



TESTIMONY OF ANDREA MEYER

IN OPPOSITION TO HB 3211
DEATH PENALTY EXPANSION

BEFORE THE HOUSE JUDICIARY COMMITTEE

MARCH 17, 2011

The ACLU of Oregon opposes HB 3211 because of our long-standing opposition to the use of capital punishment (death penalty). HB 3211 expands Oregon's aggravated murder law to include a reserve officer as defined in ORS 181.610. This provision is identical to the provision proposed in HB 3153 but for the record, we are providing separate testimony on each.

This is an unusual time in our nation's history for Oregon to be considering a bill to expand the death penalty, because around the country, the momentum is to eliminate the death penalty. Just last week, the Governor of Illinois signed a bill to repeal the death penalty in that state, making it the 16th state to abolish the death penalty in the modern era – the *fourth* in seven years – New York (2004), New Jersey (2007), and New Mexico (2009). This was after eleven years of a moratorium in Illinois on executions and several studies exposing the flaws of the system. The new Illinois law not only ends capital punishment in the state, it begins a new fund to support law enforcement training and services for families of murder victims – two groups that are adversely affected by the death penalty.

There are bills pending in *ten* other states to repeal the death penalty and a number of them have very strong chances of passage. Across the country, attempts to fix capital systems have failed.

The ACLU of Oregon opposes the death penalty because we believe it is inconsistent with the underlying values of our democratic system. Its use in this country has been fraught with issues of discrimination against the poor, uneducated and members of minority communities. And in recent decades, we have discovered it is fraught with innocence issues. Since 1973, over 139 people have been released from death row because of innocence. There have been death row exonerations in 26 states, the majority of them occurring in the past ten years. 17 of the Innocence Project's 266 post-

conviction DNA exonerees were sentenced to death when their innocence was established through DNA testing.

There is also no persuasive evidence that the death penalty deters crime. In fact, numerous law enforcement agencies around the country have agreed with that finding for many years – statistics show that states with the death penalty continue to have the highest rates of violent crime. In a 2009 national survey of 500 randomly selected police chiefs, most ranked capital punishment last as “most important for reducing violent crime,” and said it was the least efficient use of taxpayers’ money. They ranked increasing the number of police officers, reducing drug abuse, and creating a better economy with more jobs higher than the death penalty as the best ways to reduce violence.

The ACLU of Oregon believes now is not the time to expand the death penalty and we urge you not to move forward with HB 3211.