CRIMINAL JUSTICE LEGAL FOUNDATION

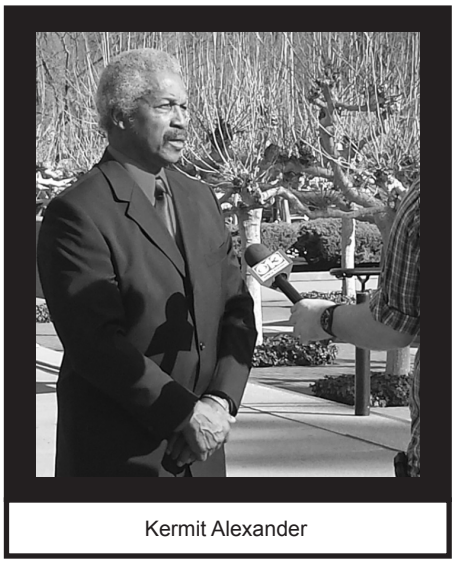
CJLF Advisory

Volume 33, No. 1 Winter 2015

CALIFORNIA ON TRIAL FOR EXECUTION DELAY

A Sacramento Superior Court judge has issued a ruling requiring that the California Department of Corrections and Rehabilitation (CDCR) defend itself in a lawsuit claiming that it has needlessly delayed executions of condemned murderers for the past nine years. The lawsuit, which was filed by the Criminal Justice Legal Foundation on behalf of the families of murder victims, seeks to force the CDCR to adopt a single-drug execution protocol which is currently used in several other states. In a ruling made available on February 9, Sacramento Superior Court Judge Shellyanne Chang determined that CDCR is required by law to adopt an execution protocol and that victims have the right to seek court action to force compliance.

The suit (**Winchell & Alexander v. Beard**) was filed last November by the CJLF on behalf of Kermit Alexander, whose mother, sister and two nephews were murdered in 1984, and Bradley Winchell, whose sister was raped and murdered in 1981. They argue that as relatives of the victims they have been denied justice by the continued delays. Both murderers, Tiequon Cox and Michael Morales, have exhausted all appeals and, along with over a dozen other murderers on death row, would have already been executed or would be facing execution soon if CDCR chose to comply with state law and a 2006 federal district court ruling.



Kermit Alexander

California's existing three-drug execution protocol has been blocked by a federal lawsuit for the past nine years, although a 2006 federal district court ruling in **Morales v. Hickman** held that CDCR could resume executions if it adopted a barbiturate-only protocol. A second decision by the California Court of Appeal requires that protocols be established through California's cumbersome Administrative Procedure Act.

The victims' suit asks the judge to order CDCR to adopt a protocol that is consistent with the limits imposed by those decisions.

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HOUSE MAJORITY LEADER KEVIN McCARTHY ADDRESSES CJLF BOARD

Kevin McCarthy

Bakersfield Congressman and House Majority Leader Kevin McCarthy addressed the Criminal Justice Legal Foundation's Board of Trustees at the winter meeting on February 20. The Congressman, who was introduced by former California Governor Pete Wilson, discussed plans for the House to move major legislation addressing energy, taxes, immigration, and national security. Comparing the current state of the nation under the Obama Administration with the late 1970s under President Carter, McCarthy said the nation is poised for a return to business-friendly policies, a strong and growing middle class, and the return of America as the leader of the free world. The Congressman also expressed his concern for policies that are increasing crime in his home state of California and thanked the Foundation for its work to address this problem.

The luncheon, held at The Jonathan Club in downtown Los Angeles, was hosted by Foundation Board Member and former Chairman William Shaw. Guests included several District Attorneys, law enforcement officials, and Southern California business leaders.

The Foundation hosts three to four luncheons annually to bring together its Board Members, major contributors, and top government and law enforcement leaders to discuss the effectiveness of the criminal justice system and the impact of current law and policy on public safety.

The Criminal Justice Legal Foundation is a non-profit, public interest law foundation representing the interests of law-abiding citizens in court. CJLF is an independent corporation supported by tax-deductible contributions from the general public and is qualified under IRC 501(c)(3). CJLF does not engage in any form of political or lobbying activity. The Advisory is published by the Criminal Justice Legal Foundation, Michael Rushford, Editor, 2131 L Street, Sacramento, California 95816. (916) 446-0345.

