



FOR IMMEDIATE RELEASE:
Thursday, January, 10, 2008

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California's Broken Death Penalty System Must Go

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California's death penalty is more expensive than sentencing people to die in prison, it causes additional suffering to survivors of murder victims, and it is applied unfairly to the poor and people of color. The status quo is not acceptable—something needs to change.

On Jan. 10, the California Commission on the Fair Administration of Justice holds the first of three hearings on the state's broken death penalty system. At the same time, Gov. Schwarzenegger will release his plan to deal with state's crippling \$14 billion budget deficit. The Commission and the governor must come to terms with the high costs we already pay for an unfair, unjust, and necessary death penalty system.

The ACLU of Northern California calls on the California Commission on the Fair Administration of Justice to tell Californians the truth: We can't afford to fix the system. Replacing the death penalty with life without parole will allow us to invest in effective public safety programs that will actually help make us safer.

California's criminal justice system is terribly flawed. The Commission itself has recommended numerous reforms, resulting in three bills passed by the Legislature last year. But the Governor vetoed all three measures. In addition, recent studies show that racial disparities mar California's criminal justice system at every level. Today's hearing will feature troubling evidence of racial bias and arbitrariness in who is sentenced to die in this state. As a result of all of these problems, California is at risk of executing an innocent person, or someone who had a bad lawyer just because he was poor, or someone who was sentenced to die because of race.

There are many reforms that have been implemented in other death penalty states that should be adopted here. But the reality is we don't have the money to pay for them. So our choices are to continue with the unfair, unjust death penalty that serves no one, or replace it with something that works -- sentencing people to die in prison.

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