

Why New Mexico Repealed the Death Penalty

New Mexico rarely used this expensive and unfair system:

NM executed one person since 1960, and that occurred because the defendant dropped his right to appeal and asked to be executed. No death sentence in NM since 1979 has withstood appeals.

The death penalty is too costly:

New Mexico's revenues have declined since shortly before the death penalty was abolished. Attempting to reinstate the death penalty would waste resources that would be better spent helping all New Mexicans instead of adding back unnecessary expenses to the state budget. According to the NM Public Defender Department, ending the death penalty saved **New Mexico several million dollars each year**. The costs of the death penalty are borne systemically, impacting the Public Defender Department, the Attorney General's office, every District Attorney office that seeks a death sentence, and the trial and the appellate courts. In December, 2004, Supreme Court Chief Justice Bosson estimated that the cost of a death penalty case was six times higher than other murder cases in New Mexico.

Society is safe:

We repealed the death penalty in New Mexico in 2009, replacing it with a sentence of life without possibility of parole. That made us the last state **to implement true life without parole**. Our society is safe from murderers who will spend the rest of their lives in prison.

Reinstating the death penalty means risking a wrongful execution:

At least **140 men and women who were convicted and sentenced to death have been released from death row nationwide since 1973**. In 1974, **New Mexico sentenced four innocent men to death** based on false witness testimony and police misconduct. Since NM repealed the death penalty, there have been several cases in which it appears that innocent people were executed. The most recent of these is Carlos de Luna, executed in Texas in 1989, whose story is told in the Columbia Human Rights Law review. DeLuna went to his execution insisting that the real killer was a man who looked much like him. That man continues to brag about having killed the victim.

The use of the death penalty is declining in the United States:

The number of **executions** has dropped every year since NM repealed the death penalty. In 2012, there were only 21 executions in the United States, a reduction of almost **80% since 1999**. In 2011, there were only 78 **new death sentences imposed**, down from a high of 312 in 1995, **a reduction of 75%**.

Other states have also repealed the death penalty:

The tide is turning on the death penalty in the United States. In the last 5 years 5 states have repealed the death penalty – New York, New Jersey, New Mexico, Illinois, and Connecticut. Additionally, **several legislatures have passed or come close to passing repeal bills in recent years**, including Montana, Colorado, Kansas, Maryland and New Hampshire. California voters will decide whether to repeal the death penalty in the fall of 2012.

Public opinion supported the 2009 legislation:

A statewide December 2008 poll of likely **New Mexican voters showed that nearly two thirds supported** replacing the death penalty with life without parole plus restitution to victims' families.

National scientific polls conducted in 2010 show a preference for alternative sentences:

In a 2010 national poll of **500 police chiefs only 1%** considered greater use of the death penalty the best way to reduce violence. Voters agreed – 61% of U.S. voters chose various alternative sentences over the death penalty as the proper punishment for murder. Only 33% chose the death penalty. The economy clearly was on the public's mind, as fully **65% in the same poll supported replacing the death penalty and using the money saved for crime prevention**.