Robert Brett Dunham
EXECUTIVE DIRECTOR

1701 K Street, N.W.
Suite 205
Washington, D.C. 20006
(202) 289-2275
dpic@deathpenaltyinfo.org
www.deathpenaltyinfo.org

DEATH PENALTY INFORMATION CENTER

Statement by Robert Dunham
Executive Director, Death Penalty Information Center
On Governor Kay Ivey's Call for an Investigation of Alabama's Execution Failures

November 21, 2022

Governor Ivey is right that a top-to-bottom investigation of Alabama's execution failures is necessary, and she should be praised for asking Attorney General Marshall to withdraw efforts to seek additional executions until the problems are identified and resolved. However, as Tennessee Governor Bill Lee understood when he ordered an investigation into execution protocol failures in his state, that investigation needs to be independent. The Alabama Department of Corrections has a history of denying and bending the truth about its execution failures, and it cannot be trusted to meaningfully investigate its own incompetence and wrongdoing.

Sadly, Governor Ivey's willful blindness to ADOC's responsibility for its failures only makes the problem worse. Legal efforts aimed at ensuring that ADOC executioners do not torture prisoners to death are not — and have never been — the cause of ADOC's serial failures to timely establish execution IV lines. Nor are they the cause of ADOC's evasiveness, lack of transparency, and repeated false statements to the media and the public.

Alabama should not be carrying out further executions until it is willing to be accountable for its actions, accept responsibility for its failures, and commit to truthfulness and transparency in any further executions.

Robert Dunham
Executive Director

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