

## Criminal Justice Issues and Prisoners' Rights

<https://www.acluohio.org/en/news/time-pause>

### Public Facing Advocacy Writing

[Skip to main content](#)

As long as the death penalty exists, we have a duty to make sure that it is carried out fairly. Death is the harshest punishment society can dole out, so we must ensure that the right person is convicted, that it is reserved for the worst offenses, and that the execution procedure is transparent and administered in a humane way.

Recent events illustrate that our death penalty system is a long way from these standards. We must not hold another execution in Ohio until we have reformed our death penalty system.

Last month the Ohio Supreme Court Death Penalty Task Force released recommendations for improving Ohios death penalty system. The proposed solutions aim to ensure that the right person is convicted, to reduce racial and geographic discrimination in our justice system, and to make sure that we do not execute individuals with serious mental illness.

The need for these changes was highlighted last week, when the Ohio Parole Board unanimously recommended that the governor grant clemency to Arthur Tyler, who was convicted of murdering a produce vendor. In response to doubts about evidence in the case, Governor Kasich commuted Mr. Tylers sentence.

Its not just the criminal justice end of the death penalty system thats seen challenges recently.

Lethal injection drug shortages have led to untested methods of execution, with horrible results. Last week in Oklahoma, Clayton Lockett writhed, mumbled, and tried to rise off the bed during his 45 minute execution. A similar scene was observed during the 20 minute execution of Dennis McGuire in Ohio in January.

Mr. McGuires execution was not the first time Ohio had trouble administering lethal injection. It was the fourth since 2006. Whether one supports or opposes the death penalty, no one should want to see this happen again.

Our justice system is riddled with problems.

It has become increasingly difficult to humanely execute a person.

Where do we go from here?

Governor Kasich must stop executions. Not forever, but for the next two years.

By pausing executions, the governor can provide space for a thoughtful deliberation of the recommendations made by the Death Penalty Task Force and an opportunity for legislators to make substantive improvements to our death penalty system. It will also enable administrators the time to make sure that Ohios execution methods are effective and humane.

These reforms would be more difficult to achieve with ongoing executions, as each pending execution brings with it the possibility of complications such as we have seen with Mr. Tyler, Mr. Lockett, and Mr. McGuire. Pausing executions eliminates the risk of distractions that could detract from meaningful improvements to Ohios death penalty system.

Even for death penalty supporters, taking a pause from executions is wise. If capital punishment is to continue in Ohio it must be administered fairly and humanely, and the evidence is clear our system is simply failing on all levels.

Mike Brickner  
Communications and Public Policy Director  
ACLU of Ohio

Stay informed

2022 ACLU of Ohio