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## **Over 55 Elected Prosecutors Call for an End to the Death Penalty**

### ***DAs and AGs Refuse to Seek the Death Penalty Against People with Intellectual Disabilities and Call for Efforts to Overturn Past Unjust Death Sentences***

Today, a bipartisan group of 57 elected prosecutors from 27 states and territories and the District of Columbia – including 12 states where the death penalty is still authorized by law – issued a [joint statement](#) calling for systemic changes to end the death penalty nationwide. These leaders also committed to not seek capital punishment for individuals with intellectual disabilities and other cognitive challenges. The statement was released in conjunction with [new polling from Justice Research Group and Data for Progress](#) showing wide bipartisan opposition to death sentences for people with cognitive challenges.

“The death penalty is an archaic and failed institution that fails to provide any benefit to public safety, is rooted in racism and too often punishes the innocent. That we continue to put people with intellectual disabilities to death 20 years after the Supreme Court ruled it unconstitutional is further proof of this deeply broken system,” said **Miriam Krinsky, Executive Director of Fair and Just Prosecution**, the organizer of the joint statement, and a former federal prosecutor. “Elected prosecutors have an obligation to pursue justice, yet the injustices of capital punishment are clear. It’s long past time to end the death penalty, once and for all.”

The statement underscores how the death penalty does not target the “worst of the worst, but rather the unluckiest of the unluckiest,” including those with serious mental illnesses and traumatic brain injuries, people who experienced unthinkable traumas as children, veterans suffering from post-traumatic stress disorder and individuals whose lawyers failed to adequately represent them and uncover histories of illness and trauma. The signatories emphasize their support for overturning existing unjust death sentences, including those with colorable claims of innocence, racial bias, egregiously inadequate or negligent defense counsel, discovery violations or other misconduct.

“As an elected prosecutor, I have an obligation to pursue justice and there is no justice found in capital punishment,” said **Nueces County, Texas District Attorney Mark Gonzalez**. “The evidence is overwhelming that the death penalty is arbitrarily applied, rife with racial disparities and a waste of taxpayer dollars. Accountability is possible without putting people to death. We must come together as a country to find a way to end capital punishment once and for all.”

[New polling](#) also released today shows broad public support for ending many of the injustices of capital punishment. Sixty-three percent of likely voters polled – including 59 percent of Republicans – oppose seeking death sentences for people with a traumatic brain injury, and 60

percent – including 55 percent of Republicans – oppose death sentences for people with a diagnosed mental illness. Additionally, voters expressed support for their local prosecutors seeking commutations for vulnerable and intellectually disabled people already sentenced to die.

The United States remains an international outlier on capital punishment, as it was one of only 18 countries and the only Western democracy to use the death penalty in 2020. As the joint statement notes, “Not only do we continue to separate ourselves from our peer nations by imposing the death penalty, but we do so in a way that is — on a national scale — arbitrary and capricious.”

The statement also stressed the racial disparities inherent in capital punishment and the significant danger of executing an innocent person. People of color have accounted for a disproportionate 43 percent of executions in the United States since 1976, and 58 percent of defendants currently awaiting execution are people of color. Additionally, at least 186 people have been exonerated from death row over the past 50 years and over four percent of death row inmates are estimated to be innocent.

Signatories to the statement include five Attorneys General, as well as elected prosecutors from states where the death penalty has been carried out over the past three years – including Dallas County, Texas District Attorney **John Creuzot**, Travis County (Austin), Texas District Attorney **José Garza**, Western Judicial Circuit, Ga. District Attorney **Deborah Gonzalez**, Nueces County, Texas District Attorney **Mark Gonzalez**, Hinds County, Miss. District Attorney **Jody Owens** and Florida’s 13th Judicial Circuit State Attorney **Andrew Warren**.

Read the [joint statement](#) and [polling report](#) and see the full list of signatories below.

For more on this topic, FJP and the American Constitution Society will be hosting a webinar, **“Ending State-Sanctioned Killings: Prosecutors and the Death Penalty,”** on **Wednesday, February 23, at 3 PM ET**. The webinar will be moderated by journalist **Elizabeth Bruenig** and will feature Death Penalty Information Center Executive Director **Robert Dunham**, Arlington County and the City of Falls Church, Va. Commonwealth’s Attorney **Parisa Dehghani-Tafti**, King County, Wash. Prosecuting Attorney **Dan Satterberg**, ACS President and former Senator **Russ Feingold** and FJP Executive Director **Miriam Krinsky**. Get more information on the webinar and register [here](#).

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*Fair and Just Prosecution is a national network of elected prosecutors working towards common-sense, compassionate criminal justice reforms. To learn more about FJP’s work, visit our [website](#) and follow us on [Facebook](#), [Twitter](#), and [LinkedIn](#).*

### **List of Signatories**

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