MAINE STATE LEGISLATURE

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hearing the pros and cons on this issue, and I want to thank you all for the support that we received.

However, I am not prepared on this bill today, so I am going to take whatever information I have and try to tell the people of Maine about capital punishment for cop killers. WGNN-TV in Portland had a four to one on their public opinion poll, yes for capital punishment and not for the death penalty. We received letters from all sections of this state right here, and I will be glad to let anybody look at them—hundreds of letters from people all over this state. I even heard of that want capital punishment.

This country was founded on capital punishment. The West was settled on capital punishment. And the day that we restore capital punishment in Maine, it will be our finest hour. And I want those words to go back to the Guy Gannett Newsapers of this state.

To be sure, the last death penalty that was enacted in this state was 1887—that is almost a hundred years ago, but today we are living a fast-changing period compared to over a hundred years ago. Over 31 states in America today have enacted new death penalty laws and there are over 200 murderers, rapists, and kidnappers on death row today.

Although the Supreme Court in 1972, did rule that death penalty was unusual and cruel punishment, ruled it unconstitutional. However, this same body of our land today, they also ruled that prayers in public schools was also unconstitutional, and I am sure there are many in this House who do not agree with that. Several times in the last two weeks men and ladies from all over this House Chamber got up and said about different things that the Supreme Court ruled and they didn't agree with them, so I don't stand alone on that.

The last person that was executed in the United States was executed in the Colorado gas chamber on June 2, 1967. He had murdered his wife and 3 of his children and he deserved to die. There are other rapists and murderers and cop killers who are waiting on death row today for their judgment.

The Supreme Court of our land is now taking under advisement that capital punishment be reinstated at the state level and not at the federal level. I am not going to get up across our nation, and although on that judgment day of June 29, 1972 by 5 to 4 vote, the Supreme Court did rule that the death penalty was unconstitutional. However, on March 4, 1975, the Justice Department contested that the death penalty was constitutional. And therefore told the Supreme Court it could leave it up to the states to decide when capital punishment is appropriate.

The Justice Department brief stated, and I quote: "Capital punishment deter crime, removes social values such as the expression of moral outrage and incapacitates dangerous offenders." The brief went on to say that the legislators elected by the people as their true representatives are the people concerning capital punishment and it should be left up to each individual state, because state legislatures are closer to the people, and more is the people who are not elected but are appointed.

On April 3, 1975, a 22-year-old man murdered two policemen and critically wounded one in Millinocket. The crowd of onlookers were so shocked and outraged that they demanded his blood on the spot, and I am holding up this paper to show the cop killer looks like and there he is, and if any of you would like to read that, it is in black and white, it is nothing made up, it is what this person stated in seconds. I would be glad to let any of you look at it.

Responsible American citizens were so horrified to see the news order had already wiped out two days later, a man of Christian faith said that it was unbelievable and unreal to his very own eyes that a 22-year-old man could wipe out the lives of two policemen and critically wound a third in a matter of seconds. He felt that this man did not deserve to live in this country.

The onlookers were horrified and now they know the State of New Jersey needs capital punishment, however, they are not the ones who have it under consideration. Some states have enacted capital punishment laws for murderers, rapists, for cop killers and murderers, but they have not, and I want to quote this so you will all understand it very carefully: "By stating the facts of these 14 states out of 23 which have now new death capital laws, the Supreme Court in their ruling stated that it must be of a designated nature." Therefore, they themselves have left the legislatures to be enacted by the state legislatures.

The prime concern of one member of the Supreme Court who voted in the majority, stated that the death penalty is not used in the future for sufficient frequency to serve justice but, Justice White ruled it unconstitutional in his brief as cruel and unusual in the rare circumstance and would not happen.

If the legislatures made this available only for a small class of offenders, selected with such great care that juries would impose it on a regular basis, even though they need not do so, the constitutional flaw argued would be removed. This is one of the Supreme Courts who gave his brief in the majority ruling.

