

"To express opposition to our government through legal means is not only our right but also our duty as Americans."

MARK KUECHLER, *Your Views*

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OUR OPINION

Keep state ban on death penalty

Two misguided state senators are citing the high-profile criminal case of Steven Avery as reason to reinstate the death penalty in Wisconsin.

In fact, Avery is a powerful example of why this state should not repeal its more than 150-year ban on killing prisoners.

Avery is the Two Rivers man who was charged with first-degree murder and mutilation of a corpse last month after the remains of Teresa Halbach were found on his family's property.

Sen. Alan Lasee, R-De Pere, said Avery's case has convinced him to expand his proposal for a statewide advisory referendum on the death penalty. Lasee wants voters to endorse giving courts the option of instituting the death penalty in single murder cases with strong DNA evidence. Previously, Lasee would have limited the option to multiple murders.

Sen. Tom Reynolds, R-West Allis, said Avery's case should help his bill to reinstate capital punishment in

Steven Avery's case should not be the reason to bring back capital punishment.

cases in which a person is convicted on charges of murder, sexual assault and mutilation of a corpse.

The Legislature should

soundly defeat both proposals, no matter how narrowly they might be applied.

Halbach's death was horrific, and the killer should be severely punished. But the death penalty is not the way to mete out justice.

Wisconsin has banned the death penalty since 1853. The ban is cautious, realistic and doesn't prevent courts from locking up killers for life. The ban recognizes that the judicial system is fallible, and that capital punishment is expensive because of lengthy appeals.

Avery's case actually shows why the ban is necessary. He spent 18 years in prison for a brutal rape and assault he did not commit. DNA evidence exonerated him and implicated another man.

Irrespective of charges against Avery in Halbach's murder, the truth remains that he did not commit the 1985 rape and assault — yet he paid for it.

At a two-day symposium held in Madison last week, there were other falsely accused citizens who had lost between three and 12 years of their lives to flaws in the judicial system.

Several studies have shown that states sometimes convict the innocent, at least 328 people between 1989 and 2003, according to one study.

Lasee and Reynolds may want a life for a life, but these numbers suggest that our government could mistakenly kill an innocent person

That's a mistake Wisconsin cannot afford to risk.



YOUR VIEWS

Stop concealed gun nonsense

I am not against hunting nor am I against target shooting. But I am certainly against concealed weapons and putting thousands of more guns in our society.

It took years to get law and order in the early West because a lot of people carried guns every day. The pioneers carried guns for a good reason at that time, but a lot of innocent people were killed by those guns.

All too often we hear of a child killed by a gun that is supposed to be locked. No matter who is responsible to lock the gun, the dead child is still dead. Many domestic arguments result in a dead spouse or child, when if a gun were not present, the dead person probably would still be alive.

With more guns available at all times, you can expect more people to be killed in the crossfire situation that would not happen if neither of the guns were available at that time or place. Angry people and drunken people will often shoot innocent people. They will not be angry or drunk when they apply for a permit, and they will easily get their permit to carry, and they will be dangerous to all innocent people every day after.

I will be required to post a sign to keep guns off my property. Also, I'll be required to tell each individual verbally not to carry a gun at my place, even the priest or minister, friends, relatives, the delivery person, salespersons, etc. (Sounds like a built-in loophole for trial lawyers.)

We will soon be as lawless as the Middle East countries. I certainly will not feel any safer. Please stop this nonsense.

— Lee E. Pelton, Belmont

Don't ban gay marriage

The Legislature is at it again. This time it is sticking its nose into defining matrimony. Republican leaders are trying to rush through a constitutional ban on civil unions and marriage.

Should the church decide who should marry? As a Christian nation, we believe that the Bible is not just a book of fiction. What does Jesus Christ, the leader of Christianity, teach in the Bible? He speaks extensively about loving one another, caring for the widow and the orphan. He warns against

turning money into our God and consumerism into our religion.

Jesus says practically nothing directly about homosexuality. If the leader of Christianity does not judge homosexuals, then who should?

Should it be the state? The Declaration of Independence ensures "life, liberty and the pursuit of happiness." The U.S. Constitution gives citizens rights. It does not take them away.

Government's purpose is to represent the common good, to provide programs and services to citizens in need. Many people are without health-care insurance, working at low-pay, dead-end jobs. Public schools need help. Even the most ardent skeptics are realizing that our environment is in danger. We have allowed government corruption that has led to disrespect for the process.

Both houses of the Legislature could vote on the possible ban as soon as next week. Urge your legislators to vote no. Tell them we have more to worry about than who is married to whom.

— Rose White, Sauk City

War referendum is citizen right

I imagine, now that the Madison signatures are in for the "bring the troops home" referendum and that other citizens in other communities are starting similar petition drives, the complaints will begin again.

It's interesting that some of the opponents to the referendum complain about it. It is the citizens' constitutional right to petition our government.

As to the canard of Iraqis being slaughtered if we pull out, just what do they think is happening now on a daily basis? Many of us believe our presence is fueling the insurgency.

No, sadly many are opposed to even considering a different road to combat terrorism. They prefer to be sycophants to an increasingly out-of-touch administration in Washington, precisely what Teddy Roosevelt — no peacenik by any means — warned us about.

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— Mark Kuechler, Prairie du Sac

GUEST COLUMN

Governor should sign lawsuit limits

By DAN PERO

Is Wisconsin about to become a haven for personal injury lawyers, bringing their endless lawsuits and lottery-style justice? That's up to Gov. Jim Doyle, who must soon decide whether to sign several important legal reforms passed by the Legislature.

