EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

Executive Order N-09-19

WHEREAS, California's death penalty system is unfair, unjust, wasteful, protracted and does not make our state safer.

WHEREAS, the state's bedrock responsibility to ensure equal justice under the law applies to all people no matter their race, mental ability, where they live, or how much money they have.

WHEREAS, death sentences are unevenly and unfairly applied to people of color, people with mental disabilities, and people who cannot afford costly legal representation.

WHEREAS, innocent people have been sentenced to death in California. Moreover, the National Academy of Sciences estimates that as many as one in 25 people sentenced to death in the United States is likely innocent.

WHEREAS, since 1978, California has spent $5 billion on a death penalty system that has executed 13 people.

WHEREAS, no person has been executed since 2006 because California's execution protocols have not been lawful. Yet today, 25 California death row inmates have exhausted all of their state and federal appeals and could be eligible for an execution date.

WHEREAS, I will not oversee execution of any person while Governor.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the Constitution and statutes of the State of California, do hereby issue the following order to become effective immediately:

IT IS HEREBY ORDERED THAT:

1. An executive moratorium on the death penalty shall be instituted in the form of a reprieve for all people sentenced to death in California. This moratorium does not provide for the release of any person from prison or otherwise alter any current conviction or sentence.
2. California's lethal injection protocol shall be repealed.
3. The Death Chamber at San Quentin shall be immediately closed in light of the foregoing.

IT IS FURTHER ORDERED that as soon as hereafter possible, this Order shall be filed with the Office of the Secretary of State and that widespread publicity and notice shall be given to this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its departments, agencies, or other entities, its officers or employees or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 13th day of March 2019.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State