Justice Stewart's opinion aims at taking away from the judge and the jury most of the burden on deciding which offender should be punished by the death and which shall not be. Therefore, he says, place it with the legislatures. To meet the standards, he established 1. To determine the circumstances in which the death penalty would be inflicted and distinct from those in which it shall not. Yet, in so acting, he goes on to state, legislatures still run the risk of being second guessed by the judiciary, either because their statutory rules are found unacceptable under a yet to be established amendment.

Justice Burnham and Justice Marshall and Justice Douglas all go about the same, they say this is quite reasonable and that, because of the simple reason that there is always two sides to every story, whether you agree with them or whether you don't. There would be a majority of the Court's opinions, Justice Burnham's and Justice Marshall's, and they reached the ultimate issue of whether capital punishment is, per se, cruel and unusual and the issue against capital punishment for two reasons beyond those already discussed and I want to mention both of these to you today. First of all, that death would be of an uncivilized punishment degrading a human dignity. Although, only Brennan contended this is a sufficient reason to declare it violatable to the Eighth Amendment and secondly, each
felt capital punishment to be rejected by the society in which we live in, and I would disagree on both of those because I have facts and substantial evidence to support it.

I want to give to you ladies and gentlemen a little statistics who feel that there are not a great many number of police officers killed in this country. During the 10-year period between 1961 and 1973, there was a total of 127 local, county and state law enforcement officers killed due to fishermen, criminal actions in this country. During the 10-year period between 1961 and 1973, 858 officers were killed, murdered. In 1973, 19 officers were killed while attempting arrests for crimes other than robbery or burglary; 27 officers were slain by persons they encountered during the commission of a robbery or during the pursuit of a robbery suspect and 56 officers were slain in ambush fashion. Thirty-one of these officers were entrapped and slain through premeditated actions; 25 officers were killed in unprovoked attacks which did not involve apparently any entrapment and 25 officers were slain while making a simple traffic stop for a ticket. Three of them who were actually lawfully engaged in their persons and during a 10-year period between 1961 and 1973, 47 of the slain officers used their firearms when confronting suspects. But 47 of these officers fired their service firearms while attempting to protect themselves and 96 of the 127 officers killed were killed within 10 feet of their police vehicles.

To be sure, we have not had a policeman killed in the State of Maine for several years; however, the 1973 statistics, which I will read from the FBI report, show high and aggravated crimes on assaults on police officers in the line of duty. In 1973, just one year, there were 62,300 assaults on police officers who were committed in this country and that is the rate of 15 per 100 officers, double to what it was the year before, and I feel that if one police officer’s life can be saved, this legislation would certainly be worth its merits.

We had a situation in Maine a short while ago where a couple of unarmed Massachusetts killed their buddy and dumped his body on the highway and it is costing the State of Maine $230,000 to $250,000 a year to protect that person. If we had got away with it, they are lucky, they will be free in 8 to 10 years.

I would now like to read something that is very sad, where he will be fed, clothed by the taxpayers at a cost of $6,300 a year until he will be paroled in about 8 to 10 years.” Justice and equality certainly didn’t take its course in that case.

Something that is from a 75-year-old woman and I read part of that letter because I received this letter and I would like to read it to you before I go on any further. I received this letter from Mr. Clarence Kelley of the FBI and he writes: “Dear Mr. Laffin: We are in receipt of your letter of April 16, 1975 are being prepared by the Uniform Crime Reporting Section of the FBI. As soon as they are available, they will be forwarded to you,” and they did that. In this little letter he wrote, “I would now like to read something that is from a school teacher, a school teacher, a school teacher and I have written to several states that have capital punishment laws. As I say, I am disappointed with your bill, Mr. Sible and I am sure she is a very sincere person in telling me about ‘Thou shall not kill.’ That was a real intelligent one. I have this one here and she tells me all about ‘why capital punishment should be spared. Killer’s, rapists, women don’t deserve to live.” That was a real intelligent one.

