2009 was a year of building support for the abolition bill, HB262. A Time For Action alerted LWVIL members to encourage legislators to support and/or co-sponsor the bill either by attending a Lobby Day in Springfield on March 12 or participating in a “virtual Lobby Day” on that day by calling their state representatives and state senators. The bill currently resides in the Rules Committee.

The issue of innocence and wrongful conviction continues to be important in Illinois. Former death row inmates Nathson Fields (in April) and Ronald Kitchen (in July) became the nineteen and twentieth men to be exonerated from death row in Illinois. Fields and Kitchen are #131 and #134 on the Death Penalty Information Center’s Innocence List. In 2009, nine individuals throughout the country were freed from death row; the number of exonerated people stands at 139.

The cost and waste of the death penalty process joins innocence as a compelling argument for abolition, especially now in hard economic times. Despite large numbers of pending death penalty cases, Illinois judges and juries have become increasingly reluctant to hand down death sentences. The DPIC reports 15 persons on Illinois’ death row, the same number as last year, although some individuals have moved onto and others moved off of death row.

Abolition is now the official policy of the Illinois State Bar, which has 35,000 members. Its lobbyists are supporting the abolition effort. The American Law Institute which created the intellectual framework for the modern capital justice system almost 50 years ago, voted in October of 2009 to disavow the structure it had created, suggesting that the system is irretrievably broken. It refused, however, to come out against the death penalty. That reason continues to defer to ideology is frustrating.

The Death Penalty Information Center in its Year End Report for 2009 noted that death sentences in the U.S. were the lowest since the death penalty was reinstated in 1976. During 2009 eleven states considered ending capital punishment and New Mexico succeeded in becoming the 15th state to do so. For seven straight years the annual number of death sentences in the U.S. has dropped. There were 106 death sentences in 2009 compared with a high of 328 in 1994. In the two leading states in carrying out executions, Texas and Virginia, the decline was particularly noticeable. During the 1990s, Texas averaged 34 death sentences per year and Virginia averaged 6. This year, Texas had nine death sentences and Virginia had one.

Executions rose in 2009 compared to 2008, largely due to the lifting of the de facto moratorium on executions during 2008 while the Supreme Court considered the constitutionality of lethal injection. There were 52 executions this year, compared with 37 in 2008. Eighty-seven percent of executions this year were carried out in the south and over half of those were in Texas. The moratorium on executions continues in Illinois: no one on Illinois’ death row is in imminent danger of execution.

The Illinois Coalition to Abolish the Death Penalty (ICADP) with partners (including the League) has developed a 1-3 year strategy for the abolition of the death penalty. In 2010 a cost study ordered by the Senate is due, the final report of the Illinois Death Penalty Reform Study Committee should be issued, and the trial of Jon Burge is now scheduled to begin May 10. All of these should be positive for the abolition cause.

ICADP has also asked the League for help in contacting high priority legislators, seeking their support for and co-sponsorship of the abolition bill, HB262. ICADP will be releasing its Annual report at its Annual Lobby Day in Springfield on Mar. 11.