

OHIOANS TO STOP EXECUTIONS

Chairwoman Abrams, Vice Chair Williams, Ranking Member Brown and distinguished members of the Criminal Justice Committee:

Thank you for your service to the people of the state of Ohio.

In a state known for its industrious spirit and compassionate communities, there lies a deeply troubling contradiction: the continued enforcement of the death penalty. This practice, which is as irreversible as it is severe, fails to meet the expectations of justice. House Bill 221, which broadens the scope for defendants to prove their innocence through DNA evidence, underscores the inherent risks and flaws within our capital punishment system. It begs a pressing question: Why do we cling to a system so fraught with the potential for irreversible error?

Consider the case of Tony Apanovitch, who has spent decades on death row for a crime he did not commit. His eventual exoneration came through the testing of DNA evidence, but crucially, because the prosecutors tested this evidence and not Tony, he remains on death row to this day. The years Tony lost cannot be returned, and the psychological scars of facing execution linger. The tragic story of Tony Apanovitch is a stark illustration of a justice system capable of grave mistakes, and incapable of fixing them due its own complicated and capricious nature.

Statistics reinforce these concerns. Since 1973, more than 190 individuals nationwide have been exonerated from death row. In Ohio alone, 11 death row inmates have been found innocent. These are not mere numbers; they represent lives derailed by miscarriages of justice. Each case echoes the potential for fatal errors, highlighting the grotesque gamble inherent in capital punishment.

While House Bill 221 does nothing to address the many, many factors that lead to wrongful convictions, it may provide a window for a very small subsection of people who could be impacted by this kind of injustice in the future. When DNA evidence is available and proves beyond a shadow of doubt that a person is innocent, the state must not allow itself to be hamstrung by its own code— especially when a life is on the line. Though the case of Tony Apanovitch is Exhibit A why the death penalty should be abolished altogether, House Bill 221 should be passed to prevent such a tragedy from occurring ever again.