The NAACP Legal Defense Fund Responds to Arkansas’s Extreme Execution Schedule

Recently Announced Plan Includes Cases Ripe for Clemency

The NAACP Legal Defense and Educational Fund, Inc. (LDF) forcefully condemns the State of Arkansas’s plan to execute eight death-sentenced prisoners – half of whom are Black – over an eleven-day period in April. Because this extraordinary execution schedule will deny the condemned prisoners full access to the clemency process provided by Arkansas law, it increases the likelihood of an unjust execution. LDF therefore calls on Arkansas’ Governor, Asa Hutchinson, to immediately stay all of the scheduled executions.

Arkansas is unreasonably attempting to rush eight men into the execution chamber even though they have not been given a full opportunity to seek clemency. Arkansas gave each man only two months’ notice of his execution date, which is far too little time for a lawyer to navigate clemency proceedings, competency hearings, stays of executions, and other last-minute motions in court.

And the facts of the eight cases are not only deeply troubling, but also ripe for executive clemency: six of the eight men suffer from a serious mental illness or cognitive deficiency; one believes he is on a mission from God; and another was prostituted by his own mother throughout his preteen years. The attorneys charged with representing these men at trial often violated their constitutional obligations, by failing to file necessary motions or overlooking basic avenues of investigation. One lawyer was even drunk in court.

“Arkansas’s plan to execute eight men over eleven days obscenely exalts speed over justice,” said Christina Swarns, LDF’s Director of Litigation. “This rush to send insane, mentally ill, horribly abused, and inadequately represented people to their deaths, completely undermines the constitutional command that the death penalty should only be applied to the worst of the worst offenders.”

Arkansas has executed just 27 individuals since 1976 and has not executed a single person since 2005. Yet under their recently announced plan, Arkansas intends to execute more people in two weeks than every state but Georgia executed in all of 2016.

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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.