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**Sponsor Testimony**

**Senator Edna Brown**

**Senate Judiciary Committee**

**September 26, 2017**

Chairman Bacon, Vice Chair Dolan, Ranking Member Thomas, and members of the Senate Judiciary Committee, thank you for the opportunity to give sponsor testimony on Senate Bill 94. This bill replaces the death penalty with life imprisonment without the possibility of parole.

Mounting evidence indicates that innocent people have been sentenced to death. According to the Death Penalty Information Center, 156 people have been released from death row since 1973. For every nine people executed in the United States, one innocent person on death row has been identified and exonerated. Furthermore, a study by the National Academy of Sciences found that 1 in 25 death row inmates is likely to be innocent.

The rate of false convictions in capital cases is what motivated me to reintroduce this legislation, but there are many other compelling reasons to abolish the death penalty in Ohio. One is the high cost of prosecuting capital cases versus life without the possibility of parole.

States that have studied the cost of capital punishment have overwhelmingly found that prosecuting capital cases is substantially more expensive than cases in which the death penalty is not sought. Executions cost millions of dollars more than imposing life sentences and polls show that a majority of Americans prefer life in prison over death sentences. Our taxpayers should not be held accountable for a practice that many agree is unnecessary.

Ohio has also faced obstacles in obtaining proper drugs for executions. Manufacturers have expressed strong objections to selling drugs for the purpose of killing people. There’s a reason why they will not allow their chemicals to be used in this capacity: it’s an outdated and barbaric practice.

Seven states have abolished the death penalty since 2007. In addition to the high cost, capital punishment is deeply flawed in a systemic way. The most serious problem is the subjective application of the death penalty in select cases. Factors such as a defendant’s race and sex, the location where the crime was committed, the quality of the defense, and the inability of jury members with no knowledge of other cases to apply the law equally, and prosecutorial conduct are all factors that lead to the unpredictable application of the death penalty.

The continued use of capital punishment is enormously expensive and is not a deterrent of crime. It shows no clear benefits, is arbitrarily applied, and always carries the possibility of execution of an innocent person.

That is why I stand before you today as the sponsor of SB 94 to abolish capital punishment in Ohio. It is past time for us to take a serious look at the flawed use of the death penalty.

Members of the committee, thank you again for the opportunity to provide sponsor testimony. I am happy to answer any questions you may have.