RACE BAITING AND BLACK CRIME

For one who was alive and aware in the 1960s, the racial politics of the past few years looks familiar. At that time, as some brave men, women, and religious leaders were seeking to remove racial barriers to equality and opportunity, more radical elements sought to force change through violence. Major riots between 1964 and 1968 in dozens of cities, including New York, Philadelphia, Los Angeles, Newark, and Washington, D.C., left scores of black people dead, thousands injured, and millions of dollars worth of property, including many black-owned homes and businesses, destroyed. Most of these riots were sparked by incidents where black suspects were arrested or shot by white police officers, and therefore de facto racist. The passage of the Voting Rights Act and President Lyndon Johnson's Great Society programs worked to calm racial tensions for several years.

But in 1991, racial tension exploded in Los Angeles after four police officers who were seen on video beating a black suspect named Rodney King were acquitted. The video was damning, but it did not show the drunk ex-con leading police on a 117 mph chase across Los Angeles. It did not show King's two passengers obey officers' orders and remain unmolested, nor King's refusal to comply and actually charge one of the officers. While later reviews of the evidence did find fault with the behavior of two of the police officers, was the riot justified? Shortly after the initial acquittal, I recall vividly viewing national news broadcasts where network anchors and black commentators called the verdict an injustice and rationalized the violent response.

The LA riots left 53 people dead, nearly 2,000 injured, and caused an estimated $1 billion in property damage.

While the riots of the 60s fostered a perception among the general population that young black males were dangerous, the Rodney King riots, more than with the earlier ones, put the looting, arson, and attempted murders on national television. Reporters on the ground confirmed what we were seeing. This wasn't really about Rodney King: this was about widespread violent criminal behavior that had been encouraged by the narrative of race-baiters and many in the media that blacks were victimized by a racist justice system and held down by a racist society. Some who had made careers out of racial division admitted to part of this. In a 1993 speech to a largely black audience at Operation PUSH in Chicago, Jessie Jackson said, "There is nothing more painful to me at this stage in my life than to walk down the street and hear footsteps . . . . Then look around and see somebody white and feel relieved . . . ."

Wall Street Journal editorial board member Jason Riley, a black man who grew up in the inner city, notes, "Any candid debate about race and criminal justice would have to start with the fact that blacks commit an astoundingly disproportionate number of crimes. Blacks constitute about 13 percent of the population, yet between 1976 and 2005 they committed more than half of all murders in the U. S." He also pointed out that, "Homicide is the leading cause of death for young black men in the U. S., and around 90 percent of the perpetrators are also black." Riley points out that the high black incarceration rates have little to do with racial bias and everything to do with black crime. The black drug dealers that we are now told were sent unjustly to federal prisons can thank most of the members of the Congressional Black Caucus who voted with other Democrats for tougher drug laws in the 1980s. At that time, black congressional leaders said that drugs, and particularly "crack cocaine," were destroying black communities. Now, 30 years later, America's black Attorney General, and a host of race baiters and liberal academics, say these laws and the people who enforce them are racist.

In the years since Barack Obama was elected President, his actions and those of his Attorney General have, with the help of the mainstream media, taken every opportunity to define the police, the courts, and most Americans as racially biased.

When Hispanic neighborhood watchman George Zimmerman shot black teenager Trayvon Martin in a Florida neighborhood on a rainy February 26, 2012 evening, the media quickly labeled Zimmerman as a white man who shot an unarmed black teenager. Zimmerman was later described as a "white Hispanic." Three days after the shooting, NBC news edited an audio recording of Zimmerman's 911 call reporting Martin as a possible burglary suspect. The edited tape had Zimmerman saying, "This guy looks like he's up to no good. He looks black," when he actually only speculated on the suspect's race much later in the call after being asked by the 911 operator. This edited version was aired on NBC national news programs for more than a week.

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Advisory layout design by Irma H. Abella

B O X S C O R E

An accounting of the state and federal court decisions handed down over the past year on cases in which CJLF was a participant. Rulings favoring CJLF positions are listed as WINS, unfavorable rulings are LOSSES, and rulings which have left the issue unsettled are DRAWS.

