



PRESS RELEASE

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ATTORNEY GENERAL SUTHERS STATEMENT ON NATHAN DUNLAP CLEMENCY

DENVER—Colorado Governor John Hickenlooper today issued a reprieve to Nathan Dunlap for the duration of the Hickenlooper administration. Dunlap was sentenced to die by lethal injection for the 1993 “Chuck E Cheese” murders of Margaret Kohlberg, Sylvia Crowell, Colleen O’Connor and Ben Grant. Dunlap will now serve a sentence of life without parole.

Attorney General John Suthers issued the following statement in response:

“It’s been my observation over many years that the extraordinary powers we give the president and our state governors is the one place in the criminal justice system where personal philosophy can trump the rule of law. And make no mistake about it — that is exactly what has happened in the case of People v. Nathan Dunlap. This is a horrible crime in which four wholly-innocent people were brutally murdered. The defendant was eligible for the death penalty under Colorado law. The district attorney believed the defendant deserved the death penalty. A jury of twelve citizens of Colorado determined that he deserved the death penalty. And a plethora of appellate courts have upheld the jury’s decision. But Governor Hickenlooper simply cannot cope with the task of carrying out the execution of Nathan Dunlap or exercising his constitutional mandate.

Executive authority to modify criminal punishment is part of our constitutional system, and I respect that. However, the citizens of Colorado deserve honesty and the victims deserve finality. I believe the governor’s decision does not stem from anything but his personal discomfort about the death penalty. I also believe

that the governor should have been much more up front with the voters when he ran for office if he couldn't carry out the death penalty.

I have an excellent working relationship with the governor and I respect him very much. Yet it's been apparent to me that issues of crime and punishment are not his strength. John Hickenlooper is an optimist. He has proven to be uncomfortable confronting the perpetrators of evil in our society. I saw this when I discussed last year's juvenile direct-file bill with him. He had trouble comprehending that a 16 or 17-year-old is capable of brutal acts deserves adult punishment. I saw it in his naïve views about the role of administrative segregation in our prisons. And I've heard it in my discussions with him about the death penalty. The governor is certainly entitled to these views, but granting a reprieve simply means that his successor will have to make the tough choice that he cannot.

Fifty-year-old Margaret Kohlberg, 19-year-old Sylvia Crowell, 17-year-old Ben Grant, and 17-year-old Colleen O'Connor all died at Nathan Dunlap's hand. Bobby Stevens was shot and left for dead. They were the victims in this case and Mr. Dunlap made sure that their voices could not be heard.

The governor, by refusing to make any hard decisions today — whether in carrying out Dunlap's sentence or conclusively granting clemency — has only guaranteed suffering and delayed justice for the victims' loved ones for years to come.”

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