I received this letter and I would like to read this to you before I go on any further. I received this letter and I would like to read this to you before I go on any further. I received this letter from Mrs. Gibson and she says: “During the period of time after Furman, that is Georgia vs. Furman in the Supreme Court, which gave their ruling on this, and before the reenactment of the death penalty in Oklahoma, an incident occurred in New York that reflects what we think is an excellent example of the deterrent effect of the death penalty. A bank robber, while holding a number of hostages, surrendered to the police who were seeking his surrender that he could kill all of them hostages and not suffer any greater penalty than he would for the crimes of robbery and assault if they killed any more, couldn’t get any less. Quite fortunately, he did not take the lives of the hostages but his statement is indicative of the fact many of the penalties and consequences of their acts. Consider this in
the commission of an armed robbery, everything being equal, why would not the robber kill his victims so to thrust his later interest on the crime, so to speak.

I also invite your attention to the recent study of Professor Isaac Erlich of the University of Chicago, concerning the deterrence of capital punishment and that is one of the letters that I was waiting for and I have not received it yet. Dr. Erlich's study concludes that each instance of capital punishment would have prevented eight homicides. I am sure I have stated Dr. Erlich's thesis quite impartially but I have discovered that the study will be published in the American Economics Review of Brown University in the June issue of that magazine. It is signed by the Attorney General of the State of Oklahoma, Michael Cathey. I am not saying it deters crime; this man right here who deals with it day in and day out is saying it deters crime.

Being unprepared for some of the things that I wanted to bring up to you people today, I have left many of the issues that I wanted to talk to you about. However, first of all, and I didn't realize I needed glasses, but I sure do, I can't even read this. No, I don't need glasses.

I stand before you today, in all sincerity, that if we could save one police officer life in this state, this law would be great.

I would hate to wake up some morning and read that stupid Portland paper and see in the headlines that an officer of the law was killed in the line of duty, because I would wonder would this bill have saved his life? It is something that we will have to live with. Would it have saved his life?

I take this bill like being a lighthouse, we will never know how many ships go by the lighthouse at night because nothing ever happens, but take the lighthouse away and the ship could go down. If we put capital punishment on our books, we don't want anyone killed and it could save someone's life we will never know, but it would be certainly worth its merits.

There are those in this House who are very religious people and for that I certainly respect you, but you yourself are elected by your church to come here. You are elected by the people of the state to fulfill the laws for the betterment of the people of this state. We have a separation of church and state.

Let's take the case about this man who murdered Senator Kennedy. Seventeen years from the day he killed him, he is going to be free. walking the streets. I say to you ladies and gentlemen of this House, we need this bill and we need it bad to let the people of this state know that we are doing something to deter this from happening. If this bill is defeated today, somewhere along the line it will come back. I won't be here but someone else will. In the times that we are living in, if none of you people have had a gun put to your head and feel the cold butt of that gun I am glad because I wouldn't want it to happen to anybody. If you have never been shot, I am glad because I wouldn't want that to happen to anybody. When a policeman risks his life every day in this state, few weeks ago a man, a deputy guard, a sheriff could have lost his life, and we are thankful that he didn't but he could have.

I have so many friends in this House ... I get all kinds of letters from everybody, some are signed and some are not. Some of the people that I asked to support this, who are against it, they have sent me a letter, I think. I would vote for anything you wanted but this bill. That was awful nice of them because I will never ask for anything else but this bill. That was awful nice of them. There are several things that I have left out, as I said, I am not prepared on this because I have several things that I want to talk to you about. I wish you would stop sending me notes up back.

We ran a little ad in the Portland paper, in the State of Maine papers around the state, and we advertised that we were going to have this bill. - we haven't counted them all, no, I am not going to read them all, and they are signed by people who have a very strong conviction about capital punishment. Some day this state is going to have capital punishment again. Some day something is going to happen to a person who has a lot made up his mind, who is going to be the law of this land and the states that have reenacted it; I certainly would want to thank all the friends for my notes.

Being unprepared I can't tell you at this time how I was going to close it, but I would want of this question brought to your attention. One is that crime is on the up, murder is up, cop killers are up, and rape is sky high. I urge you people to consider this very seriously. We need this as a basis to start our goal.

I urge you not to indefinitely postpone this bill. I want to thank you ladies and gentlemen of the House.

