



Death is different: Reforming Alabama's capital punishment system

*By Stephen Stetson, policy analyst
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How sure are you that human beings will get it right every single time? A single small mistake in a death penalty case could result in an unjust execution – an error that can never be corrected.

People accused of capital crimes deserve every possible safeguard to ensure the integrity of a conviction. Several bills have been introduced this session to improve Alabama's death penalty process by lowering the risks of errors and injustice.

What are the capital punishment reform bills?

SB 237, sponsored by Sen. Dick Brewbaker, R-Montgomery, is a bipartisan effort to establish a statewide Innocence Commission to examine capital convictions. The commission would evaluate whether errors occurred in any of the stages leading up to the conviction and sentencing. The Senate Judiciary Committee has approved the bill, and it awaits a vote by the full Senate.

Sen. Hank Sanders, D-Selma, also has introduced his usual slate of proposed death penalty reforms. **SB 117** would end the process known as “judicial override,” in which judges in capital cases can disregard a jury's recommended sentence of life imprisonment without parole and impose a death sentence. This bill is particularly important in light of a recent U.S. Supreme Court ruling (*Hurst v. Florida*) that casts new critical light on this practice. Adding extra timeliness to this debate is a Jefferson County circuit judge's ruling on March 3 that Alabama's capital sentencing scheme is unconstitutional. (The state is expected to appeal that ruling.)

Sanders also has introduced **SB 153**, which would place a temporary moratorium on death sentences and executions. Finally, two additional Sanders bills would bring Alabama law into compliance with U.S. Supreme Court rulings that forbid executions of defendants who were under age 18 at the time of the crime (**SB 154**) and forbid executions of defendants who have mental disabilities (**SB 155**).

What's the bottom line?

Several bills offer a path forward on the rocky terrain of capital punishment in Alabama. With nearly 200 people sitting on death row in this state, it's crucial that we soberly assess current laws and the risks of errors. Whether you're for or against the death penalty, on this life-or-death issue, justice requires legislative reforms to Alabama's capital punishment system.