

Susan Smith too white to die

Imagine, if you will, that Susan Smith wasn't lying.

Suppose that a black man actually did abduct her children. Further, suppose that he was then convicted of the same crime that Smith was: two counts of first degree murder. Is there anybody reading this column that believes that he would have received anything other than the death penalty?

Long before the Smith trial had begun I predicted that Susan Smith, regardless of whatever crime she may be found guilty, was never going to be sentenced to die in South Carolina's electric chair.

Why? Because she was too pretty; she was too female; and dare I say, she was too white. And that, my friend, is the problem with capital punishment in America today.

Through the years I have been one of the biggest defenders of the death penalty. And while I acknowledged in the past there may have appeared to be a perceived imbalance in the way capital punishment was applied, I always argued that instead of scrapping the system entirely, we should explore more ways to ensure that everyone who deserves it gets it.

Now I have changed my mind.

If ever a person deserved to be strapped to a cold wooden chair and electrocuted until dead, that person is Susan Smith. That instead she only received fifteen years in jail per dead child indicates a serious, systemic problem with the manner in which capital punishment is distributed in this country.

And make no mistake, Smith will be paroled after serving only 30 years, lest you forget that in this modern day of revolving door justice you have to demonstrate that you DON'T deserve parole instead of proving that you DO. Just as sympathy caused jurors to have mercy on this poor, troubled soul by not giving her the deserved punishment, so too will sympathy sanction her release from incarceration at the earliest opportunity.

Remember folks, had this been an African-American man, little attention would have been afforded his troubled marriage or history of sexual abuse. He would have received what



Thomas Eads

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he rightly deserved according to the current law of the land.

So how do we solve this discrepancy?

A detailed design should be adopted for the handing-down of a death penalty sentence. During the sentencing phase of a trial, jurors should be presented with this guideline and instructed that any deviation should result only from severe, specific and proven mitigating circumstances. Alleged sexual abuse, for example, would not qualify as an excuse to kill your kids, nor would it act as a disqualification from receiving capital punishment.

Without incorporating this type of precept by which the death penalty is utilized in an impartial manner, I suggest that we abolish it altogether.

Currently, the only thing the death penalty seems to be successful at doing is costing great quantities of money; causing a severe backlog of cases at the appellate court level; creating even more disharmony than is already present among certain minority groups; and perhaps most nefariously, promoting abuse (through the seemingly infinite numbers of appeals)

by judges and others who disagree with the law personally.

Though I concede that capital punishment is very popular among the general populace (some 80-percent of Americans now favor the death penalty according to a recent CNN/Wall Street Journal poll), I'm beginning to wonder if the price for this kind of justice isn't too high.

It is evident that our criminal justice system is overburdened and in desperate need of a tune-up. But at a time when more and more cell space is needed to house increasingly violent offenders, sorely needed money is being depleted by costly, drawn-out appellate procedures for death penalty cases.

American society needs the death penalty if for no other reason than to demonstrate that certain crimes will absolutely, positively not be tolerated. However, in the absence of a capital punishment law that works, we at least owe it to the victims to see that a minimal amount of justice is done.

Justice was not done in the Susan Smith case; anyone who thinks it was is fooling themselves. Collectively we have disrespected our children once again (I'll spare you a reopening of the abortion debate) by saying that Michael and Alex's lives were only worth fifteen years of jail time each.

I do not buy the cockamamie notion that the worst punishment for Smith is having to live with her crime; though that would be just fine with me as long as she had to live with it (behind bars) for a time commensurate with the life expectancy of her kids. What she got, instead, was a comparative slap on the wrist.

The jurors who returned the 30-year sentence for the drowning deaths of Smith's two children should be ashamed of themselves. South Carolina legislators should be equally embarrassed that a life sentence without parole was not an option for the Smith jury. And the rest of us, as Americans, should hang our collective heads low because of our seemingly innate inability to apply capital punishment judiciously and without partiality.

Eads is a senior political science major and a Daily Nebraskan columnist.

Daily Nebraskan readers say:



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Need for diversity

Dear Governor Nelson, I am writing to you in regards to Patrick A. Campbell, one of the finalists for the position of County Judge. I am the Pastor of the All Nations Church of the Lord Jesus Christ and I am also a Public Service Officer with the Lincoln Police Department. As a Pastor and an activist in the Lincoln community, I see a great need for Lincoln and Lancaster County to elect and appoint officials of color.

As you well know, Lincoln is a city that is growing very quickly and becoming more diverse. I believe that it is important that Lincoln is inclusive in its hiring practices to include repre-

sentation from the rich diversity that exists in this community.

I believe that by appointing Patrick A. Campbell as a Lancaster County Judge, it will certainly show that you are aware of the needs of Lancaster County and are willing to effectively work on meeting the needs of our city and county.

Please be certain that I am not endorsing Mr. Campbell solely on the basis of him being a person of color, but equally important is the exemplary credentials that he possesses. He is well qualified for the position of County Judge.

As a Public Service Officer, one of my duties includes working as a court officer in the Lancaster County Courts.

I have worked in the courts for the past nine years, and I have personally observed the performance of many attorneys, prosecutors and judges in the courtrooms.

I must say that Mr. Campbell has proven to be among the top. He is knowledgeable of the law, confident and thorough in his handling of all legal matters he encounters in the courts.

Lincoln and Lancaster County would greatly benefit from the appointing of Patrick A. Campbell as a County Judge in this community. Thank you for your consideration in this matter.

Sincerely,
Edward C. Price, Pastor



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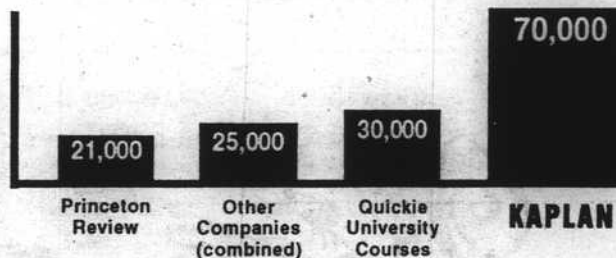
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