



February 17, 2015

Governor John A. Kitzhaber, M.D.
160 State Capitol
900 Court Street
Salem, OR 97301

Dear Governor Kitzhaber,

On behalf of the American Civil Liberties Union of Oregon, and our thousands of members and supporters throughout the state, I implore you to use your constitutional authority as Governor to commute the capital sentences of the thirty-four men and one woman currently on Oregon's death row to sentences of life without the possibility of parole.

In November 2011, when you granted a temporary reprieve of Gary Haugen's pending execution and announced the current moratorium, you correctly noted that Oregon's death penalty system is broken. It is a system that does not guarantee against putting an innocent person to death, is applied arbitrarily, and has cost Oregon taxpayers millions of dollars for each case.

Today, more than three years later, our system has not changed; it is even worse. Since 2011, we have seen numerous botched executions in other states as corrections officials have experimented with more gruesome methods of execution because of the lack of availability of the drugs traditionally used to carry out executions by lethal injection.

Converting the death sentences of those currently on Oregon's death row to sentences of life without the possibility of parole will not change any laws regarding the death penalty. It will not prevent Oregon District Attorneys from prosecuting new capital cases. And it certainly will not change the reality that the individuals currently housed on Oregon's death row were convicted for causing the death of their victims.

However, converting the remaining sentences to life without the possibility of parole will give Oregonians the breathing room to re-think, and perhaps re-imagine, a better approach to more effectively deal with those who commit aggravated murder. Commuting the death sentences to life without the possibility of parole will give certainty to the victims' families that cannot exist in our current system. Life without parole will also spare Oregonians from the prospect of witnessing a wrongful or botched execution being performed in our name.

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As the only Governor who presided over any executions in our state since the death penalty was re-enacted in 1984, you shouldered a responsibility our society should not place on anyone.

Your entire adult life has been dedicated to preserving and advancing the human rights and dignity of every Oregonian. I respectfully urge you, as one of your final acts as governor, to take 35 more courageous steps to commute these death sentences to life without the possibility of parole and spare Oregonians – and Corrections officials – the horror of a botched execution and the random outcomes of our current system for those currently on Oregon's death row.

Thank you for considering our request at this difficult time.

Respectfully,

/s/

David Fidanque
Executive Director