

July 6, 2020

The Honorable Nancy Skinner
Chair, Senate Committee on Public Safety
State Capitol, Room 2031
Sacramento, CA 95814

RE: Assembly Bill 2512 (Stone) Intellectual Disability - SUPPORT

Dear Chair Skinner,

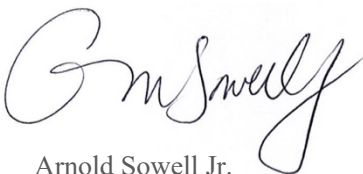
NextGen California respectfully requests your support of AB 2512 (Stone), which will update our existing state statutes regarding intellectual disabilities and the death penalty.

In 2002, the US Supreme Court ruled that it is unconstitutional to execute someone with an intellectual disability and the California Legislature codified this decision in 2003. However, individuals with intellectual disabilities in California have continued to receive death penalty sentences in direct contradiction of current law for various reasons – often remaining on death row for decades in many cases as they pursue resentencing.

AB 2512 will update the existing statute in several important ways. Specifically, it will (1) prohibit race-based, non-scientific arguments that result in increasing a defendant's IQ score in order to qualify them for the death penalty and (2) change the statutory language requiring that an intellectual disability present "before age 18" to the current clinical standard of "during the developmental period." The bill will also permit individuals with intellectual disabilities who were unfairly placed on death row to request resentencing.

NextGen opposes the death penalty and prioritizes policies and programs that support fair treatment under the law for all Californians. AB 2512 will ensure that individuals with intellectual disabilities, who interact with our court system, are properly identified and provide a path to justice for those already placed on death row erroneously. For these reasons, we ask for your "Aye" vote on AB 2512.

Sincerely,



Arnold Sowell Jr.

Executive Director, NextGen California