Winchell & Alexander v. Beard: 2/10/15. A Sacramento Superior Court decision requiring that the California Department of Corrections and Rehabilitation (CDCR) defend itself in a lawsuit claiming that it has needlessly delayed executions of condemned murderers for the past nine years. The lawsuit, which was filed by CJLF on behalf of the families of five murder victims, seeks to force the CDCR to adopt a single-drug execution protocol, which is currently used in several other states, to allow the resumption of executions in California. The CDCR sought to have the case thrown out, arguing that it had the discretion to take as long as it chooses to develop its execution protocol, and that the families of murder victims did not have a legal right (standing) to hold CDCR accountable. The court's decision announced that CDCR is required by law to adopt an execution protocol within a reasonable period of time and that *victims have standing* to seek court action to force compliance. To avoid a trial, the state is currently asking the court of appeals to overturn this ruling, but it is unlikely this will occur. The next step will be a hearing, which should be held later this year. **WIN**

Jennings v. Stephens: 1/14/15. U. S. Supreme Court ruling allowing a condemned cop killer to raise on appeal an allegation challenging his conviction on federal habeas corpus even though it had been rejected by a lower court. The case involved the conviction of Robert Lee Jennings for murdering a Houston police officer during a 1988 robbery. After his conviction and sentence had been upheld by the state's highest court on direct appeal, Jennings raised allegations challenging the competence of his trial attorney before a federal district court on habeas corpus. The court denied one of his allegations, but accepted others. When the federal appeals court refused to hear the denied allegation on appeal, the Supreme Court agreed to review that holding. CJLF joined the case seeking a decision requiring that all allegations included in a claim of ineffective assistance of counsel be considered together as one claim on appeal, even if a lower court denies some of them. A decision requiring this would have simplified and shortened the post-conviction review of death penalty cases. In its ruling, the court chose not to confront the "claim" issue, but allowed the defendant to raise his rejected allegation. **DRAW**

Hall v. Florida: 5/27/14. U. S. Supreme Court decision announcing that, when determining the IQ of a murder defendant who claims he is ineligible for the death penalty because he is mentally retarded, states should not use a rigid cutoff score that does not account for a margin of error. The case involved a murderer's claim that the IQ requirement for mental retardation should be expanded from a score of below 70 to a range of 67 to 75. In 1981, Freddie Lee Hall, and an accomplice, kidnapped a 21-year-old pregnant woman from a grocery store parking lot and drove her into the woods where she was raped, beaten, and shot to death. After two decades of appeals upholding Hall's conviction and sentence, the Supreme Court decided in another case that executing the mentally retarded was unconstitutional. At that time, the Florida Legislature had already adopted a nationally accepted standard, which included an IQ below 70 to qualify. Hall, whose lowest admissible IQ score was 71, asked the Supreme Court to broaden the range to include him. When the Supreme Court agreed to hear Hall's appeal, CJLF accepted the Florida Attorney General's request to join the case. CJLF argued that standards for mental retardation should be left up to the states. Otherwise, well-deserved sentences for clearly guilty murderers will be held up for years as these issues are endlessly reviewed. **LOSS**

People v. Moffett: 5/5/14. California Supreme Court ruling that a California law, which allows murderers between the ages of 16 and 18 years old to be eligible for a sentence of life without the possibility of parole (LWOP), does not violate the U. S. Supreme Court's June 2012 decision in **Miller v. Alabama**. The case involves a criminal (a few days short of his 18th birthday) who committed an armed robbery along with an accomplice. During their attempted escape, the accomplice shot and killed a police officer. Andrew Moffett was convicted of the murder of Officer Larry Lasater, which is a death penalty offense for murderers over 18. Because of his age, he received a sentence of LWOP. During sentencing, the judge noted that she was exercising her discretion to give this sentence, rather than life with parole, due to the circumstances of the crime. While Moffett's case was on appeal, the U. S. Supreme Court, in **Miller v. Alabama**, abolished mandatory LWOP for murderers under 18. The state Court of Appeal overturned Moffett's sentence, announcing that it violated the "spirit" of **Miller**. When the California Supreme Court agreed to hear the state's appeal, CJLF filed an *amicus curiae* brief on behalf of Officer Lasater's wife, mother, and brother arguing to reinstate Moffett's sentence. The brief noted that the **Miller** ruling bars mandatory LWOP for murderers under the age of 18, while California law gives judges sentencing discretion. The state Supreme Court agreed, but due to **Miller**'s expanded factors that must be considered at sentencing, Moffett's case was sent back to the original trial judge for resentencing, and the judge resentenced Moffett to LWOP. **DRAW**

White v. Woodall: 4/23/14. A 6-3 U. S. Supreme Court decision to reverse a 2012 federal appeals court ruling which had improperly held the murderer's death sentence unconstitutional. Undisputed evidence, including a DNA match, proved that on the evening of January 25, 1997, Woodall kidnapped high school cheerleader Sarah Hansen from a convenience store and took her to a nearby lake where he raped and beat her before slitting her throat. After Woodall pled guilty to the crimes, the sentencing jury heard testimony from 14 witnesses supporting a life sentence, but Woodall did not take the stand. Following his conviction and sentence, Woodall won a federal court ruling overturning his death sentence, announcing that the judge had violated his rights by failing to tell the jury to ignore his decision not to testify. When the Supreme Court agreed to hear the case, CJLF accepted the Kentucky Attorney General's invitation to file argument. The Foundation argued that there is **WIN**

