



PRESS RELEASE
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Community, Faith, and Civil Rights Organizations, Family Members, and Corrections Officials Applaud Introduction of Death Penalty Repeal Bill

Today the ACLU of Washington, Washington Coalition to Abolish the Death Penalty, Faith Action Network, Quaker Voice on Washington Public Policy, League of Women Voters of Washington, Peace and Justice Action League of Spokane, Inland Northwest Death Penalty Abolition Coalition, Spokane Community Against Racism, NAACP Spokane and NAACP Alaska Oregon Washington State Area Conference applauded the introduction of Senate Bill 5339, which would repeal Washington's death penalty statute, and called on lawmakers to move quickly to strike this unconstitutional law from the state's books.

Last October, the Washington State Supreme Court declared the state's death penalty law unconstitutional because it has been "imposed in an arbitrary and racially biased manner." The ACLU filed a friend-of-the-court brief in the case, *State v. Gregory*, joined by more than 70 former and retired judges. "Racism and bias permeate the entire criminal justice system, and disproportionate numbers of Black people are killed as a result. Ending the death penalty has long been one of the ACLU's highest priorities," said Kathleen Taylor, executive director of the ACLU of Washington.

The Court noted that this is the fourth time Washington's death penalty laws have been declared unconstitutional since 1972. Advocates of legislative repeal say it is time to stop

trying to fix an unfixable law. SB 5339 would remove the defunct statute from Washington's code.

Kurtis Robinson, president of the NAACP Spokane Branch and criminal justice chair of the Alaska Oregon Washington State Area Conference stated, "The death penalty is plagued with racial disparities, and the greatest disparities are in the numbers of Black people on death row and among those who have been executed." A 2016 study of Washington State aggravated murder trials reported between December 1981 and May 2014 found that juries were more than four times more likely to impose a death sentence when the defendant was Black than in cases involving similarly situated non-Black defendants.

Many faith leaders have deep moral concerns with the death penalty that can only be fully addressed through repeal. "As people of faith, we are called to value life even when faced with the great harm and hurt of serious crime," said Rabbi Aaron Meyer and Rev. Carol Jensen, governing board co-chairs of the Faith Action Network. "Our response must be rooted in the hope of redemption and that is incompatible with capital punishment."

Due to the high stakes of a death penalty case, investigations, trials, and appeals involve additional procedural requirements and typically last longer and cost more than other cases. "The risk of executing an innocent person is real," said Stefanie Anderson, executive director of the Washington Coalition to Abolish the Death Penalty, a grassroots organization founded in 1986. "There have been 164 exonerations from death rows across the country since 1973. When a life is on the line, one mistake is one too many."

A 2016 study by Seattle University criminologists found the average justice system costs of Washington death penalty cases exceeded costs in comparable cases where the death penalty was not sought by more than \$1 million per case. To some, the extraordinary expense of a death penalty case represents diversion of criminal justice resources that could instead provide justice to more victims and their families. When the legislature considered repeal last year, Teresa Mathis, whose brother Charlie was murdered, testified that her mother made inquiries at the prosecutor's office about the status of the investigation into potential leads offered by neighbors and the coroner's office. She was told the office had to prioritize another case, its first death penalty case, and did not have the resources to follow up on the possibility that more than one person participated in killing Charlie. "We were left with unanswered questions and the impression that our brother's death was unimportant."

The maintenance and imposition of the death penalty also has a significant negative impact on corrections officers. According to Dick Morgan, Eldon Vail and three other former Department of Corrections Secretaries testifying in favor of repeal before the legislature, the death penalty forces corrections staff to put aside their personal and moral beliefs to perform their duties. "We have witnessed visibly shaken staff carry out a questionable law that condones killing inmates who have been captured, locked behind bars and long since ceased being a threat to the public," said Morgan and Vail. Maintaining death row also draws away valuable resources when prison management is

forced to consider layoffs and prison closures during economic downturns. According to Morgan, “It is the sentence of death, not the inmate, that burdens the department and taxpayers with the expense of managing these few inmates.”

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Resources:

Katherine Beckett and Heather Evans. 2016. “Race, Death and Justice: Capital Sentencing in Washington State, 1981-2014.” *Columbia Journal of Race & Law* 6, 2: 77-114. <https://cjrl.columbia.edu/wp-content/uploads/sites/17/2016/09/Beckett-Evans-FINAL.pdf>