

Daily Pilot

Newport Beach and Costa Mesa, California

Print Page

Published Wednesday, June 25, 2008 8:42 PM PDT

Politics

THE POLITICAL LANDSCAPE:

Death penalty bill is executed

Senator's bill that would have sped up appeals process for death row inmates fails in a 2-5 vote.

By Brianna Bailey

State Sen. Tom Harman's bill to reform the appeals process in death penalty cases found no reprieve from the Assembly Public Safety Committee. The bill was executed this week by a 2-5 vote.

Senate Bill 315 would have sped up the appeals process for death row inmates in California by appointing an attorney to each defendant within a year.

"In its current form, California's death penalty appeals process is more of a moratorium on execution than a system of judicial review," Harman said. "When you're a heartless killer, 25 years on death row isn't punishment — it's retirement. If it had taken five years before bringing Scott Peterson to trial, there would have been public outrage, but that is exactly what is happening at the appellate court."

The bill gained the support of the California District Attorneys Assn. and Crime Victims United, an advocacy group for victims' rights, but failed to gain enough support from lawmakers. Critics of the bill said it would force attorneys to take on cases involuntarily and clog up the legal system with poorly crafted appeals.

Harman claims it takes more than five years for most inmates to have a defense attorney appointed for their appeal after they are sentenced to death, causing inmates to sit on death row for years.

ROHRBACHER GIVES BANKRUPT VETS A BREAK

The U.S. House of Representatives passed a bill this week co-authored by Rep. Dana Rohrabacher that gives National Guard members and Reservists a break from stricter bankruptcy laws.

The Bankruptcy Abuse Prevention and Consumer Protection Act, which went into effect in 2005, makes it harder for individuals or married couples to file for bankruptcy protection. The federal overhaul was intended to prevent abuse of bankruptcy law.

Rep. Jan Schakowsky (D-III) and Rohrabacher teamed up on House Resolution 4044 to exempt National Guard members and Reservists who have served at least 90 days in Iraq or Afghanistan from the stricter bankruptcy standards. The bill was passed with bipartisan support via voice vote Monday.