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Only The Guilty Go Quietly To The Gallows.

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PAMPHLETS FOR A BETTER HUMANKIND Addressing The Micro- And Macro-Problems Facing Humankind, (world events, social issues, prison reform, et. al.) And Providing Achievable Solutions; Going Where The Politically Correct Dare Not. (While the SOLUTION offered herein may not be a panacea, and may be provocative, it is offered as a positive step to correct the problem presented.)

EXPANDING THE DEATH PENALTY TO REACH THOSE MOST DESERVING

David Scott Harrison, (c) 2009

Being convicted for a murder of which I am one-hundred percent factually and morally innocent of, I have long held a burning opposition to the death penalty. Indeed, I am living, feeling, thinking, flesh and blood proof -- not just that false convictions occur, but that prosecutors (namely, then-prosecutor, now-United States District Court Judge, Larry A. Burns) do knowingly, admittedly and zealously prosecute innocent persons, and that district attorneys (namely, San Diego District Attorney, Bonnie M. Dumanis) in possession of biological evidence, that with all probability would prove innocence, will squander hundreds-of-thousands of taxpayers' dollars to oppose deoxyribonucleic ("DNA") testing of that evidence. My position in opposition to the death penalty was arrived at via personal misfortune and experience. Besides, if society can justify executing someone, then anybody can rationalize, even justify, taking the life of another (two wrongs ...). Further, the death penalty does not deter crime, and costs ten-fold that of a Life-Without-Parole sentence.

Over the past twenty years (as I have struggled for vindication) I've lived amongst some of society's most inhumane, vile and savage psychopaths. Throughout those same years I have also immersed myself in an eclectic variety of newsprint media, magazines and books. From experiences and developing awareness I began to question my position against the death penalty, but still held it unacceptable on the belief that the execution of even one Innocent is too many (to date approximately 258 prisoners nationwide have been exonerated by DNA testing - including seventeen who spent time on death row). Nonetheless, alas, I may have now arrived at a place where I can stomach, if not embrace as the majority of Americans do, the death penalty, but only if it is expanded to reach those most deserving.

It seems to me that many of society's worst offenders do not risk the death penalty. Indeed, an array of despicable acts escape any kind of prosecution or criminal liability.

SOLUTION: If there is to be any justice to be found in the death penalty, it must reach out to ensnare the worst of the evildoers. Let's look at some egregious acts that, in my opinion, and upon first offense, deserve the death penalty:

1. The killing, great bodily injury, psychological harm, or sexual molestation of a child or elderly person;
2. Crimes against animals: (a) any torturing, including those people, such as Michael Vick, whose animals are fought for sport; (b) poachers, e.g., killing elephants or rhinoceroses for their ivory, shooting a deer out of season and/or without a permit, killing an animal simply for its fur, skin or other body part, or the killing or taking of any animal on the endangered list or otherwise protected;
3. Crimes against the environment, for example: (a) deforestation; (b) industrial emissions that violate state and/or federal pollution standards; (c) discharging industrial waste, such as, hazardous or toxic chemicals, into rivers, lakes, oceans, onto land or into the atmosphere. When life in a lake dies out, or when a match ignites a river, when ocean fish are unfit to eat, when birds cannot reproduce because of pollution, or the land, waters or atmosphere are left infertile, unsafe or poisoned, respectively, then some corporate executive deserves to be punished;
4. Any law enforcement personnel, prosecutor, officer, agent, cop, or other, that knowingly and deliberately brings about the conviction of an innocent person. Deserving acts would include, but not be limited to, the fabricating of evidence, suborning perjury, scripting testimony, beating a confession from a suspect (irrespective whether the confession is false or not), coercing witnesses to testify a certain way or threatening persons not to testify, where

evidence is deliberately misrepresented, or where law enforcement comes into possession of evidence that someone other than the accused is the real perpetrator, or any other exculpatory evidence, but conceals that evidence. This category would extend to prison guards who intentionally cause serious physical or psychological injury to a prisoner, e.g., placing violent rival gang members in a caged pen together, providing violent inmates access to an inmate who is subject to attack. Any guard who supplies weapons or drugs to inmates. Any guard that rapes, batters or uses excessive force against an inmate. Any guard that, for any reason, encourages an inmate to attack another inmate. Any law enforcement personnel or prison guard that frames any person or inmate for a crime. Withholding or interfering with medical treatment;