Mr. Davies of Orono moved the previous question.

The SPEAKER: For the Chair to vote on a motion for the previous question, it must have the expressed desire of one third of the members present and voting. All those in favor of the Chair entertaining the motion for the previous question will vote yes; those opposed will vote no.

A vote of the House was taken and obviously more than one third of the members present having expressed a desire for the previous question, the motion for the previous question was entertained. The motion to close the question should not be taken at this time. Gentlemen of the House, is shall the main question be put now? This question is debatable with a time limit of five minutes by any one member.

The Chair recognizes the gentleman from Bangor, Mr. Henderson.

Mr. HENDERSON: Mr. Speaker, Ladies and Gentlemen of the House: As a member of the Judiciary Committee I told the sponsor of this bill, I would, if no one else would sign a majority report on this bill, that I have some discussion. As much as I disagree with him on the merits it seems to me that there ought to be at least some discussion by those of the people of this state, who I think in many respects agree with the principle in this bill, to have some assertion as to why this is not an appropriate thing. This legislature to allow a person to speak on it, to cut off debate, and then to vote summarily I think, is not to give a fair hearing to this very important issue.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Kelleher.

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: Although I haven't been in my seat, I have been up back and I know there are two cosponsors of this bill and I think Mr. Henderson has raised a valid point, there may be others that would like to speak. I have never voted for the previous question, and although I don't enjoy sitting here for an hour, I am here. Others may want to participate in debate and I would respectfully ask the gentleman if he would remove it. I don't think I can do that under the rules...
policemen, the killing of anybody is a problem. The question is, what is the solution and is this the proper way of going about dealing with this question? It seems to me that the question boils down to two general areas. The question of the morality of it and the question of the practicality of it. Sometimes those things are very closely linked.

As far as the morality is concerned, it seems there has also been some sort of a crossbreed of what the question is. It seems to me that the argument has been made about deterrent, but on the other hand, we have talked about people who deserve to be killed if they are going to kill a policeman. They assault on a person or something like that. That is base vengeance, there is no question about that. It is revenge. If that is the kind of situation that we want to put ourselves in, then I think we really have to reassess where we have come in the last several hundred years.

In addition, as far as the moral question, I want to get off it but I just want to mention it briefly, it seems to me that by institutionalizing the killing of other human beings in various ways, that seems to me unnecessarily brutalize our own value system putting ourselves in a position that we don't have to put them in. We have no number two does we really no good and I think it raises some questions about what we are really all about. I really more concerned with practicality and I think the question of whether this really does provide a deterrent. Because if it were true, that a few executions here and there would, in fact, save lives than I think I might have to reassess where we are in our particular state.

I would like to call your attention to a couple of graphs that I had made up and look through the uniform crime reports, and try to get a picture of just what has been going on and you at, if you would, one at which at the top is labeled murder and non-negligent manslaughter and this graph shows how many people got murdered basically, in this country for the last 15 years. You will see the U.S. National average seems no question about it, it is on the way up. It has been on the way up since 1983 and it has been pretty steady in that direction. When we make a comparison between the states, which have recently inflicted capital punishment, the ones that have done it the most per capita of their own population is Georgia, Mississippi and Florida. Now, that is much higher and is increasing higher. That capital punishment didn’t seem to make any difference. If we look at the nine states referred to in this decision as states which have historically not had the death penalty, we find that on the average and I think only one state, Alaska, was really above the national norm in this. On the average of one death among the ten, it is a much lower figure. If murder as murder rate is concerned and the State of Maine is even below that. The State of Maine and the State of Iowa, both of which do not have a murder rate. I think is the lowest in the nation as far as murders are concerned.

If you look at the other chart, which has three graphs on it, if you find that interest to do that. comparing Georgia, Mississippi and Florida, this littlelike B indicates the number of executions and their decline over the last 15 years or so. Now, this is where one looks at the question of the death penalty. In each of those states which has had the highest number of executions per capita but, basically, departed from the guidelines set out by the Supreme Court, in each of those cases, the murder rate has not changed substantially, there hasn’t been any difference. There is something called Starrett’s law. It seems to me, that on the basis of the evidence, we can’t say that the death penalty, in fact, reduces murders.

