

Georgia General Assembly 2019-2020 Regular Session

HB 702

Criminal procedure; imposition of the death penalty in this state; repeal

By: Representatives Harrell of the 106th, Werkheiser of the 157th, Trammell of the 132nd, Holcomb of the 81st, Boddie of the 62nd, and others

Death Sentencing In Georgia

Current Death Row Population: 45 (http://www.dcor.state.ga.us/sites/all/themes/gdc/pdf/Roster_death_row_CY_2019.pdf)

Women on Death Row: 1

Number of Innocent People Freed From Death Row: 6

Number of Clemencies Granted: 9

Number of Executions Since 1976: 75

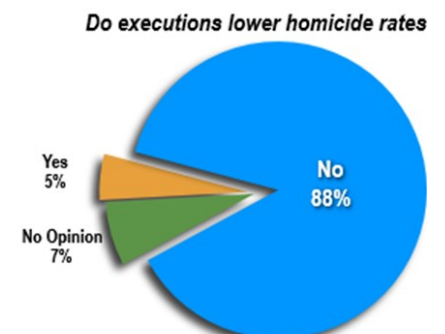
<https://deathpenaltyinfo.org/state-and-federal-info/state-by-state/georgia> (November 2019)

Intellectual Disabilities and the death penalty in Georgia

Georgia is the only state in the country that forces people to prove ID beyond a reasonable doubt to avoid execution. It is the only state that asks the jury to simultaneously decide guilt and ID. Not one person facing the death penalty has ever met the standard, which means that Georgians with ID are at risk for execution.

Deterrence to Crime

According to a survey of the former and present presidents of the country's top academic criminological societies, 88% of these experts rejected the notion that the death penalty acts as a deterrent to murder. (Radelet & Lacock, 2009)



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Public Opinion and Pro-Life

A 2018 Gallup Poll showed that fewer than half of Americans believe that the death penalty is applied fairly. The number of Americans that support the death penalty is at a 40 year low.

The number of Republican state lawmakers to sponsor death penalty repeal bills increased sharply since 2012.

From 2000 to 2012, it was rare for Republican state lawmakers to sponsor death penalty repeal bills. In 2013, the annual number of Republican sponsors more than doubled.

By 2016 ten times as many Republicans sponsored repeal bills than in 2000.

More than 67% of the Republicans sponsoring death penalty repeal bills did so in red states.

“As more Republicans consider their position on the death penalty, they realize its repeal “is the pro-life thing to do.” <https://www.ncronline.org/news/justice/over-250-conservative-activists-sign-statement-opposing-death-penalty>

Victims Denounce the Death Penalty

Victim families are calling for an end to the death penalty and stated, “the death penalty does not prevent violence. It does not solve crime....It exacerbates the trauma of losing a loved one and creates yet another grieving family. It also wastes many million of dollars that could be better invested in programs that actually reduce crime and violence and that address the needs of families like ours.”

<https://deathpenaltyinfo.org/news/former-state-and-federal-judges-prosecutors-and-law-enforcement-officials-and-families-of-murder-victims-urge-federal-government-to-call-off-executions>

Alternative uses for death penalty funding

It is estimated that death penalty cases require an additional \$2.5-\$3 million dollars over a life sentence. In 2008, Georgia spent more than \$3 million dollars for only one case. With current budget cut requested by Governor Brian Kemp of 4% in 2020 and 6% in 2021. “

Agencies on the hook for cuts include the departments of Agriculture, Corrections, Driver Services, Public Health, public defenders, the Georgia State Patrol, the GBI, most of the Department of Natural Resources, and the administration of K-12 schools and colleges. “

Education and police protection are deterrents to crime and cutting funding for those agencies will only result in budget increases for corrections. Using the funding allocated to the death penalty for alternative programs is sound fiscal management. (\$138,000,000 estimated cost savings).

<https://www.georgiapol.com/2019/09/10/state-budget-cuts-to-eliminate-jobs-and-programs/>

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Reasons to Support this Legislation

Wrongful conviction leading to execution of an innocent person.

Racial bias.

Unequal justice for the accused.

The death penalty has not been proven to be a deterrent to crime.

Eliminating the death penalty is pro-life.

Millions of dollars are spent on incarcerations and lengthy appeals which can be better invested in solving other crimes and investing in education to prevent crime.

It exacerbates the trauma of losing a loved one for the victim's family over decades.