

# Commission on Human Rights

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## **KY Human Rights Commission passes resolution opposing death penalty**

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(Oct. 18, 2012 Lexington, Ky.) At the Kentucky Commission on Human Rights Board of Commissioners meeting held yesterday in Lexington, Ky., the Commission urged the Kentucky General Assembly to repeal the law that allows the use of the death penalty in murder convictions. The Commission urged Gov. Steven Beshear to sign any such law brought before him by the General Assembly that abolishes the death penalty in Kentucky.

The Commission Board yesterday then unanimously passed a resolution opposing the death penalty. It will be submitted to Gov. Steve Beshear and to each member of the Kentucky General Assembly.

According to the Kentucky Commission on Human Rights Resolution of October 17, 2012, Opposing the Death Penalty:

“Since 1976, when Kentucky reinstated the death penalty, 50 of the 78 people sentenced to death have had their death sentence or conviction overturned due to misconduct or serious errors that occurred during their trial. This represents an unacceptable error rate of more than 60 percent. Nationwide, 140 people have been released from death rows due to evidence of their wrongful conviction.

“Statistics confirm that the imposition of the death penalty is disproportionately imposed on minorities and the poor. African Americans constitute 12 percent of the U.S. population, but represent 42 percent of prisoners on death row. According to *Amnesty International*, more than 20 percent of black defendants executed since 1976 were convicted by all-White juries. Additionally, numerous empirical studies, including one commissioned by the Kentucky General Assembly, have shown that the Commonwealth is more likely to seek the death penalty when the offender is black and the victim is white, and that a death sentence is more likely to be imposed on black offenders convicted of killing a white victim. Further, nationwide, over 90 percent of defendants in capital cases are indigent and cannot afford an experienced criminal defense attorney.

“Based on findings of a recent two-year study conducted by the American Bar Association (ABA), former Kentucky Supreme Court Justices, James E. Keller and Martin Johnstone, as well as the President of the ABA and former President of the Kentucky Bar Association, William T. Robinson, have called for a suspension of executions in Kentucky until its death penalty system has been reformed. Writing in the December 18, 2011 issue of the *Louisville Courier-Journal*, the Justices concluded that, ‘The list of problematic cases is staggering, and review of the system is deeply troubling. Fairness, impartiality, and effectiveness of counsel have been undermined by serious flaws that reveal systemic problems in administration of the death penalty in the Commonwealth.’ According to *Amnesty International*, over two-thirds of the countries of the world, 141 in total, have now abolished the death penalty in law or practice.”

The Kentucky Commission on Human Rights is the state authority that enforces the Kentucky and United States Civil Rights acts, which make discrimination illegal. The Kentucky Civil Rights Act protects people from discrimination in the areas of employment, public accommodations, housing, and financial transactions. It prohibits discrimination on the bases of race, color, religion, national origin, sex, age (40-years and over) in employment, familial status in housing (protects families with children in the household under age 18-years and pregnant women), and tobacco-smoking status in employment. The function of the Kentucky Commission on Human Rights is also to encourage fair treatment for, to foster mutual understanding and respect among all people and to discourage discrimination. For help with discrimination or for more information, call the commission at 1.800.292.5566.