



In Alabama, people convicted of capital murder are entitled to a sentencing hearing before a jury.

That jury decides whether the defendant should be sentenced to life imprisonment without parole or death.



However, prior to 2017, judges could override a jury's sentence.

This practice, known as judicial override, allowed a trial judge to undermine and overrule the jury's decision by imposing a different sentence.



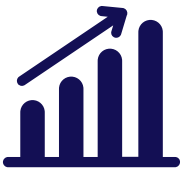
Judges in Alabama are elected in partisan elections.

This means judges' ability to override the jury's verdict – and instead impose a death sentence – was extremely vulnerable to political factors irrelevant to the legal merits of the case, including the timing of judicial elections.



From 1976 to 2017, elected judges in Alabama overrode a jury's decision 112 times.

In 101 of those cases, the judge overrode the jury's decision of life without parole to impose the death penalty.

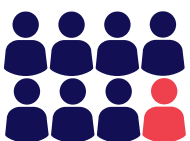


Judicial override contributed to high death-sentencing rates.

In addition to undermining the role of jurors, individuals – whose juries did not believe that they should be executed – were sentenced to die through the unilateral power of judges.



In 2017, Senate Bill 16 eliminated judicial override. However, it did not apply retroactively, leaving 33 individuals, who were given a life imprisonment without parole sentence by the jury, on death row.



Since 1976, nationwide, 1 person on death row has been exonerated for every 8.3 executions.

Rocky Myers was originally sentenced to life without parole by a jury, but a judge overruled that determination and sentenced him to death. Mr. Myers, who has maintained his innocence, remains on death row today.



HB27 would ensure that our laws are consistent and that no one in Alabama who received a life without parole verdict from their jury will be eligible for execution going forward.