

The high price of killing killers

Death penalty prosecutions cost taxpayers millions annually

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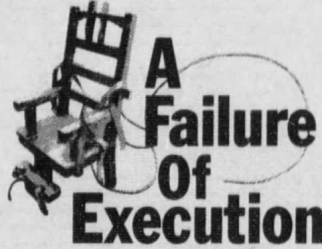
TALLAHASSEE — What price for vengeance on society's worst killers?

In Florida, try \$51 million a year.

That, according to a *Palm Beach Post* estimate, is how much Florida spends each year to enforce the death penalty — above and beyond what it would cost to punish all first-degree murderers with life in prison without parole.

And at the rate at which Florida is executing its killers (there have been only 44 since executions resumed in 1979), it's costing about \$24 million per electrocuted murderer. "That is an astounding figure," said Mike McCarron, executive director of the Florida Catholic Conference and, on behalf of the church, a perennial death penalty opponent.

"It's costing the state of Florida a small fortune," said Elliott Metcalfe, president of the Florida Public Defenders Association



✓ Future of many state legislators may be tied to special session on death penalty. 10A

and the public defender in Sarasota and Manatee counties.

"It is much cheaper to put these people in prison and leave them there until they die. Simple as that."

According to the *Post's* estimate, it is about \$23 million cheaper, even for an inmate who is imprisoned in his 20s and dies in his 70s.

The *Post's* figure was derived using estimates of how much time prosecutors and public de-

fenders at the trial courts and the Florida Supreme Court, which devotes approximately half its time to death penalty cases, spend on the extra work needed in capital cases. It accounts also for the time and effort expended on defendants who are tried but convicted of a lesser murder charge and whose death sentences are overturned on appeal as well as those handful of condemned inmates who are actually executed.

And while the actual cost of prosecuting, convicting and executing an individual killer in Florida has been estimated at about \$3.2 million, some lawmakers contend the death penalty is worth whatever it takes.

"Can you put a price on justice?" asked Katie Baur, spokeswoman for House Speaker John Thrasher. "We have no qualms about that whatsoever."

Sen. Locke Burt, R-Ormond

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State senator says cost overestimated

EXECUTION

From 1A

Beach and a consistent supporter of the death penalty, questioned the *Post's* analysis, saying he thought it overestimated the amount of time and effort that prosecutors and public defenders spent on the "death" portion of death penalty cases at the trial level.

He also pointed out that if the death penalty were eliminated tomorrow, Florida would save only about \$11 million a year — the cost of specialized lawyers hired exclusively to work on death penalty appeals. Prosecutors, public defenders and the courts would continue to cost just as much as before, although their workload would shift to other cases that currently get lower priority.

"If you didn't have the death penalty, how much money would you save? The answer is not much," Burt said.

Rep. Victor Crist, R-Temple Terrace and the House's main death penalty aficionado in recent years, said he, too, doesn't care how much it costs to speed up the death penalty process in Florida.

"If Texas can execute 25 a year, why can't Florida?" he asked, adding that he believes the appeals changes the legislature will consider this week will, in coming years, make the process cheaper, particularly as the state clears its Death Row backlog.

"We should be executing more people a year than we send to Death Row, in order

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LARRY SPALDING

ACLU lobbyist

to catch up."

Senate staffers researching the issue came up with several reasons why Texas has been executing inmates 10, even 20 times as frequently:

■ Judges in Texas and those on the federal appeals court that covers Texas seem far more comfortable with the death penalty than judges handling Florida's death cases.

■ Texas spends a mere fraction per inmate that Florida does on representation for condemned killers.

■ Texas juries must agree by at least a 10-2 margin (Florida merely requires a simple majority) for the death penalty, which cuts down on appeals.

But it's that "let's-do-it-like-Texas" attitude, said ACLU lobbyist Larry Spalding, that illustrates why Florida will continue to spend many times the cost of imprisoning murderers for life by instead jumping through the expensive legal hoops to put them to death.

"It is fiscally irresponsible to have the death penalty. So what? People don't care," said Spalding, former chief of the state agency that represents condemned murderers in their appeals.

"This really is a revenge issue. It's a political issue."