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## DEATH PENALTY INFORMATION CENTER

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### **SYSTEMIC PROBLEMS COMPEL ILLINOIS GOVERNOR TO COMMUTE REMAINING DEATH SENTENCES**

#### ***Clemency Decision Reflects Growing National Concern About Innocence and Unfairness in Capital Punishment***

WASHINGTON, DC --Today's decision by Illinois Gov. George Ryan to grant clemency to 156 death row inmates is a direct result of the flawed process that led to these sentences. The governor's actions are in keeping with traditional use of this executive power to remedy great injustices. Ryan's announcement, made during a speech at Northwestern University Law School, comes just one day after Ryan pardoned four death row inmates whose convictions he said are part of the state's failed justice system and "shameful scorecard" of wrongful convictions.

Today's clemencies were not necessarily prompted by the defendants' innocence. "Given the shoddy representation afforded many of these inmates, and the improper use of jailhouse snitches, coerced confessions, and unreliable evidence, the Governor had little choice but to question the validity of these death sentences," said Richard Dieter, Executive Director of the Death Penalty Information Center. "These inmates are not being set free -- many will be in prison for life. But we need a higher standard of due process before we sentence people to die."

Ryan has often voiced concern that current death penalty policies could result in the execution of an innocent person. In January 2000, after Illinois had released 13 innocent inmates from death row in the same time that it had executed 12, Ryan declared a moratorium on executions and appointed a blue-ribbon Commission on Capital Punishment to study the issue. Based on the yet-to-be implemented recommendations made by that Commission, Ryan's decision to grant today's commutations reflects his concern that Illinois's death penalty system lacked uniform standards designed to avoid arbitrary and inappropriate death sentences.

Around the country, prior to yesterday's action in Illinois, 102 death row inmates have been exonerated and freed in 25 states since the reinstatement of the death penalty. These cases of innocence, as well as the troubling systemic errors that caused these wrongful convictions, have led many national organizations and prominent individuals to call for a halt to executions. Organizations such as the American Bar Association have joined voices with individuals such as Pat Robertson, Jesse Jackson, and Rosalynn Carter to call for at least a temporary halt to executions while death penalty policies are reviewed and crucial reforms are considered. Currently, of the 38 states that retain the death penalty, Maryland and Illinois have moratoriums in place.

Many family members of murder victims supported Ryan's action. Renny Cushing of Murder Victims' Families for Reconciliation said, "I applaud Governor Ryan's collaboration with murder victims' survivors throughout his decision-making process, and I believe he came to the right decision about the inmates on Illinois's death row. Capital punishment does not heal the wounds of murder."

More than 3,500 inmates remain on the nation's death rows. Many states have had problems similar to those in Illinois. A recent study revealed that serious mistakes were made in 68% of death penalty cases nationwide, indicating that much of the work of reforming the death penalty remains undone. Congress has still not passed the Innocence Protection Act, a bipartisan bill that provides safeguards against wrongful convictions by ensuring inmate access to DNA testing and improving the quality of legal representation for capital defendants. Many states also lag behind in making meaningful changes to what has been accurately described as a "broken system."

Commutation of sentences in criminal cases is one of the powers typically reserved to the governor in state constitutions. Ryan's broad grant of commutation is the largest of its kind since the death penalty was reinstated in 1976, and is similar to the actions of New Mexico Gov. Toney Anaya in 1986 and Arkansas Gov. Winthrop Rockefeller in 1970, when they granted clemency to all of their states' death row inmates.

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