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Detroit Dem Proposes Death Penalty For Cop Killers

The only time in the last 15 years the Legislature voted on bringing back the death penalty was Mar. 18, 2004.

Sen. Virgil **SMITH**, Jr. (D-Detroit) was a first-term House member who spoke passionately against the measure. In the process, Smith admits he was "rude" to one of the big proponents of the measure, Jim **BOWENS**, whose son, Matthew **BOWENS**, and police partner, Jennifer **FETTIG**, were murdered in Detroit.

Last year, Smith was on the campaign trail, knocking doors in Lincoln Park, a new area in his 4th Senate District. Whom should he come face to face with? It was none other than Bowens himself, a resident of the new 4th District. The two had a long talk, after which Bowens volunteered to be a supporter of Smith's. Smith agreed to sponsor a resolution bringing the death penalty debate back to the Legislature.

Today, Smith lived up to his word. With the support of Senate Majority Leader Arlan **MEEKHOF** (R-West Olive) and House Majority Floor Leader Mike **KOWALL** (R-White Lake), Smith introduced a measure that would allow for the death penalty in first-degree murder cases against a police or corrections officer.

It's the first death penalty-related measure introduced in Michigan since 2007, when then-Rep. Dan **ACCIAVATTI** introduced a measure to bring it back for first-degree murder cases (See "[No Capital Punishment Bill In Last 6 Years](#)," 9/10/13).

The timing probably isn't the best, Smith acknowledged, particularly after police officers in Ferguson, Mo., and New York City escaped prosecution in the deaths of two separate individuals.

However, Smith said redistricting has stretched his Detroit-based district south into Allen Park, Southgate and Lincoln Park, where the views on such things as the death penalty aren't the same as those in his familiar Detroit stomping grounds.

"This will probably get me in trouble in Detroit, but it's the same old story in this business," Smith said. "You got one constituent who wants one thing. Another constituent wants something completely opposite. You still need to take care of them both."

If the Senate votes on the measure, Smith said he would be a "yes" vote.

Michigan became the first English-speaking territory in the world to abolish capital punishment in 1847, according to the Death Penalty Information Center. In 1962, a death penalty ban was voted overwhelming to be added to the new state Constitution, meaning any change would need to be approved by voters.

Back in 1999, four constitutional amendments regarding the re-introduction of the death penalty were introduced in the Senate, three of which were co-sponsored by then-Sen. and current Attorney General Bill **SCHUETTE**. However, the only vote the Legislature has seen in 15 years failed, 55-52 in the House, to meet the two-thirds threshold to put the measure in the Senate. Had it passed both chambers, it would have been put before the voters to decide.

Smith's measure was referred to the Senate Judiciary Committee, chaired by Sen. Rick **JONES** (R-Grand Ledge), who declined an invitation to co-sponsor the measure. The former county sheriff said he supports crooks doing "hard time" in the state's prison system.

However, Jones said he considers himself a "pro life" senator and cannot support capital punishment because "occasionally, the judicial system and the prosecutors make a mistake."

He pointed to a Lansing incident where Claude **McCOLLUM** was wrongly convicted in 2006 of killing a Lansing Community College professor.

"You can't dig someone out of the ground and say, 'We made a mistake,'" Jones said.

Jones said if members of his Senate Judiciary Committee want a hearing on the 🐾 **SJR G**, he'll give it to them, but he will not be voting in favor of it.

Likewise, David **MALUCHNIK** of the Michigan Catholic Conference said his organization doesn't believe "it's the state's decision on who should live and who should not live."

Life in prison without the possibility for parole is a severe penalty for those who commit heinous crimes and one that protects the public, he said. Maluchnik issued a statement later in the day vowing that the Catholic Conference will "devote the full weight of its organization to oppose and defeat any effort to allow for state-sanctioned murder."

However, Kowall said he's promoted bringing back the death penalty for "smoking gun, no-shadow-of-a-doubt" cop killers since he started in the House back in 1999. He acknowledged that it doesn't save the state money or add efficiencies, but it "sends a message that if you kill somebody, you're at jeopardy of being put to death yourself . . . If that's what it takes, that's what it's going to take."

Asked to handicap the measure's chance of moving, Kowall said that given Smith -- a Detroit Democrat -- introduced the measure and Meekhof was the first co-sponsor "This thing could get wings."