



International Commission against the Death Penalty

Opinion piece for California Proposition 34, November 2012

By Federico Mayor, President of the International Commission against the Death Penalty

Throughout its history – from the 1848 Gold Rush and ensuing social change, to the role of Yosemite in the global movement to preserve nature's resources, to the pioneering engineering feat of San Francisco's Golden Gate Bridge – California has often led the way with a can-do spirit and a determination to set the agenda. Other states look to California for leadership.

From Hollywood to Silicon Valley to laws restricting greenhouse gas emissions, the Golden State has been a cultural, social and political trendsetter. On November 6, it will have the opportunity to play this role again, by establishing a justice system fit for the 21st century.

If accepted, Proposition 34, the SAFE California Act, would replace the death penalty with life in prison, with no possibility of parole, for murder. Inmates will be required to work and pay restitution to a victims' compensation fund.

With an emphasis on public safety, resources will be redirected from executions – which each cost the state's taxpayers a staggering \$308 million on average – to getting more murderers and rapists off the streets. Some 1,000 murders and 56 per cent of reported rapes currently go unsolved in California each year.

Ushering in a modern justice system that protects the public from crime but without recourse to state murder would also remove the awful possibility of executing the innocent. The Death Penalty Information Center reports that 140 death-row inmates have been exonerated across the USA since 1973. These people were sent to death row for a crime they did not commit.

Given capital punishment's cruelty and flaws, it is no wonder that according to the United Nations more than 150 countries – over two-thirds of all states – have now rejected it. Experience worldwide shows that executions do not deliver public safety or deter violent crime – but instead endorse violence, harm society and risk murder of the innocent.

Capital punishment is toxic in other ways, including by being discriminatory. In the US, studies show that a black person is more likely to be executed for murder than a white person, while a disproportionate number of death row inmates are African-Americans compared to their percentage of the total population.

Fortunately, California now has the opportunity to join other democracies in the world by becoming execution free. Alongside significant benefits for the state, this could have positive repercussions further afield – which is where California can lead the way once again.

Across the US, numbers of executions and death sentences are declining as courts impose life imprisonment instead. Public support for capital punishment has dwindled to its lowest levels for nearly four decades, while recent years have seen abolition in Connecticut, Illinois, New Jersey, New Mexico and New York, and a moratorium on executions in Oregon.

A rejection of executions by California could do much to encourage other US states to recognize that executions have no place in a modern justice system.

It won't be just other US states that will be watching on November 6. The whole world will be watching too. California is a major player on the global stage: it is the world's ninth largest economy, with serious political and cultural clout. A vote in favor of Proposition 34 could encourage countries – especially those with close links to the state, such as Japan, to move away from capital punishment.

If Californians seize the moment, they can improve justice and public safety in their own state while sending a signal across the USA and beyond: that today the only place for the death penalty is in history books. The world is watching.

Ends

Federico Mayor Zaragoza is President of the International Commission against the Death Penalty – an independent body led by a group of high-profile Commissioners from across the world. They include former presidents, prime ministers, government ministers, senior United Nations officials, a former US state governor, a former judge and president of the International Court of Justice, and a leading academic. Mr Mayor is former Director General, UNESCO (1987-1999); Minister of Education and Science, Spain (1981-1982); and Member of European Parliament (1987). See www.icomdp.org.