On some other points of practicality, one of the questions was raised protecting our police. I think I could argue that the requirement for the death penalty in this range of cases actually increases the risk to police. You have this person, that the gentleman referred to earlier, that is hauled somewhere, say he has murdered somebody, that changes the scenario a little bit and has some hostages, in that case, the only incentive he has is to get out of there with a lot of money, and if he gets caught he is going to be killed. The only incentive he has is to kill everybody in his way to get out. If he is not going to kill him, he is probably with some kind of life imprisonment, so this is a stretch, it is going to be easier to capture that guy. If he is going to be killed, he is going to fight like mad and run away. Now, if there is the police officer in that, he is going to be put in more danger. In addition, if police are not put in there waiting execution they have one only alternative but to try to get out and they are going to have life much more an incentive of an incentive to try to kill prison guards in order to escape than with the person who is doing life, so called, which means a long number of years, but the other way. It is, basically irrational and there are people who are that and this death penalty, therefore, wouldn’t deter them because they would be put in a position that they would make sense for them to kill to get out because it would only compound the sentence that they have going to be done to me. In contrast, this thing number one does not deter murder, number two, it increases the risk to the police department.

One final comment that is on an editorial that I distributed the other day, something that when brought to its logical conclusion is not something we like to think about. Deputy Baker in his commentary said if we take the concept of capital punishment to its conclusion as a deterrent that it ought to be put in public where everybody can see it, like in the good old days of hangings out west. That, I think, for one thing violates our sensibility right away. In addition if we talk about some strange things or other kinds of maiming of a person instead of their total death for some other kinds of crimes. If you injure somebody severely, maybe you ought to have your hand cut off or eye be put out, but that is not going to be that kind of thing. It only deals as this is, with prison guards, sheriffs, deputy sheriffs, constables, city marshals and deputy marshals. Now, if this is going to take place, it doesn’t deal with who is going to hold or pull the switch unless it is going to be the gentleman from Westport, Mr. Laffin. I don’t know whether the Governor has the power to commute a man’s death sentence to a life sentence. I don’t know that. I don’t know if the Governor does that. We are here. We are all kinds of things that are wrong with this particular bill. It comes up almost as many times as the gun bill does.

I think Mr. Laffin pointed to the fact of all these violent crimes taking place in other states. I think we can thank our lucky stars that that doesn’t take place in the state of Maine. When one policeman killed here in the last 15 years and I don’t think we are going to have. I would hope not. If the Supreme Court does, in its ruling that capital punishment should be continued, there could be within the sight of a year or two years, 50 to 100 executions in this country. I ask you just give a little bit of thought to how should look for this country to execute inside of one or two years, 50 or 60 young people.

I checked the graph that the gentleman from Bangor, Mr. Henderson passed out. It didn’t include the state of North Carolina and the state of North Carolina is the place where Jesse Fowler is housed in Cell Block F. That is one case that regarded by the Supreme Court. That opinion should be coming down sometime the first part of June. North Carolina had, for years, one of the harshest capital punishment laws in the nation. They sewed somebody by putting somebody in a building or the executioner. They have something like 67 people on death row now. It is not a deterrent and it is not a rehabilitation because those, as you can see, are people who are dead. They die. I wonder how many of you know how that works. Let me give you an example. Somebody is led from their cell block by a small bell, that the electric chair is at, they are led there sat and strapped into an electric chair, and then the sheriff or somebody who has that authority cuts the power to the switch and pulls that switch but the person who is
sitting in that electric chair does not die immediately. They first have convulsions, then they lose all control of their bladder, then they lose all control of their senses, and then they die. It's not a pleasant thing and it's not just like that, and I don't know how many of you have ever been before a jury, but if you have, this bill, when you actually say it, is that the verdict coming down is that jury is absolute, beyond the shadow of a doubt. I don't know how many of you have ever been in front of a jury. I have, and there is always a question of a doubt.

