

Criminal Justice Issues and Prisoners' Rights

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LUCASVILLE, OH - The American Civil Liberties Union of Ohio expressed disappointment that the state resumed executions today with the lethal injection of Mark Wiles. Judge Robert Frost of the Federal District Court of Southern Ohio had previously placed a six-month moratorium on executions after discovering several discrepancies in the states execution protocols. Currently, the state has 11 executions scheduled between June 2012 and January 2014. The states large number of executions contrasts other states such as Connecticut, Illinois, New Mexico, New York, and New Jersey that have recently abolished the death penalty.

History will show that Ohio is moving in the wrong direction on executions, said ACLU of Ohio Director of Communication & Public Policy Mike Brickner, More states are recognizing the simple fact that the death penalty is broken beyond repair. Ohios leaders must come to grips with a system that perpetrates injustice, unfairness, and could result in the death of wrongly convicted people.

In January 2012, Ohio had its sixth exoneration of a death row inmate when the U.S. Supreme Court refused to hear the states appeal in the case of Joe DAmbrosio. In 2006, former U.S. District Court Judge Kate OMalley overturned DAmbrosios conviction after ruling Cuyahoga County prosecutors withheld 10 pieces of key evidence from DAmbrosios lawyers.

Ohio has also had a long history of problems with lethal injection. In 2007 and 2008, the state botched the executions of Joseph Clark, Jr. and Christopher Newton. Both executions took significantly longer than normal and resulted in changes to execution protocols. Public debate over the issue intensified in 2009 when then-Governor Ted Strickland stopped the execution of Romell Broom after the execution team experienced similar problems. Broom is now challenging whether the state can attempt to execute him a second time.

Continuing to tweak our death penalty system does little good when the entire system is flawed. With other options such as life without parole available, it makes no sense to continue to put our faith in a system that has continued to show it cannot be trusted to be fair or just, concluded Brickner.

State Supreme Court Chief Justice Maureen OConnor convened a death penalty study commission in October 2011 to examine issues surrounding fairness. Previous studies conducted by the Associated Press and American Bar Association have raised serious questions regarding how the death penalty is applied in Ohio. Both studies found disparities in death penalty sentences based on the race of the victim and offender, economic class, and geography of where the crime occurred. The ABA study also noted significant concerns with the quality of defense many defendants receive in capital punishment cases.

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