

Criminal Justice Issues and Prisoners' Rights

<https://www.acluohio.org/en/press-releases/aclu-decries-states-decision-resume-executions-despite-continuing-concerns>

Public Facing Advocacy Writing

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LUCASVILLE, OH- Today, the American Civil Liberties Union of Ohio expressed deep disappointment that the state decided to continue with the execution of Kenneth Biros, despite serious concerns regarding untested procedures implemented in the wake of the September 15th botched execution of Romell Broom. The experimental procedures have never been used in executions and mark a departure from the widely used three-drug cocktail other states use. The new procedures were publicly announced in late November, giving the state only a few weeks to properly train personnel and update protocols.

ACLU of Ohio Staff Counsel Carrie Davis said, Officials claim they can solve all of the problems with the death penalty by just altering a few procedures. However, Ohio's dubious track record is enough proof that this fundamentally flawed system is in need of more than a few simple tweaks.

Romell Broom's botched execution was the third in Ohio in as many years. Broom survived his attempted execution; however Joseph Clark, Jr. and Christopher Newton were both executed after officials struggled to perform the procedure when encountering problems with their veins.

It is clear that the execution team is not qualified to handle the many problems that frequently occur during a lethal injection, added Davis. Officials want to believe that this procedure will be problem free just as many believed when lethal injection was first implemented years ago. As we have witnessed, there is simply no humane way to kill a person.

Concerns over the death penalty in Ohio have not only centered on lethal injection. In 2005, the Associated Press conducted a study and found that individuals were more likely to receive the death penalty based on their race, class, race of their victim, and in which county their crime was committed. The American Bar Association conducted a study in 2007, which highlighted several problems with the death penalty system, including the state's lax standards in maintaining evidence, access to adequate legal services, and insufficient standards to protect the civil rights of all capital punishment defendants.

Ohio has created a perfect storm where any number of terrible tragedies could happen if we do not stop executions and address the deep-seated problems that plague our system. The stakes are simply too high for us to risk another botched execution or even killing someone who is innocent because we failed to deal with the flaws in our death penalty system, Davis concluded.

Kenneth Biros is scheduled to be executed at 10:00 a.m. on December 8, 2009.

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