

Lawmakers will consider — again — whether to abolish the death penalty in Utah

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By Jessica Miller

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After a push to end Utah's death penalty system failed two years ago, lawmakers will again consider whether to abolish capital punishment.

HB379 would prohibit Utah prosecutors from seeking the death penalty after May 8. The bill, sponsored by Rep. Gage Froerer, R-Huntsville, still would allow for the nine men currently on death row to be executed. It also would allow prosecutors to continue to seek executions in current cases — so long as they file their intent to do so before the May deadline.

Utah legislators came close to abolishing the death penalty in 2016 — but the bill never reached the House floor before the midnight deadline on the last night of session. The issue was not considered during last year's session.

When asked for comment about the bill Tuesday, Froerer said he would hold a news conference about the legislation later this week.

Groups such as American Civil Liberties Union of Utah, Libertas Institute and Conservatives Concerned about the Death Penalty have voiced support for abolishing Utah's death penalty. If legislators pass the bill, Utah would join 19 other states and the District of Columbia in outlawing capital punishment.

Lawmakers also are considering another death penalty-related bill, HB70, which would request that legislative auditors study the costs of capital punishment versus a life-without-parole sentence.

Legislative fiscal analysts estimated in 2012 that over a 20-year period, it costs an additional \$1.6 million to handle appeals and costs of a death sentence.

But bill sponsor Rep. Stephen Handy, R-Layton, said that legislative study was "very brief" and did not include many of the costs incurred by state and county personnel.

Since 2010, Utah prosecutors have filed 119 aggravated murder cases, according to Utah court data. Such cases can result in punishments of 25 years to life, life in prison without the possibility of parole, or death.

Only one of those cases — a retrial of a 1993 case — resulted in a death sentence.

Of the nine currently on Utah's death row, two were originally convicted as long ago as 1985. All but one of the rest were convicted before 1999, although one case was retried in 2015 and resulted in a second death sentence. All nine have ongoing appeals in state or federal court. The last execution in Utah was carried out in 2010, when Ronnie Lee Gardner was killed by firing squad for the 1984 murder of attorney Michael Burdell during Gardner's failed escape attempt from Salt Lake City's 3rd District courthouse.