



State Representative Adam C. Miller

Sponsor Testimony Before House of Representatives Criminal Justice Committee regarding HB 183 (as prepared)

Thank you Chair LaRe, Vice Chair Swearingen, and Ranking Member Leland for allowing us to testify on HB 183 that would abolish the death penalty in Ohio.

The abolition of the death penalty spans political, religious, and moral ideology. In addition, passing HB 183 would be the most important criminal justice reform in a generation.

It is time to end the death penalty in Ohio. It is long overdue. We know so much more now than we did 40 years ago when this practice was reinstated in our state.

It is barbaric. It is permanent and it is wrong.

While capital punishment is still on the books in our Military Justice System, it has not been carried out in more than 60 years. 60 years.

I understand and appreciate those who say that some people are so vile, their crimes so heinous, that the death penalty is not only justified but mandated.

War Criminals are one class where we can agree conceptually on the use of the death penalty. But Ohio does not try war criminals or those for crimes against humanity.

In our state, the severity of the crime does not determine whether or not a defendant receives a death sentence. The main determinants are the county where the crime was committed, the county prosecutor, the defendant's access to counsel, and the race of the victim.

That system only works when we have certainty. We do not have certainty in our justice system.

Despite Constitutional hurdle after Constitutional hurdle, Ohio has eleven death row exonerees.

Since the reinstatement of the punishment in 1976, the state has executed 56 people, which means for every five executions, one person has been exonerated. Two of the eleven exonerees were only discovered this year. These are just the exonerations we know about, and with those statistics, there's a very high possibility we have executed an innocent person.

And, despite progress, our justice system is not blind. Racism infects every part of the death penalty process from sentencing to execution.

A Black defendant is twice as likely to receive a death sentence if the victim is white.

Furthermore, people of color comprise the majority of death row while only accounting for less than 15% of Ohio's population.

The death penalty propagates racial injustice in a system that should idealize fairness and racial equity.

Capital punishment is not a question of whether you believe in the concept of the death penalty. This is a question of if we can create a justice system that provides absolute certainty; absolute when the state takes the life of one of its citizens. Nothing less.

The death penalty is no longer practical financially, morally, or ethically.