I can remember going in front of a jury probably several years ago, who again, I don't think anyone is going to see that this crime, now I don't get wrong and the people who were on the stand, who were testifying against me in a housing matter were lying through their teeth and I went to the lawyer who was representing me, who, at that time, was representing the state. I said, they are lying through their teeth. Now, this is the first jury trial that I had ever been in front of. I said they are lying through their teeth and they have taken the oath to tell the truth and that lawyer was the state attorney and he said to me at that time, said "I know that" "the thing is, you've got to prove they are lying." So what we are saying is if we pass this bill like that, that we are saying that that jury is absolutely beyond a doubt, that man or that woman is guilty and I don't think we can do that. I don't think we can afford to do that. There is approximately, give or take, one or two people, 207 people on death row in this country and there are only two women on death row in the country at the present time and one is black and one is Indian. I don't think we have the right to take anybody's life. I have made my views plain on this floor insofar as abortion is concerned, that same thing holds true on the other end of the spectrum when it comes to taking somebody's life. I don't think we can afford to do it and I don't think I haven't gone over this in my mind. I have. I have read some of the very, very shocking stories that have sometimes been speculated about by the gentleman from Westbrook, Mr. Laffin.

I read a couple of days ago, where a young man raped two women and burned them alive. They went for sale, and the thing that is so bad about it, is the gentleman from Sabattus, Mr. Cooney.

I read a couple of days ago, where a young man raped two women and burned them alive. Now, in the couple that I read to tell you about it. They amputated both legs, they amputated both arms, they amputated both ears and one eye. Now to me that is a horrible, horrible crime and I've said to myself, and I've gone over it in my mind, what if that happened to one of my kids, how would I feel about the death penalty.”

And I've come to the realization that you, me, with my faculties cannot, cannot at any point like somebody's life, but under that kind of a condition, happening to one of my children or one of your children. I don't know what I would do. I don't know how I would feel, I would go right out of my skull, but my faculties, my ability, my right to say how we have the right to take somebody's life. That is, as the gentleman from Bangor. Mr. Henderson says, is pure vengeance and it's wrong and I'm not even speaking of our society today, there is no place for vengeance.

Two weeks ago, we dealt with a bill concerning the death penalty. Now, I think that you might think that the execution of stray dogs and cats and the Committee on Agriculture reduced that from 10 days to five days and don't think I wrote that wrong. It actually was upset by a bill that the Committee amended that to seven days and then the chairman of the committee with all due respect to him, got up and said he would kill that bill and then leave it at ten days. We're doing that for animals, you know, cats and dogs, what about the human being? What is the difference about that? We don't need this law here, it will be back next session, it will be held at the last session, it will be back next session again, it should be very, very carefully looked over. We are talking about life and we're talking about death once we put somebody in that chair, we can't say to ourselves, well, we'll give them time to make up, or we'll give them time to go over it again or to correct their mistakes. I would sincerely hope that we spend no more time on this particular piece of legislation and that you do support the indefinite postponement.

The SPEAKER: The Chair recognizes the gentleman from Skowhegan, Mr. Dam.

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: I have a few short points that I'd like to make. I believe that this is a citizen of a capital case because they are opposed to the death penalty. The simple fact that results is that a person is guilty, instead of the death penalty being convicted, is going to be set free. I think that one person does not believe in capital punishment and the law is so broad, that the death penalty or to impose the death penalty or to impose the death penalty.

Then we have the problem, and I can assure you it is well supported, that many of the worst and most dangerous criminals are rarely the ones that are executed. The death penalty is applied randomly at best and discriminatorily at worst. It violates the constitutional guarantee of the Equal Protection Laws because it is imposed almost exclusively against racial minorities, against the poor, against the uneducated. Persons who are victims of discrimination at the time of arrest to the entire prosecuting process. It is an arbitrary process and there is no way to get around human element in that process. Mr. Speaker, and I applaud the gentleman from Sabattus, Mr. Cooney, I also strongly believe that if the people of the State of Maine had their way and had any chance to vote on a referendum on this in the past, that they would say no to the death penalty and that you would receive one of the greatest votes in the favor of any government bill that has ever gone to the people.

