



# Georgia Catholics Against the Death Penalty

## **HB 485**

Criminal procedure; imposition of the death penalty in this state; repeal  
By: Representatives Moore of the 95<sup>th</sup>, Werkheiser of the 157<sup>th</sup>, Holcomb of the  
81<sup>st</sup>, Mitchell of the 88<sup>th</sup>, Kennard of the 102<sup>nd</sup>, and others

### *Death Sentencing in Georgia*

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Current Death Row Population: 40

([http://www.dcor.state.ga.us/sites/all/themes/gdc/pdf/Roster\\_death\\_row\\_CY\\_2021.pdf](http://www.dcor.state.ga.us/sites/all/themes/gdc/pdf/Roster_death_row_CY_2021.pdf))

Women on Death Row: 1

People of Color on Death Row: 21

- 20 Black, 1 Hispanic. As of 2019, it was estimated that the Black population in Georgia was 32.6%. The Black population on Death Row is 50%. (<https://www.census.gov/quickfacts/GA>)

Exonerations: 7

Clemencies: 9

Executions since 1976: 76

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

### *Intellectual Disabilities and the Death Penalty in Georgia*

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

## Deterrence to Crime

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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.

## Public Opinion and Pro-Life

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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.

Since 2016, three more states have abolished the death penalty through legislative means, in addition to a gubernatorial moratorium in California. Virginia's legislature has recently passed a repeal bill and awaits the governor's signature. Further, in a 2019 poll, 56% of Georgians favored replacing the death penalty with a sentence of life without parole.

“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> & <https://s22101.pcdn.co/wp-content/uploads/2020/01/GA1219DeathPenaltyResults.pdf>)

## *Victims Denounce the Death Penalty*

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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 millions 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*

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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 a proposed Georgia FY 2022 budget that is \$1.2 billion under the previous pre-pandemic budget, funding is desperately needed in other sectors of the economy. Both education and health agencies face proposed cuts of hundreds of millions of dollars.

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://gbpi.org/overview-of-georgias-2022-fiscal-year-budget/> & <https://www.georgiapol.com/2019/09/10/state-budget-cuts-to-eliminate-jobs-and-programs>)

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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 that should be 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.