



Memo

Date: February 5, 2024

To: All clergy, religious, parish communicators, campus ministers, social justice ministries and respect life ministers

From: Jayna Hoffacker, director of Restorative Justice Ministry; Office of Life, Dignity and Justice

Re: Advocacy Action – Intellectual disability and the death penalty

Please consider sharing this action alert with your communities.

In 2002, the U.S. Supreme Court ruled that executing those with intellectual disabilities was a violation of the eighth and fourteenth amendments' protection against cruel and unusual punishment. The court left it up to individual states to develop standards for determining intellectual disability. Sadly, Georgia stands alone among all the states in requiring the highest standard of proof – beyond a reasonable doubt.

House Bill 1014 was recently introduced to the Georgia House by Representative Bill Werkheiser. This important piece of legislation would (1) lower the standard of proof for intellectual disability and (2) remove the determination of intellectual disability from the guilt phase of a trial. These changes would bring Georgia in line with the standards that all other states have for intellectual disability and protect vulnerable Georgians from unconstitutional death sentences.

We ask you to join us in taking action to support this legislation! Visit www.gacadp.org/id for action items and sample language to use to contact your state House member.

For questions or more information, contact me at jhoffacker@archatl.com or 404-920-7898.