



For Immediate Release
Friday, April 21, 2017

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Civil Rights Groups File Brief with Florida Supreme Court in Support of State Attorney Ayala's Opposition to Death Penalty

Filing supports State Attorney Ayala's prosecutorial independence and argues her opposition to death sentencing is well-founded

A group of civil rights and civil liberties groups today filed an [amicus brief](#) with the Florida Supreme Court in support of Florida State Attorney Aramis Ayala in her lawsuit challenging Gov. Rick Scott's decision to remove 23 capital felony cases from her office as a result of her decision not to seek the death penalty. The brief is joined by the NAACP Legal Defense and Educational Fund, Inc (LDF), the American Civil Liberties (ACLU) of Florida, the nationwide ACLU, the Sentencing Project, and Floridians for Alternatives to the Death Penalty (FADP).

"State Attorney Ayala should be heralded, not unconstitutionally reprimanded, for her thoughtful and considered approach to the gravest penalty our justice system imposes," said [Sherrilyn Ifill](#), President and Director-Counsel of LDF. "For far too long, this country has used this costly and ineffective means of deterrence, disproportionately imposing the death penalty along racial lines. State Attorney Ayala's hesitance to seek capital punishment faces these truths head-on, as is her prosecutorial discretion, and her example should inspire prosecutors across the nation to reconsider their reliance on this brutal and immoral penalty."

The brief filed today, authored by attorneys for the ACLU of Florida and the ACLU's nationwide Capital Punishment Project, argues that State Attorney Ayala's reasons for opposing the death penalty are sound. There is no evidence that the death penalty is a more effective deterrent to violent crime than life without parole, there are serious issues with racial bias in the death penalty system, and given the substantial cost to taxpayers in contrast to the scarce resources available, State Attorney Ayala is right to exercise her discretion to use more reliable and cost-effective prosecutorial options.

"Florida State Attorneys have the discretion to make their own decisions about how best to seek justice in cases they prosecute," said ACLU of Florida Staff Attorney Jacqueline Azis. "Not only is State Attorney Ayala well within her legal right to make her own determination about the death penalty, she is right that the death penalty is a broken system that rests on a crumbling legal foundation."

From the brief:

"Legislators and governors from Maryland, Connecticut, Illinois, New Mexico, and New Jersey have in recent years repealed the death penalty. And at least two elected prosecutors from other

states have recently announced they would no longer seek the death penalty for similar reasons as discussed in this brief. The same sound policy reasons behind these significant changes suffice as a reason for a Florida prosecutor to decline to seek the death penalty and instead to pursue sentences of life imprisonment without parole. Nothing about Ayala's decision in this regard constituted "good and sufficient reason" [...] for the governor to remove her from 23 cases, much less gave him authority the Florida Constitution has vested only in the duly elected local prosecutor."

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Founded in 1940, the NAACP Legal Defense and Educational Fund, Inc. (LDF) is the nation's first civil and human rights law organization and has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights. LDF's Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the NAACP Legal Defense Fund or LDF.