5. Corporate greed resulting in the destruction of the environment or death to animals or humans. During his tenure as Chief Executive of CSX railroads, specifically between 1981 and 1993, John W. Snow pressed an aggressive program of safety and maintenance cutbacks, which saved CSX \$2.4-billion. Those cutbacks directly resulted in the derailment of an Amtrak passenger train in July of 1991, at the cost of 77 injured and 8 dead. In or about 2001, a jury awarded \$50-million (which CSX handed off to the taxpayers) to the family of one of the dead. Snow's pay for the first two months of 2003 plus cash-out payments when he retired to become Treasury secretary in President Ford's administration totaled \$72-million. The gulf oil disaster of 2010 cost eleven human lives, ocean life which can never be counted, and environmental damage that will last generations. The reason; rushing to bring the well on-line and choices made to bypass crucial safety procedures deemed too time consuming and costly. Twenty-nine Virginia miners were buried alive under the rubble of the collapsed Massey mine, because safety equipment had been left inoperable or shut down to save costs and increase profits. Massey executives have a corrupt history of ignoring citations received for safety violations. The Cuyahoga River in Cleveland was so saturated with flammable chemicals that it regularly caught fire beginning in 1868 through, at least, 1969. Those executives, above, chose greed over the environment and lives of their workers;
6. War crimes. Any United States citizen, from the President to the foot soldier, that is found guilty of any war crime should face the most severe penalty. Soldiers are committing acts of torture, rape and murder of innocent civilians, keeping pictures and body parts as souvenirs and trophies. Presidents start wars under false pretense, for reasons of greed and power; murder for financial gain is already a death penalty crime against the average person. The United States has scores of less deserving individuals on death row. And, yes, it is all the worse when a law enforcement agent, cop, prison guard, soldier, or politician engages in such acts, because they are in the position of trust and power;
7. The decision-maker at any manufacturing plant that deliberately puts out a faulty product that results in death. The rear-end exploding Ford Pintos of the 1970s comes to mind. Where corporate executives calculate the costs of recall and repair against the potential wrongful death litigation, those executives should be held responsible;
8. Tainted food. This would apply only where the meat, eggs, dairy products, produce, and all other foods, causing permanent injury or death was shown to have been tainted as a result of deliberate acts, whether avoiding safety rules, substituting toxic ingredients, or failing to properly process, package and store the foods. The top executive in China's tainted baby milk scandal was executed for her crimes against the innocent. When the acts are deliberate, and the result is serious, then the responsible person should be punished by more than a measly fine against the corporation; and
9. Hate crimes. Any person convicted of a hate crime resulting in the serious injury or death of another person. For example, the two former high school football stars in Scranton, Pennsylvania, charged with the fatal beating of an illegal immigrant. If found guilty ... Fight gang members in New York, charged with, among other crimes, assault and sexual abuse of three gay males (two teenagers and a man). If found guilty ... Considering that the death penalty presently encompasses murders for lust and financial gain, it seems that crimes of hate should be included, if not top the ranking.

The world, the human race, all the flora and fauna and the environment as a whole, would be much better off without such people. Contrary to the present perception, it is not the gang member who shoots the trespasser into his neighborhood, or the drug deal gone bad, or the bank robbery the results in a deadly shoot-out, or any number of the current death penalty criteria, that alone deserve the death penalty. There are others who cause far greater death and destruction that are more deserving.

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