



**Testimony for the Senate Judicial Proceedings Committee
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SB 346 Criminal Law - Death Penalty - Reinstatement

UNFAVORABLE

The ACLU of Maryland urges an unfavorable report on SB 346, which would reinstate the death penalty in certain circumstances.

The death penalty does not deter crime

Since 1977 over 80% of all executions have occurred in the South, the region with the highest murder rate. The Northeast, the region with the lowest murder rate, has accounted for less than 1 percent of these executions. Although the issue of deterrence has been studied extensively, there is no credible evidence that capital punishment deters murder or makes us any safer.

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Imposition of the death penalty is racially biased

Defendants accused of killing white people are far more likely to get the death penalty than those accused of killing Black people. When the death penalty was abolished in Maryland, at least 75% of all homicide victims in Maryland annually were African-American. Yet, in every Maryland murder that had resulted in an execution since 1978 – and in all pending death sentences – the victim was white.¹

The death penalty kills the innocent

Nationwide, since 1973, 138 death-row prisoners have been released because they were innocent. In addition, at least ten people have been executed since 1976 even though they were probably innocent.² Wrongful convictions often result from false confessions, which are frequent among people with mental illness, mistaken eyewitnesses, jailhouse informants, junk science and prosecutorial abuse.

For these reasons, we urge an unfavorable report on SB 346.

¹ See "Maryland's Death Penalty: Still Here, Still Unfair. More Arbitrary and Costly," citing Maryland State Police data.

² <http://www.deathpenaltyinfo.org/death-sentences-united-states-1977-2008>