



*Kentucky Commission on
Human Rights
Resolution Opposing the
Death Penalty*

WHEREAS, Since 1976, when Kentucky reinstated the death penalty, 50 of the 78 people sentenced to death have had their death sentence or conviction overturned due to misconduct or serious errors that occurred during their trial. This represents an unacceptable error rate of more than 60 percent. Nationwide, 140 people have been released from death rows due to evidence of their wrongful conviction.

AND,

WHEREAS, Statistics confirm that the imposition of the death penalty is disproportionately imposed on minorities and the poor. African Americans constitute 12 percent of the U.S. population, but represent 42 percent of prisoners on death row. According to *Amnesty International*, more than 20 percent of black defendants executed since 1976 were convicted by all-White juries. Over 90 percent of defendants in capital cases are indigent and cannot afford an experienced criminal defense attorney.

AND,

WHEREAS, Recently, based on findings of a two year study conducted by the American Bar Association (ABA), former Kentucky Supreme Court Justices, James E. Keller and Martin Johnstone, as well as the President of the ABA and former President of the Kentucky Bar Association, William T. Robinson, have called for a suspension of executions in Kentucky until its death penalty system has been reformed. Writing in the December 18, 2011 issue of the *Louisville Courier-Journal*, the Justices concluded that, “The list of problematic cases is staggering, and review of the system is deeply troubling. Fairness, impartiality, and effectiveness of counsel have been undermined by serious flaws that reveal systemic problems in administration of the death penalty in the Commonwealth.”

AND,

WHEREAS, According to *Amnesty International*, over two-thirds of the countries of the world, 141 in total, have now abolished the death penalty in law or practice.

AND,

WHEREAS, The function of the Kentucky Commission on Human Rights is to encourage fair treatment for, to foster mutual understanding and respect among and to discourage discrimination against any racial or ethnic group or its members.

NOW, THEREFORE, BE IT RESOLVED,

The Kentucky Commission on Human Rights urges members of the Kentucky General Assembly to repeal the law allowing the use of the death penalty and calls upon the Governor to sign the same.

BE IT FURTHER RESOLVED,

That a copy of this Resolution be presented to the Kentucky Legislative Research Commission for distribution to each member of the Kentucky General Assembly and to the Governor of Kentucky and also incorporated into the minutes of this Commission; and dated in Lexington, Kentucky this 17th day of October, in the year of Our Lord Two Thousand and Twelve and in the 220th year of the Commonwealth.

On Behalf of the Commission:

Attest:

George W. Stinson
Commission Chair

John J. Johnson
Executive Director