



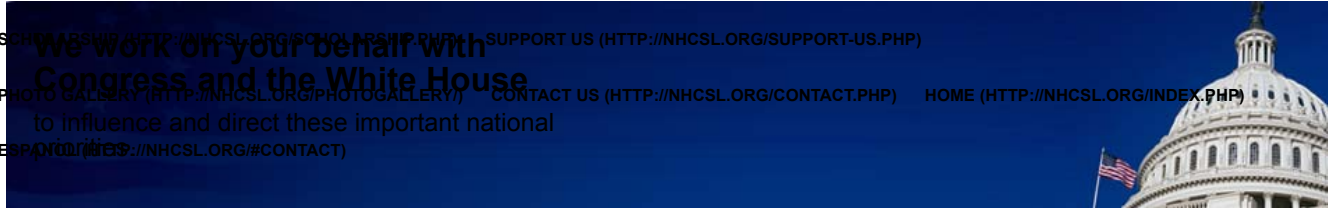
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### NHCSL RESOLUTIONS 2016

2016-11

ASSEMBLYWOMAN ANNETTE QUIJANO (NJ)  
LAW & CRIMINAL JUSTICE TASK FORCE

#### RESOLUTION SUPPORTING REPEAL OF THE DEATH PENALTY

WHEREAS, Latinos are the fastest growing demographic in the United States and continue to have their unequal treatment at the hands of the criminal justice system underreported;

WHEREAS, what limited data is available shows that Latinos are disproportionately impacted by community violence<sup>1</sup> and, at the same time, experience racial bias at all levels of the criminal justice system;

WHEREAS, racial bias in the criminal justice system, including the death penalty and its application, is an undisputed fact. Black, Latino, Native Americans, and all people of color are sentenced to longer prison terms, more likely to be tried as an adult, and are more likely to be sentenced to death in the USA. Studies show that nationwide, Latinos are imprisoned at a rate 1.4 times the rate of whites<sup>2</sup>, and that white juries are more likely to sentence a Latino defendant to death<sup>3</sup>;

WHEREAS, racial bias extends beyond who is sentenced to death. Racial bias is evident in the cases that are lifted by (majority white) prosecutors to the capital case level. 86% of studies show that when the victim is white, a defendant is more likely to be charged with and sentenced to death. In fact, since 1976 only 6.8% of the victims of those executed were identified as Latino<sup>4</sup>;

WHEREAS, of the top ten counties in the US that most actively sentence defendants to death, every single one has large or majority Latino populations<sup>5</sup>;

WHEREAS, the risk of executing an innocent person is higher than ever and evidence suggests that Latinos have been executed despite possible innocence<sup>6</sup>. Since 1973, more than 150 innocent people have been exonerated and released from death row after having been wrongfully convicted. These men and women collectively spent more than four centuries on death rows throughout the United States;

WHEREAS, states can no longer purchase execution drugs on legal markets because pharmaceutical companies refuse to allow their life saving drugs to be used by states for executions<sup>7</sup>;

WHEREAS, states without the death penalty consistently post lower murder rates for both police officers and citizens<sup>8</sup>;

WHEREAS, repeal of the death penalty will free up millions of tax dollars trapped in cash-strapped state budgets that could be redirected to violence prevention, combatting implicit bias, or supporting victims of violence in Latino communities.

THEREFORE, BE IT RESOLVED, that the National Hispanic Caucus of State Legislators supports enacting legislation to repeal the death penalty and enact more effective responses to violence.

BE IT FURTHER RESOLVED, that that the NHCSL calls on the US Congress, states and localities to repeal the death penalty across all jurisdictions and enact more effective responses to violence.

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials as appropriate.

THIS RESOLUTION WAS ADOPTED ON AUGUST 11, 2016, AT THE NHCSL EXECUTIVE COMMITTEE & BUSINESS BOARD OF ADVISORS MEETING HELD IN CHICAGO, IL.

Sponsored by: Assemblywoman Annette Quijano (NJ)  
Co-Sponsored by: Representative Dan Pabon (CO)

1 <http://www.pewhispanic.org/2009/04/07/hispanics-and-the-criminal-justice-system/> (<http://www.pewhispanic.org/2009/04/07/hispanics-and-the-criminal-justice-system/>)  
2 <http://www.sentencingproject.org/publications/color-of-justice-racial-and-ethnic-disparity-in-state-prisons/> (<http://www.sentencingproject.org/publications/color-of-justice-racial-and-ethnic-disparity-in-state-prisons/>)  
3 <http://news.unl.edu/newsrooms/unitoday/article/unl-study-examines-racial-bias-in-death-penalty-decisions/> (<http://news.unl.edu/newsrooms/unitoday/article/unl-study-examines-racial-bias-in-death-penalty-decisions/>)  
4 <http://www.deathpenaltyinfo.org/race-death-row-inmates-executed-1976> (<http://www.deathpenaltyinfo.org/race-death-row-inmates-executed-1976>)#Vic  
5 <http://www.deathpenaltyinfo.org/death-row-inmates-county-sentencing> (<http://www.deathpenaltyinfo.org/death-row-inmates-county-sentencing>)

6 [http://www.huffingtonpost.com/2012/05/15/carlos-de-luna-execution-\\_n\\_1507003.html](http://www.huffingtonpost.com/2012/05/15/carlos-de-luna-execution-_n_1507003.html)  
7 [http://www.nytimes.com/2016/05/14/us/pfizer-execution-drugs-lethal-injection.html?\\_r=0](http://www.nytimes.com/2016/05/14/us/pfizer-execution-drugs-lethal-injection.html?_r=0) ([http://www.nytimes.com/2016/05/14/us/pfizer-execution-drugs-lethal-injection.html?\\_r=0](http://www.nytimes.com/2016/05/14/us/pfizer-execution-drugs-lethal-injection.html?_r=0))  
8 <http://www.deathpenaltyinfo.org/facts-about-deterrence-and-death-penalty> (<http://www.deathpenaltyinfo.org/facts-about-deterrence-and-death-penalty>)

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