

---

Published: Tuesday, February 11, 2014, 5:21 p.m.

## Q&A: What Inslee's decision means for the death penalty

### Herald Staff

**Q: What was the Gov. Jay Inslee's rationale for suspending the death penalty during his time in office?**

**A:** Inslee said, after studying the issue for a year, he became convinced that the death penalty is inconsistently applied in Washington and heavily influenced by the ability of counties to shoulder the high cost of seeking somebody's execution. Inslee also said these factors weighed heavily:

- Those convicted of capital crimes are rarely executed.
- The costs of prosecuting the cases "far outweigh" the costs of locking the offender up for life.
- Death sentences "are neither swift nor certain," keeping victims' families in limbo.
- He sees no "credible evidence" that the death penalty is a deterrent.
- None of the nine men now on death row can expect Inslee to set them free. However, he vowed to grant a reprieve from execution if presented with any death warrants.

**Q: What does that mean for local cases?**

**A:** Just one person from Snohomish County currently is under a death sentence. Prosecutors believe Inslee will be long gone from office before Byron Scherf likely runs out of appeals. A repeat rapist, Scherf already was serving a life sentence at the Washington State Reformatory in Monroe when he strangled corrections officer Jayme Biendl in the prison chapel three years ago.

**Q: Will the decision change how prosecutors do their work?**

**A:** Maybe. Prosecutors say that they will continue to seek appropriate sanctions based on the evidence and the law. At the same time, they recognize that seeking a death sentence — already rare because of the difficulty — just got even more challenging.

**Q: How much does it cost to seek death?**

**A:** A lot, according to [a 2000 study](#) by the state Supreme Court, which tallied not only the dollars but also the years of court time spent on capital cases. The typical death penalty case at the time cost several hundred thousand dollars to bring to trial, typically produced more than 10,000 pages of case records and often required nearly a dozen years of appeals. The cost to bring Scherf to trial in 2013 was estimated at upwards of \$1.7 million, and his appeals have just begun.

**Q: How many states still have the death penalty? How many have moratoriums?**

**A:** The death penalty is still in force in 32 states, including Washington, as well as in the federal government and the U.S. military. There are 18 states, plus the District of Columbia, that do not have the death penalty.

**Q: How many people from Snohomish County have been executed?**

**A:** Six people have been [put to death](#) for crimes in Snohomish County, including two since the death penalty was reinstated in Washington in 1981. The first was Angus McPhail, who was hanged in 1905 for a shooting in a Darrington saloon. The most recent were Charles Rodman Campbell (hanging, 1994) and James Homer Elledge (lethal injection, 2001).

Q&A: What Inslee's decision means for the death penalty

© 2014 The Daily Herald Co., Everett, WA