

Former police officer, prosecutor, speak on death penalty repeal efforts



“There aren’t many causes where the outcome is life or death, and this is literally what this cause is all about,” attorney L. Phillips Runyon said, welcoming a crowd to the Bass Hall for a discussion on repealing the death penalty in the state.

About 40 people attended the talk, which began with a screening of a documentary film, produced by the New Hampshire Coalition to Abolish the Death Penalty. The film features multiple individuals who are former members of law enforcement, prosecutors and attorney generals, speaking on the drawbacks of the state’s death penalty.

New Hampshire hasn't executed a prisoner since 1939, and the film brought into question the state's processes for determining a death-penalty crime, whether the death penalty is a deterrent in violent crimes, the fairness of the legal system and the jury selection, the financial cost of trying a death-penalty case and the impact the drawn-out process has on the loved ones of the victims.

Following the film, retired police chief Ray Dodge, and retired attorney Barbara Keshan, who are both featured speaking in the documentary, answered questions and spoke about their views.

In her career, Keshan said, she handled over 100 murder cases, about half as a prosecutor and half as a defense attorney. One case in particular, she said, has proved the court system is fallible – the rape and murder of 6-year-old Elizabeth Knapp. Originally, police arrested Richard Buchanan, Knapp's mother's boyfriend, for the crime. Buchanan was drunk the night of the assault, and claimed to have no memory of it, and Knapp's mother alleged she saw Buchanan commit the crime – likely, Keshan said, because she was afraid her other child would be taken away from her if she didn't tell police what she thought they wanted to hear.

Though she was his defense attorney, Keshan said, even she believed Buchanan had murdered Knapp. Until an independent DNA test cleared him.

“I'm not perfect. And that has always informed how I feel about the death penalty,” Keshan said.

And that has remained the driving force in how the Coalition to Abolish the Death Penalty has approached legislators on this issue, she said.

The Coalition has attempted to reach across the aisle to Republicans with a fiscal argument, she said. Because of the numerous appeals, getting an inmate to the point of lethal injection is many times more expensive than incarcerating them for life. New Hampshire doesn't have a death chamber,

and the cost for building one was estimated to be around \$1.8 million – and that estimate is more than a decade old. But the financials weren't what impacted them, Keshan said. Those that have been swayed on the argument were mainly because of the testimony of death row inmates who were exonerated years, sometimes even decades, after their convictions.

Last year, a bill to repeal the death penalty in the state was Republican led, which Keshan said is a turnaround. The bill passed both the House and the Senate, but was vetoed by Governor Chris Sununu, and did not have the 2/3 vote in the Senate needed to over-ride that veto.

This year, Keshan said, the Coalition believes the votes are there not only to pass another attempt at a repeal law, but to over-ride a veto.

“I've been a member of the Coalition for 10 years, and I've been through three cycles of bills,” Dodge said. “We've come very, very close.”

Dodge, who is a former police officer, said he hasn't always supported a death penalty repeal. In 1997, he said, he was furious when he found that Gordon Perry and Kevin Paul, who were involved in the shooting of Epsom police Officer Jeremy Charron, received a plea deal that took the death penalty off the table.

The support of law enforcement for the death penalty is one of the reasons it has remained in the state, Dodge said.

“The police lot is really hard to move. As someone who spent 25 years in that system. It's the idea of the 'blue brotherhood,' that we have to have each other's back,” Dodge said.

But Dodge said he has seen a shifting of attitudes, particularly among law enforcement personnel who have retired from the force. Ten years ago, he was the first former police officer to join the Coalition to Abolish the Death Penalty. Now, there are more than a dozen on the Coalition. One of them is

John Breckenridge, the partner of Michael Briggs, a Manchester police officer murdered in the line of duty in Oct. of 2006. Michael Addison, who has been convicted of Briggs' murder, is currently the only prisoner on death row in New Hampshire.

The Coalition will be lobbying for a repeal of the death penalty in the upcoming legislative session. For more information visit nodeathpenaltynh.org.