommendations that have been largely ignored by the Legislature, including training for public defenders and prosecutors. The goal of the report is to ensure that each decision to seek the death penalty is based upon the facts and law applicable to the case and is set within a framework of consistent and even-handed application of the sentencing laws, with no consideration of arbitrary or impermissible factors such as the defendant's race, ethnicity or religion.

The co-chairmen of the legislature's Judiciary Committee have asked that I submit a proposal for "fixing" the death penalty statute. I believe that the current law is workable and effective and I would propose that it not be changed. If the co-chairmen are seeking suggestions, however, I would urge them to review the above-referenced report, which has been largely ignored since its issuance.

In the meantime, for the reasons cited above, I must return House Bill 6578, *An Act Concerning the Penalty for a Capital Felony* without my signature.

Very truly yours,



M. Jodi Rell
Governor