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Case Report

A Summary of Foundation Cases Currently Before the Courts

Ohio v. Clark: U. S. Supreme Court review of an Ohio Supreme Court ruling *overturning* a child abuser's conviction because allowing the teachers who discovered his victim's injuries to testify about what the child told them violated the criminal's constitutional right to confront the witnesses against him. The case involves the 2010 conviction of Darius Clark for the beating of his girlfriend's three-year-old son and two-year-old daughter. When preschool teachers noticed bruises on the little boy's face they asked him who hurt him. When he responded that Clark had hit him, they reported the incident to child protective services, who located the boy and his sister and took them to a hospital where other injuries to both children were discovered. On appeal, Clark won a decision announcing that the testimony of the teachers at his trial was unconstitutional. When the state appealed that ruling, CJLF filed a scholarly *amicus curiae* (friend of the court) brief to encourage a decision to allow the testimony of first responders who discover a crime victim. A decision favoring Clark would prevent juries from hearing important evidence critical to identifying the criminal.

Elonis v. United States: U. S. Supreme Court case to hear the appeal of a Pennsylvania man convicted of violating a federal law, which makes it a crime to transmit threatening statements across state lines. The case involves the October 2011 conviction of Anthony Elonis for using Facebook to transmit threats to the lives of his estranged wife and a female FBI agent. In 2010, Elonis's wife left with their two young children. Later, Elonis began having trouble at his job. A female employee he supervised reported him for undressing himself at her desk while she was working. Elonis was later fired after posting a photo depicting himself preparing to slit the woman's throat, with the caption "I wish." Elonis then began posting statements threatening to murder his estranged wife, including one post where he states, "I'm not going to rest until your body is a mess, soaked in blood and dying from all the little cuts." When the FBI was notified, a female agent was assigned to monitor Elonis's Facebook page. Eventually the agent and a colleague visited Elonis for an interview, which he refused. Later that day, he posted that he intended to slit her throat. After his conviction, Elonis argued unsuccessfully on appeal that his Facebook postings served as therapy for him and that they represented expression protected by the First Amendment. He also raised a Ninth Circuit ruling asserting that the law required that intent to threaten be proven. In the Supreme Court appeal, CJLF argues that the First Amendment does not protect threats that a reasonable person would believe are true, and that under this federal law, proof of specific intent is not required for a conviction.

HCRC v. U. S. Department of Justice: Ninth Circuit Court of Appeals case to review an order by a district judge in Oakland, blocking the fast-track process for federal appeals of state death penalty cases enacted by Congress and signed into law by President Clinton in 1996. In the District Court, Marc Klaas, whose daughter was murdered in 1993 by a habitual felon later sentenced to death for the crime, sought to be included as a party in the case to argue against further delay of the fast-track process. The court denied his request and ruled in favor of a group of death penalty defense attorneys who had filed the suit to halt the process. On appeal, CJLF, representing Mr. Klaas, argues that he has a right to intervene as a party in the case to assure that his interest in ending the delay in reviewing the conviction and death sentence of his daughter's murderer is considered. The Foundation's brief notes that there is ample Ninth Circuit precedent supporting Mr. Klaas's right to be heard in this case.

Santiago v. State: Connecticut Supreme Court case to consider a condemned murderer's challenge to an April 2012 law, which prospectively abolishes the death penalty but allows the execution of murderers currently on the state's death row and of those who committed capital murder before the law's enactment. Eduardo Santiago was sentenced to death in 2005 for a contract killing. He argues that by abolishing the death penalty, the state Legislature has affirmed that it serves no penological interest and therefore must apply it retroactively. CJLF was asked to join the case by Dr. William Petit, who survived the brutal 2007 home invasion robbery which resulted in the sexual assault and murder of his wife and two daughters. The two habitual felons convicted of these crimes, Joshua Komisarjevsky and Steven Hayes, are currently on death row. CJLF argues that adoption of this law was the result of a legislative compromise involving several lawmakers who would only vote for it if the sentences for current death row inmates were retained. A decision adopting Santiago's position would infringe on the fundamental purpose of the legislative branch, which is to pass laws through compromise.

