



September 3, 2020

VIA Email to the Office of the Governor and Author

The Honorable Gavin Newsom
Governor of California
State Capitol
Sacramento, CA 95814

RE: Support for AB 2512 (Stone) – Death penalty: person with an intellectual disability – REQUEST FOR SIGNATURE

Dear Governor Newsom:

The League of Women Voters of California writes to request your signature on AB 2512 (Stone), to modernize our state law regarding intellectual disabilities and death row. AB 2512 will ensure that individuals with intellectual disabilities are quickly and accurately identified using current clinical standards, in order to prevent California from sentencing people with intellectual disabilities to death row and to ensure that people with intellectual disabilities who are currently on death row are resentenced.

The League is opposed to the death penalty in all circumstances as unjust and inhumane. We support its abolition. Moreover, we advocate for a reliance on evidence-based research in decision making about criminal justice programs and policies. We further recognize that mental health conditions are public health issues, not crimes.

The U.S. Supreme Court has held that it is unconstitutional to execute someone with an intellectual disability. The California legislature codified this decision in the penal code. AB 2512 updates the state's statute with clinical standards by requiring that evidence of an intellectual disability present 'during the developmental period' rather than 'before age 18.' Furthermore, race-based arguments have been used to increase IQ scores, sending people with intellectual disabilities to death row and forcing them to spend decades fighting in court to be resentenced. This legislation will prohibit race, ethnicity, or national origin-based arguments from being used to increase IQ scores. It also specifies that the court must appoint an expert if it is warranted by the evidence.

The League of Women Voters of California requests your signature on AB 2512 (Stone), urgently needed legislation to prevent the execution of people with intellectual disabilities.

Sincerely,

A handwritten signature in black ink that reads "Carol Moon Goldberg". The signature is written in a cursive style.

Carol Moon Goldberg
President