

Death Penalty, House Tactics Split Reps, 5-3

An Observer Roundup - Reinstatement of capital punishment wasn't the only issue at stake when the State House rejected an attempt to bring the issue to the floor for a vote last week, according to one local legislator.

State Rep. Joseph Forbes (D-Oak Park) said it also was a question of setting a precedent which "could have stymied forever the legislative process."

The question arose last week when state representatives voted against forcing the capital punishment measure out of the Constitution Revision and Women's Rights committee.

Five local representatives voted against the discharge move, including Forbes, John Markes (D-Westland), William Keith (D-Garden City), Raymond Baker (R-Farmington) and Raymond Smit (R-Ann Arbor).

Voting to discharge the measure were Reps. Robert Geake (R-Northville), John Bennett (D-Redford Township) and Thomas Brown (D-Westland).

Rep. Joyce Symons (D-Allegheny Park) is the chief sponsor of the death penalty proposal, which would amend the state constitution after a two-thirds approval by the Legislature and a vote by the public.

The measure calls for imposition of the death penalty for murder of an on-duty policeman or fireman, killing of an elected public official as well as killings resulting from sniper's gunfire, kidnapping or criminal use of explosives.

Although Forbes said he opposes reinstating the death penalty, he said that the vote last week was an attempt to override the committee which had previously voted against releasing the measure of House debate.



JOHN A. MILLER, 15423 Susanna Circle, Livonia, has been promoted to assistant manager of Northwestern Mutual Life Insurance Co.'s Detroit regional office. Miller had been loan supervisor at the office, located at 26400 Lahser, Southfield. Miller, 38, received a bachelor's degree in economics from Michigan State University. He is on MAI (Member of the Appraisal Institute), the professional designation of a real estate appraiser.

The committee held several hearings on the measure including one which Forbes attended.

"Joyce Symons argued the fact that she wasn't given a fair hearing. This couldn't be further from the truth."

"Normally when you discharge a bill from committee, it's because of inactivity by the committee on it. Then it deserves the discharge. But there were four or five hearings on this, and the committee voted against putting it on the floor."

"If we discharged it from a committee that was doing its job, we would have set a precedent that could have stymied forever the legislative process. If it was discharged we would be forever hearing these things and never get our work done."

"It's not the system that wasn't satisfied, it was Joyce Symons that wasn't satisfied," he said.

Aside from the legislative problems, Forbes said he doesn't think capital punishment is the answer to weaknesses in the judicial system.

"I don't believe in capital punishment," he said. "I know it doesn't deter crime. In the major states that have capital punishment, the crime rate is up the same percentage as in Michigan or even higher."

"Murder is a psychopathic crime. The murderer doesn't think what state he's in before he commits it."

The fear of executing an innocent person is another factor, he said.

"Just one or two of those cases is a greater crime, I think," he said. "The answer is in strengthening our judicial system."

Dr. Geake, formerly a psychologist at Plymouth State Home and Training School, voted for the discharge.

"As a psychologist, I know the two factors which have the greatest effect on the success of punishment as a deterrent to anti-social behavior are, first, the certainty of punishment and, second, the proximity in time of the punishment."

"In other words, if justice is swift and certain, it need not be severe in order to deter future criminal behavior."

"Thus, plans which would move cases through the courts more quickly and secure a greater number of convictions when the defendant appears to be guilty, would have a greater chance to reducing crime than extreme measures such as the death penalty, which would only be applied in a few cases."

Dr. Geake, a co-sponsor of the bill, said he voted for discharge "because I felt the full House should debate it."

"I believe it desirable to have a look on the books because of the possible deterrent factor, especially to persons being arrested for lesser offenses who might be deterred from rising the death penalty for slaying a police officer."

"Research has shown no fewer murders in states with the death penalty on books. However, the point almost always overlooked is that the death penalty hasn't been enforced in any states in recent years, so statistics are meaningless."

"Even if having it on the books saved the life of one policeman or fireman, it's worth having."

Bennett said he voted for the discharge to "let the House vote and let the people vote on it."

"I'm really concerned about our judicial system," he said. "I don't think they are doing a good job."

"I'm not sure capital punishment is the answer, but I don't have anything else. I think something has to be done."



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