The bills awaiting the governor's signature are a response to unwise and overreaching decisions by the Wisconsin Supreme Court this summer.

The first court ruling threw out medical-liability damage caps that had been in place for a decade. The court essentially decided that no limit on damage awards meets the standard of "reasonable compensation," and personal injury lawyers should be free to seek as much money as they can get from any given jury. This was an invitation to tort lawyers everywhere to come to Wisconsin in search of clients and multimillion-dollar jury awards.

With two bills — the Product Liability Reform Act and the Expert Witness Reform Act — lawmakers hope to cut the plaintiffs' bar off at the pass, and to spare Wisconsin businesses from a flurry of frivolous and devastating litigation.

The court's second ruling could invite even more litigation problems than the first. The case, *Thomas v. Mallett*, involved a suit against lead-paint manufacturers filed on behalf of a Milwaukee teenager suffering from mild retardation.

Although the effects were typical of lead poisoning, no direct tie was established between the young man's condition and lead paint. His lawyers did not know if he had ingested lead-based paint as a child. And, if lead paint had been the cause, his lawyers didn't know when the paint was manufactured or what company might have manufactured it.

Faced with this set of facts, Wisconsin's high court decided to expand a novel concept called "risk contribution theory." The theory holds, in effect, that the companies under suit or their predecessors collectively contributed to a risk that somebody, somewhere, might be harmed by a given product.

Under this disturbing new doctrine, the case didn't require specific proof of specific wrongdoing. An entire industry could be held liable for what one company "may" have done, never mind that no actual liability was demonstrated.

The Jobs Preservation Act would restore to Wisconsin law the basic, common-sense standard that a plaintiff must prove which defendant caused harm to recover damages. The bill would protect innocent parties from broad, scattershot lawsuits. And it would protect Wisconsin workers from losing their jobs in small businesses ruined by massive legal bills and unfair damage awards.

Doyle and the Legislature have worked well together in reducing business taxes and in passing regulatory reforms to make the state more business friendly. Now the same spirit of bipartisanship should guide them in repairing the damage done by an overreaching state court. Doyle should sign the legal reforms now before him.

Pero is president of the American Justice Partnership, a coalition promoting legal reform at the state level.

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Cheney in charge: No room for wimps or whiners

In the vice president's new, more fortified bunker, inside his old undisclosed secure location within the larger bunker that used to be called the West Wing of the White House, Dick Cheney was muttering and sputtering.

He wasn't talking to the pictures on the wall, as Nixon did when he finally cracked. Vice doesn't trust those portraits anyway. The walls have ears. He was talking to the only reliable man in a city of dimwits, cowards, traitors and fools: himself.

He hurled a sheaf of news reports with such force it knocked over the picture of Ahmad Chalabi that he keeps next to the picture of Churchill. Winston Chalabi, he likes to call him.

Vice is fed up with all the whining and carping — and that's just inside the White House. The only negativity in Washington is supposed to be his own. He's the only one allowed to scowl and grumble and conspire.

The impertinent Tom De-Frank reported in The New York Daily News that embattled White House aides felt "President Bush must take the



MAUREEN DOWD

reins personally" to save his presidency.

Let him try, Cheney said with a sneer. Things are nowhere near dire enough for that. Even if Junior somehow managed to grab the reins to his presidency, Vice holds Junior's reins. So he just needs to get all these sniveling, poll-driven wimps and losers back on board with the master plan.

Things had been going so smoothly. The global torture franchise was up and running. Halliburton contracts were flowing. Tax cuts were sailing through. Oil companies were raking it in. Alaska drilling was thrillingly close. The courts were defending his executive privilege on energy policy, and people were still buying all that smoke about Saddam's being responsible for 9/11, and that drive about how we're fighting them there so we don't have to fight them here. Everything was groovy.

But not anymore. Cheney could not believe that Karl had made him go out and call that loudmouth Jack Murtha a patriot. He was sure the Pentagon generals had put the congressman up to calling for a withdrawal from Iraq. Is the military brass getting in touch with its pacifist side? In Wyoming, Vice shoots doves.

How dare Murtha suggest that Cheney dodged and dodged and dodged and dodged the draft? Murtha thinks he knows about war just because he served in one and was a Marine for 37 years? Vice started his own war. Now *that's* a credential!

It always goes this way with the cut-and-run crowd. First they start nitpicking the war, complaining about little things like the lack of armor for the troops. Then they complain that there aren't enough troops. Well, that would just require more armor that we don't have. Then they kvetch about using incendiary weapons in a city like Fallujah. Vice likes the smell of white phosphorus in the morning.

What really enrages him is all the Republicans in the Senate making noises about

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timetables. Before you know it, it's going to be helicopters on the rooftop at the Baghdad embassy.

Just because Junior's approval ratings are in the 30s, people around here are going all wobbly. Vice was 10 points lower and he wasn't worried. Numbers are for sissies.

Why do Harry Reid and his Democratic turncoats think they can call the White House on the carpet? Do they think Vice would fear to lie about lying about the rationale for going to war? A real liar *never* stops lying.

He didn't want to have to tell the rest of the senators to go do to themselves what he had told Patrick Leahy to go do to himself.

Now all these idiots are getting caught, even Scooter. DeLay's on the ropes and the Dukester is a total embarrassment, spending bribes on antique commodes and a Rolls-Royce. Vice should never have let an amateur get involved with defense contracts.

SEND US YOUR VIEWS

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