

Published: Monday, October 29, 2007

'RIFE WITH IRREGULARITY'

ABA Calls For Halt of Executions

Group says fairness and accuracy are compromised in death penalty cases.

By MARK SHERMAN
The Associated Press

WASHINGTON | Serious problems in state death penalty systems compromise fairness and accuracy in capital punishment cases and justify a nationwide freeze on executions, the American Bar Association says.

Problems cited in a report released Sunday by the lawyers' organization include:

Spotty collection and preservation of DNA evidence, which has been used to exonerate more than 200 inmates;

Misidentification by eyewitnesses;

False confessions from defendants; and

Persistent racial disparities that make death sentences more likely when victims are white.

The report is a compilation of separate reviews done over the past three years of how the death penalty operates in eight states: Alabama, Arizona, Georgia, Florida, Indiana, Ohio, Pennsylvania and Tennessee.

Teams that studied the systems in Arizona, Florida and Pennsylvania did not call for a halt to executions in those states. But the ABA said every state with the death penalty should review its execution procedures before putting anyone else to death.

"After carefully studying the way states across the spectrum handle executions, it has become crystal clear that the process is deeply flawed," said Stephen F. Hanlon, chairman of the ABA Death Penalty Moratorium Implementation Project. "The death penalty system is rife with irregularity."

The ABA, which takes no position on capital punishment, did not study lethal injection

procedures that are under challenge across the nation. The procedures will be reviewed by the Supreme Court early next year in a case from Kentucky.

State and federal courts have effectively stopped most executions pending a high court decision.

Prosecutors and death penalty supporters have said the eight state studies were flawed because the ABA teams were made up mainly of death penalty opponents.