BOXSCORE *continued from page 3*

no Supreme Court precedent requiring a "no adverse inference" instruction at a sentencing hearing and, as such, the claim was properly denied by the state courts. The brief noted that the federal appeals court had exceeded its authority in order to void Woodall's sentence. The Supreme Court's decision overturning the lower court decision cited CJLF Legal Director Kent Scheidegger for providing a key argument.

Kansas v. Cheever: 12/11/13. Unanimous U. S. Supreme Court decision to overturn a Kansas court ruling, which held that the Constitution prohibited a prosecution expert from testifying in rebuttal to a cop killer's expert on a mental defense claim. In 2005, drug dealer Scott Cheever shot and killed a Kansas county sheriff who was serving an arrest warrant. Cheever shot at several other officers before he surrendered. At trial, a pharmacist testified that Cheever was too high on drugs to have intended to kill the sheriff. Over Cheever's objection, the prosecution introduced an expert who testified that Cheever knew what he was doing on the day of the murder. The Kansas Supreme Court later overturned Cheever's conviction and death sentence, finding that, with the exception of a claim of mental illness, the Constitution did not allow a compelled examination by a prosecution expert to rebut defense experts on other mental defenses, such as intoxication. CJLF joined the state Attorney General's appeal to argue that the Kansas court's holding was not supported by the Constitution or any Supreme Court precedent. **WIN**

TOTAL	**3 Wins**	**1 Loss**	**2 Draws**

"RACE BAITING"

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Shortly after the shooting, the Department of Justice announced it would investigate the case to determine if Martin's civil rights had been violated. Four weeks later, President Obama told the nation, "if I had a son, he would look like Trayvon."

Police arriving at the scene reported that Zimmerman had a bloody nose and blunt trauma to the back of his head. He told the officers that Martin had attacked him, knocked him to the ground, and was wrestling him for his gun when he shot him. Shortly after the local police department investigated the incident and announced that there was not enough evidence to justify Zimmerman's arrest, the department was labeled as racist. Jessie Jackson told reporters that Trayvon had been "murdered and martyred" and Al Sharpton later said, "Forty-five days ago Trayvon was murdered. No arrest was made." Political pressure forced the state to put Zimmerman on trial for second-degree murder. After two days of deliberation, the jury found him not guilty on all counts. On February 24, 2015, after a two-year investigation, the Department of Justice announced that no civil rights charges would be filed against Zimmerman.

A more heated scenario played out on August 9, 2014, when a veteran white police officer in Ferguson, Missouri, shot and killed an 18-year-old black man in front a several witnesses. Every major news report characterized the incident as a white police officer (Darren Wilson) shooting an unarmed black teenager (Michael Brown). Over the next eight nights, television and smart phone cameras recorded protesters in the mostly black community smashing windows, attacking cars, looting and setting fire to local businesses, and attacking police. During the days of the riots, Attorney General Eric Holder expressed sympathy for Michael Brown's parents and announced that he had ordered a separate federal investigation of the incident. The Washington Post suggested that the Ferguson Police Department was racially biased. A story in Time Magazine stated, "Blacks in this country are more apt to riot because they are one of the populations here who still need to." During the widely attended funeral for Michael Brown, race hustler Al Sharpton said, "We are not looters. We are liberators. . . . Michael Brown gonna change this town."

In a statement to the nation on September 28, 2014, President Obama said the Michael Brown incident exposed a racial divide in the American justice system which "stains the hearts of black children." The term "hands up, don't shoot," supposedly depicting the circumstances of the shooting, became the mantra for racial injustice and police brutality. Protesters across the country, members of Congress, and even athletes at sporting events put their hands up to show their unity.

Aftermath of Ferguson riots.

On November 24, 2014, following a grand jury announcement that the evidence did not support charging officer Darren Wilson for the shooting, there was more rioting in Ferguson, in spite of overwhelming evidence, including statements from several black witnesses, that 6'4", 290lb Brown had attacked Wilson, wrestled for his gun, and was shot while charging the officer, not while standing with his hands up.

On March 4, 2015, the Department of Justice released its finding that there was insufficient evidence to prosecute Officer Wilson for violating the civil rights of Michael Brown. This means that, like the Trayvon Martin shooting, the Michael Brown shooting was not about race. This coming from the most race-obsessed Attorney General in our nation's history. Not surprisingly, on the same day, the Attorney General also released a report finding that the Ferguson Police Department was racially biased.

