

## TRIBUTE TO EVA DEAN

**HON. MARION BERRY**

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 10, 1997*

Mr. BERRY. Mr. Speaker, I rise today to pay tribute to an exceptional woman, Ms. Eva Dean, who will be honored for her outstanding community service on Friday, September 12, 1997, in Helena, AR. Ms. Dean is being recognized for her many years as an advocate for the poor and needy of her community. At 76 years old, Ms. Dean continues to be active in political and social endeavors. She has exemplified the spirit of community that is so vital to the future of our country. I commend Ms. Eva Dean for her selfless dedication and service to the citizens of Helena and on behalf of her friends and family, I stand here today to say a heartfelt thank you.

## TERRORISM IN ISRAEL MUST BE STOPPED

**HON. PETER J. VISCLOSKY**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 10, 1997*

Mr. VISCLOSKY. Mr. Speaker, I rise today to call for an end to the terror in Israel and to condemn those who seek to end the peace process by striking at innocent civilians.

Over the past month and half, the citizens of Israel have been the victims of several ruthless and cowardly acts of terrorism. On July 30, two suicide bombers killed 15 Israelis and wounded over 170 others in a popular marketplace. On September 4, bombers struck again at a busy pedestrian shopping mall, killing 5 people and wounding more than 150. The extremist Muslim group, Hamas, has claimed responsibility for both attacks, with the goal of derailing the Middle East peace process and destroying Israel.

While I believe that the peace process should continue to move forward, it cannot do so unless Chairman of the Palestinian Authority, Yasir Arafat, and other Arab leaders, begin to take seriously their role in stamping out acts of terror throughout the region.

A main tenet of the Oslo Accords is that Israel will give land to the Palestinian people only if they can demonstrate their commitment to peace by taking an active role in putting an end to violence and terrorism. It is clear from recent events that Chairman Arafat and the Palestinian Authority are not living up to this commitment.

While the Israeli government has taken active steps to adhere to the Oslo Accords, the Palestinian Authority has cut off negotiations with Israel and violated the Oslo agreement by terminating security cooperation with Israel that was intended to crack down on terrorism. And in an act that says a great deal about Palestinian leaders' attitude about terrorism, within days of the July bombing that killed 15 Israelis, Arafat publicly embraced an extremist Hamas leader. These are hardly the actions of a man who is committed to ending terrorism and forging a lasting partnership with Israel.

I am encouraged by the fact that Madeleine Albright has undertaken her first visit to the Middle East since becoming U.S. Secretary of

State. I call on Secretary Albright to tell Chairman Arafat and other Arab leaders that the United States is fully committed to pursuing a lasting peace in the Middle East, but will not back down in the face of those who would use terrorism as a weapon against peace.

Secretary Albright should also make it clear to Arafat that he cannot continue to inflame passions in this situation by blaming the Israelis themselves for these acts of terror. Following the bombing in July, and again this month, Arafat claimed that the Israeli government should be held partially responsible for these atrocities because it has created a hostile environment for Arabs living in the region. This type of irresponsible scapegoating only encourages further acts of terrorism and undermines the entire peace process.

Mr. Speaker, the Middle East peace process is at a genuine crossroads. At this tenuous time, the United States must recommit itself to moving the process forward while helping to protect Israel against those who are waging a war of terror against the Israeli people. I call on all of my colleagues to assist in this effort, and I offer whatever encouragement I can to the Israeli people at this difficult time.

## THE DEATH PENALTY

**HON. LEE H. HAMILTON**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 10, 1997*

Mr. HAMILTON. Mr. Speaker, I am inserting my Washington Report for Wednesday, September 3, 1997, into the CONGRESSIONAL RECORD:

## THE DEATH PENALTY

Several recent criminal trials have raised the profile of the death penalty in the United States. Use of the death penalty is accelerating, aided by changes in court procedures and in state and federal laws. Since a 1976 Supreme Court decision that revived the use of capital punishment, 398 persons have been executed in the United States. About 3,000 persons are currently on "death row": sentenced to death but awaiting court appeals. Roughly 40 are women. Because of the seriousness and irreversibility of the punishment, most states require immediate review of all death sentences. In 1996, 45 persons were executed. Forty persons were executed in the first half of 1997, the fastest rate since the 1950s.

The death penalty is quite popular in public opinion polls. Politicians often point to their support of the death penalty as evidence they are "tough on crime". By supporting the death penalty they believe (and I think quite sincerely) that they are doing something about crime. Yet I have serious doubts that executions are either an effective or appropriate response to the worst crimes.

First, I am concerned with the irreversibility of the execution and the possibility of error that exists in the use of the death penalty. Since 1973, 69 persons have been released from death row with evidence of their innocence. With new rules limiting appeals, however, even persons who can reasonably demonstrate their innocence with new evidence could conceivably be executed. Most Americans have reasonable confidence in our judicial system, but mistakes are made. If we have the death penalty, we will execute innocent people. For the innocent victim of an error in a capital case, there is

no remedial action. Also, execution of an innocent person lets the real murderer off the hook. If the government never made a mistake, I would be much more inclined to support the death penalty.

Second, the administration of the death penalty is seriously flawed. It is both expensive and unfair. Nationally, we spend about \$10 billion per year to implement the death penalty. The cost of the death penalty per executed prisoner in Texas is \$2.3 million—three times the cost to put someone in maximum security for 40 years. Even if the death penalty could be proven to deter crime, there are more prudent ways to allocate our judicial resources. For example, the funds spent on death penalty cases could be used to deploy more police officers, to hire more prosecutors, and to keep other criminals in prison longer. These steps are more likely to reduce the overall crime rate.

The use of the death penalty often results in a distortion of our justice system. Each death penalty case is so widely publicized and magnified that it becomes extremely difficult for the evidence to be considered carefully and dispassionately. The purpose of a trial is to seek truth; that purpose is thwarted by the sensationalism of a capital case. Because it is very hard to convict a person of a capital crime, the entire criminal process becomes so lengthy and complex that it is often not possible to achieve a fair and effective administration of justice. Too many persons sentenced to die have ineffective legal representation. The poor, uneducated, mentally handicapped, and eccentric are executed disproportionately more than middle class whites—even comparing similarly heinous murder cases. The race of the victim is often an important factor. In all of the executions since 1976, almost 90% of the murder victims were white, although half of all victims in the United States are black. No matter what you think of capital punishment, a legal system that will end a life must first provide justice. I have come to the view that the death sentence cannot be fairly and decently administered.

Third, for all its expense, the death penalty has not been proven to deter crime. Murder rates in states with the death penalty are just as high as in neighboring states without it. No connection has ever been shown between murder rates and capital punishment. At the very least, the burden ought to be on death penalty supporters to prove that it does, in fact, deter crimes. I do not think such credible evidence exists today. There may be cases in which a criminal would not kill because he does not want to risk the death penalty, but there may also be situations where the death penalty could encourage a criminal to kill, such as when a criminal thinks he is going to be executed anyway, so it might be safer for him to kill a witness or an informer.

Fourth, the interests of society can be fully protected with life in prison without parole. A guaranteed life sentence, with no hope for parole, will be just as effective at preventing that person from committing future crimes. When government makes a mistake and convicts an innocent person, we would still have the opportunity to correct the mistake. Public opinion polls show that support for the death penalty drops sharply when people are given the alternative of life sentences without parole.

Fifth, my basic view is that the taking of life, even by the state, is simply wrong—even when the person executed is morally reprehensible. The state has the right and the obligation to punish a murderer severely, but it should not endorse more killing. The death penalty demeans our society and violates a basic tenet of most Americans' religious heritage: Thou shalt not kill. Religious