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NEWS

Victims, Prosecutors and Law Enforcement Sue Governor Newsom

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The Criminal Justice Legal Foundation (CJLF) has filed a lawsuit challenging Governor Gavin Newsom's unprecedented effort to commute California's death sentences.

CALIFORNIA (MPG) - On behalf of elected district attorneys, law enforcement leaders and organizations, victims' rights organizations, and most importantly, victims and families who have suffered unimaginable losses, the Criminal Justice Legal Foundation (CJLF) has filed a lawsuit challenging Governor Gavin Newsom's unprecedented effort to commute California's death sentences.

The lawsuit challenges the Governor's failure to provide legally required notice to district attorneys and his disregard for the rights of victims and their families to be notified and heard. It further challenges the Governor's abuse of executive clemency power in attempting to overturn hundreds of death sentences without complying with constitutional and statutory clemency requirements, without conducting meaningful individualized reviews, and in a manner that undermines the California Supreme Court's constitutional role in the clemency process.

"This lawsuit is about protecting the constitutional rights of victims, defending the rule of law and ensuring that no Governor is above the law," President and CEO of the Criminal Justice Legal Foundation Anne Marie Schubert said. "The Governor's clemency power does not authorize mass commutations that disregard constitutional safeguards, legally required procedures, or victims' rights. By predetermining the outcome for

every inmate on death row, the Governor has abandoned his responsibility to exercise meaningful discretion. Blanket commutation is not an exercise of discretion — it is an abandonment of it."

"District attorneys have a legal responsibility to represent the people of California and protect the rights of crime victims," CEO of the California District Attorneys Association Greg Totten said. "The Governor's failure to provide legally required notice to prosecutors has deprived them of the opportunity to provide critical information and ensure that victims and their families are heard. No Governor should be permitted to circumvent the very safeguards designed to ensure that justice is served."

California voters have repeatedly rejected efforts to abolish the death penalty. In 2012, voters rejected Proposition 34. In 2016, voters again rejected abolition through Proposition 62 and instead approved Proposition 66 to reform and expedite the death penalty process.

"Dozens of the inmates on Governor Newsom's blanket commutation list are individuals who murdered peace officers in the line of duty," said Brian Marvel, President of the Peace Officers Research Association of California. "These officers made the ultimate sacrifice protecting our communities. Their families, their fellow officers, and the people of California deserve a justice system that honors that sacrifice and respects our judicial process."

The Governor's actions also come as California advances new regulations and legislative efforts to reduce sentences for inmates serving life without the possibility of parole, raising serious concerns for victims and their families about the erosion of sentencing finality.

"Behind every one of these death sentences are victims, grieving families, and lives forever shattered," said Topo Padilla, President of Crime Victims United. "Many of these families were horrified to learn of the Governor's plans through the news rather than from the very government entrusted to protect their rights. After years, and often decades, of fighting for justice, they are once again being forced to relive their worst nightmare. Victims are not an afterthought in our justice system. They have constitutional rights, and those rights must be respected."

While the Governor has the constitutional authority to grant clemency, that authority is not unlimited. California's Constitution and laws establish safeguards governing the exercise of that power, including protections for crime victims and an independent constitutional role for the California Supreme Court.

The lawsuit brings together a broad coalition of elected district attorneys, law enforcement leaders and organizations, victims' rights advocates, and victims and their families from across California. While they represent diverse backgrounds and perspectives, they are united in a common purpose: protecting the rights of victims, upholding the rule of law, and ensuring that the Governor exercises his clemency power within the limits of the law.

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