Nothing positive was accomplished for law-abiding blacks by any of the incidents mentioned here. Even though the claims of the race baiters were again proven wrong, many still believe that the criminal justice system targets blacks. As a result, assaults on police officers, including murders have increased. The rational response for police agencies and many officers may be to submit to Attorney General Holder's demands and back off on enforcing the law against blacks. This guarantees disproportionately high crime and victimization rates in urban black communities.

Nobody could have done more to the prevent this than America's first black President.

Michael Rushford, President & CEO

State and national crime policies are putting known criminals back on the streets. CJLF is fighting to end those policies while battling the ACLU and other pro-criminal groups before the courts to protect victims' rights and the safety of you and your loved ones. Our survival and continuing efforts depend upon annual tax-deductible contributions from people like you, who want criminals to be held responsible for the crimes that they commit. If you have not given to CJLF this year, do so today. Please clip and mail the card on the right along with your check or visit *www.cjlf.org* to use your credit card. ***Thank you very much!***

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Winter 2015

CJLF SUPPORTS REFORMS OF PROP. 47

Last fall, nearly 60% of California voters adopted Proposition 47, "The Safe Neighborhoods and Schools Act." The initiative reclassified felonies, such as possession of dangerous drugs and theft-related crimes, including gun theft, as misdemeanors. This eliminated prison sentences for those who commit these crimes, even for habitual felons with serious priors on their records. Up to 10,000 habitual felons serving time in prison for one of the downgraded crimes became eligible for release with the passage of Proposition 47 and thousands have already been let go.

The initiative received over $8.5 million in contributions, with nearly $6 million coming from out-of-state sources, including $3.5 million from the ACLU. These millions financed a misleading statewide campaign that claimed that the initiative was supported by law enforcement and would reduce crime.

In fact, the initiative's only law enforcement supporters were two of California's 58 district attorneys and a former San Diego Police Chief. The rest of the proponents were anti-sentencing groups, mostly Democrat politicians and labor unions. Every professional law enforcement organization and legitimate crime victims' group in California opposed the initiative.

In the five months since Proposition 47 became law, police agencies across the state have reported significant increases in property crime. The President of the California State Sheriffs' Association recently told reporters, "I don't believe the voters truly knew what they were signing up for."

Responding to the misleading claims and increased crime, Republicans and Democrats in the state legislature have joined together to introduce measures to reform Proposition 47. State law only allows initiatives to be amended by voters at a general election, unless the initiative specifies otherwise. This requires bills to amend Proposition 47 to pass in both houses and be signed by Governor Brown, before they can appear on the 2016 general election ballot.

Among the bills that, if passed, would come before the voters are AB 150, which would restore the theft of a firearm as a felony. The companion bills, AB 46 and SB 333, would give district attorneys the option of prosecuting the possession of date-rape drugs as a felony.

Among the unintended consequences of Proposition 47 is the conversion of thousands of felons, who were required to give DNA samples to help solve crimes, to misdemeanants who are not required to give DNA. Police are also barred from seeking search warrants for criminals whose crimes were downgraded to misdemeanors. AB 390 would allow DNA testing and AB 1104 would permit police to seek search warrants for these offenders. Because these bills do not amend the initiative, but fix problems it caused, they can be passed into law by majorities in both houses and the governor's signature.

"CALIFORNIA ON TRIAL"

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In 2007, the CDCR announced that it would continue with the three-drug protocol, essentially agreeing to continue a moratorium on executions. In April 2012, Governor Jerry Brown, who oversees the CDCR, directed the agency to develop alternatives, including investigating a single-drug protocol. Yet, over the past two and one-half years, the agency has made no visible effort to comply.

Several states have adopted the court-approved, single-drug protocol, including Arizona, Georgia, Idaho, Missouri, Ohio, South Dakota, Texas, and Washington. Texas alone has executed 38 murderers with a single-drug protocol since 2012. Media witnesses have reported no apparent difficulties in the Texas executions.

"This initial ruling is important for two reasons," said Foundation Legal Director Kent Scheidegger. "First, the court has recognized that crime victims do have standing in court to require that the law be enforced. Second the court held that CDCR does not have the 'unfettered discretion' to drag their feet indefinitely as they claim."

CDCR is represented by California Attorney General Kamala Harris. "The Attorney General is more than just a lawyer representing a client," said Scheidegger. "She is the chief law enforcement officer of the state. I am particularly disappointed that she would argue that victims of crime have no standing. California crime victims deserve better."

Criminal Justice Legal Foundation
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Sacramento, CA 95816

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