

Capital Punishment

Solicitor General to demolish a major study of an economist well known in this country and in the United States, Isaac Ehrlich, in order to sustain the abolitionist claim that the death penalty is not a deterrent. Ehrlich examined documents covering some 36 years. On the basis of data pertaining to the period 1933 to 1969, he was able to claim that each execution prevented either seven or eight murders. Some say he has stated that some executions prevented as many as 17 murders. That is a pretty significant deterrent argument. But I gather it does not convince the abolitionists.

The Solicitor General hired one Robert G. Hann, a lecturer and principal of Decision Dynamics Corporation of Toronto, whatever that is. Who knows Hann, and what is Decision Dynamics? I never heard of Hann in the west; perhaps he is known in the east; I do not know. Why should anyone take seriously his report, an instant report assigned to contradict information compiled by Ehrlich in his study? Obviously, it was intended to demolish obstacles raised in this debate aimed at abolition. As retentionists, we are challenged to prove that capital punishment is a deterrent. I have already given proof through statements from the mouths of would-be killers. They admitted they were deterred from committing murder when the death penalty existed but would act quite differently now that there is abolition. No one took me very seriously because they are still mouthing their platitudes. With all the research facilities available to hon. members, this documentation can be found to prove that capital punishment is a deterrent. I also pointed out that where murder is deterred, there cannot be comprehensive statistics. Most members here must have, at least, elementary education; they learned that ten times zero is still zero. Therefore, if it is a zero, you will not have a valid statistic.

● (1140)

The Prime Minister (Mr. Trudeau), whom I consider to be the most brilliant member of this House, even though he is a refuge from academe, had a worldly experience to offset the cocoon intellect of many who hide in the cloistered halls. In his abolitionist speech of June 15, he said:

Strictly speaking, therefore, it is not up to me, as an abolitionist, to prove that the execution of murderers will not prevent other murders. It is up to the advocates of capital punishment to prove that it will. If they cannot, their case must fail.

Why is it up to us? We are not the ones who are changing the law, imposing a dangerous unproven experiment on the public. We are not the ones fighting for a weakening of the law, diminishing the protection of the public. We are not in the minority of this nation as are those who are fighting for abolition. We share with the majority, a majority which knows the society in which we live has become angry, the knowledge that death is occurring that would not occur if there were strength in the law. However, since the Prime Minister and others appear not to have noticed the examples given by many members of the deterrent effect of capital punishment, I will provide a few more, and if necessary reiterate some previously given.

First, there is the case of Charles David Garry. Head, age 30, who murdered the seven year old daughter of a British Columbia penitentiary guard, a constituent of mine. He raped the child, Tanya Bush, in every perverted way, assaulted her and then murdered her. His words—and if

this is not a message I do not know what is—were “If I kill the father I swing: if I kill his daughter I get nothing more than what I’m serving.” Therefore, a child who could not defend herself died. The guard, who was protected by the law, survived. There might not have been another murder because the guard would have been stronger than his daughter and possibly could halt this murder. The little girl could not. No deterrent, hon. members?

Leonard Peletier, the American Indian who killed two FBI agents in the United States and was arrested in Calgary, has been carrying on a relentless battle against extradition in Vancouver. He knows he faces execution for his crime in his country. It is known that he is prepared to kill a Canadian, probably a guard, rather than be returned to the United States where he can die. He knows in Canada he can remain in prison and live, perhaps take a hostage or two, kill someone and escape. It would not matter if he killed two or three people; he would get exactly the same punishment. No deterrent, hon. members?

John Waslynychuk, the aristocrat of bank robbers and safe crackers in the west for many years, gave me insights into prison and crime from his knowledge and experience. Most of this was after I was involved with two police officers in collecting evidence that proved he was innocent in a capital murder case in Seattle, Washington, a bank robbery murder. He was not there at the time and we were able to prove it. Though close to the gallows himself, but reformed by the experience, he still maintained after modified abolition was introduced here in 1968, that if he were still in “business” he would shoot his pursuer or any witness because he could be sentenced to the same time in prison for murder as for armed robbery. It did not matter if it was 14 or 20 years. To him, it was life. What is the difference, he said to me. He told me, “There are advantages to killing”. He and one of his associates told me the advantages of killing were so obvious that they wondered why those who abolished capital punishment did not see them. There is the gamble of escape, the elimination of witnesses who could identify them and give evidence against them in a trial. No deterrent, hon. members?

Incidentally, the word in Vancouver is that all witnesses in major cases, cases where long sentences are inevitable, will be put on contract for murder. Can you see what will happen to justice? What citizen or police officer will take the risk to do their civic duty in a court of law? Warnings have gone out to the B.C. Penitentiary task force who were assigned to a terrible responsibility in the hostage incident of June 11, 1975 in which Mary Steinhauser died. They were absolved of blame in that incident by a coroner’s jury last week. An NDP member attacked the guards and claimed in this House, without even studying the facts, that the guards had killed her. The coroner’s jury found that the killer, Andy Bruce—a man who had already killed on contract—was responsible for Miss Steinhauser’s death. He had participated in four hostage takings. He was held responsible.

Mr. Baker (Grenville-Carleton): That was the hon. member for New Westminster (Mr. Leggatt).

Mrs. Holt: No, it was the hon. member for Timiskaming (Mr. Peters). I would like to remind the Prime Minister, the Solicitor General (Mr. Allmand) and all the others who