Now, as far as not having the right to put someone to death as the good Representative from Portland says, he quoted the right bill and think that in the good book if I remember back to my old Sunday school days, it says "an eye for an eye," quote, and so I strongly believe that in that, and I strongly believe that when a person goes out and kills a person or a cop or anybody for that matter, and I use my last name to start off with, you, you should be shot." That was the whole text of the letter, that's the only letter I got against the whole bill. Personally I think this is a good bill. If I had not thought so, I would not have co-sponsored the bill. I think that if we did reinstate the death penalty in Maine, we also strongly believe that if the people of the State of Maine had their way and had any chance to vote on a referendum on this, they would say no to the death penalty and that you would receive one of the greatest votes in the favor of any government bill that has ever gone to the people.

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the gentleman from Kittery, Mr. Kaufman.

Mr. KAUFFMAN: Mr. Speaker, Ladies and Gentlemen of the House: I am co-sponsor of this bill, one of the co-sponsors and I would like to give you a little side of this bill. It is not a new thing. It has been said that a policeman should marry a prostitute because they have practically the same temperaments and they keep the same hours.

The SPEAKER: The Chair recognizes the gentleman from Winthrop, Mr. Bagley.

Mr. BAGLEY: Mr. Speaker, Gentlemen of the House: But I do not go to it's too gory for this buckgynghouse escapee from Jersey prisons, but I think anyone who willfully, knowingly, when they go out to commit a crime, they have a weapon with them, a police officer, I'm very glad that it was not made until after this legislation was introduced. I cannot see this state and particularly the State of Maine reducing itself to the level of a murderer.

Mr. HUGHES: Mr. Speaker and Members of the House: I would just add one thing. It just seems to me wondering what the alternative is to capital punishment, and not due to severity of punishment.

The SPEAKER: The Chair recognizes the gentleman from Old Town, Mr. Gould.

Mr. GOULD: Mr. Speaker, Ladies and Gentlemen of the House: I am co-sponsor of this bill, one of the co-sponsors, and I would like to give you a little side of this bill. It is not a new thing. It has been said that a policeman should marry a prostitute because they have practically the same temperaments and they keep the same hours. Of course, in this day and age, there are no longer in law enforcement and there is one who is active but he is here and he will tell you, if you have ever gone to answer a complaint, when a man in a home has a wife and live kids huddled in a corner and him with a double barrel shotgun fully loaded, you wish you had been at the Senior Prom with your best girl friend. It isn't any fun to answer all those complaints and you say duty 24 hours a day and you have to go. You don't have a Committee of Conference to ask what you should do, you have to make split decisions right at that moment and when you do, if you're wrong, you're hung. There is no question about that and I want to say that the only thing wrong about this bill, is that I don't think it's going to pass in this House, and I will say another thing in a closing, sometime and once in a while, won't you give a little thought to a policeman?

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Call.

Mr. CALL: Mr. Speaker and Members of the House: There is no question whatsoever that there has been an attempt to discourage the taking of human lives. Other states have faced the same problem and they have been creating capital punishment legislation.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Call.

Mr. CALL: Mr. Speaker and Members of the House: I am co-sponsor of this bill, one of the co-sponsors, and I would like to give you a little side of this bill. It is not a new thing. It has been said that a policeman should marry a prostitute because they have practically the same temperaments and they keep the same hours. Of course, in this day and age, there are no longer in law enforcement and there is one who is active but he is here and he will tell you, if you have ever gone to answer a complaint, when a man in a home has a wife and live kids huddled in a corner and him with a double barrel shotgun fully loaded, you wish you had been at the Senior Prom with your best girl friend. It isn't any fun to answer all those complaints and you say duty 24 hours a day and you have to go. You don't have a Committee of Conference to ask what you should do, you have to make split decisions right at that moment and when you do, if you're wrong, you're hung. There is no question about that and I want to say that the only thing wrong about this bill, is that I don't think it's going to pass in this House, and I will say another thing in a closing, sometime and once in a while, won't you give a little thought to a policeman?