

Strickland asked to halt executions — for now

American Bar Association report says problems with fairness in death penalty system need to be remedied.

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COLUMBUS — — The American Bar Association on Monday said Ohio fully meets only four of 93 standards the ABA developed to measure whether a state's death penalty system is thorough and just, and called on Gov. Ted Strickland to temporarily halt executions until the problems are fixed.

"After the governor and his legal team have an opportunity to review the report, he'll have an opportunity to respond to the findings," said his press secretary, Keith Dailey.

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Ohio Supreme Court Chief Justice Tom Moyer issued a statement that the court "will be reviewing its findings and conclusions thoroughly."

Among flaws outlined in the 500-page report: Defendants facing the death penalty don't have adequate access to experts and investigators, competent legal representation, or appellate review of claims of errors.

Ohio imposes the death penalty on people with severe mental disabilities and there are racial and geographic disparities in who gets sentenced to death, the study found.

In addition to the four standards Ohio did meet, it partially complied with 38, but failed on 28. The ABA couldn't collect information to assess how Ohio does on the other 23 items.

At issue is whether the state does all it can to ensure justice is done before it takes a life, said Michael Grecko, past president of the ABA.

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Ohio is the seventh of eight states being studied by the ABA, which has asked Ohio and four other states to temporarily halt executions. None has done so.

The Ohio Death Penalty Assessment Team included U.S. District Court Magistrate Michael Merz of Dayton.

ABA recommendations

To improve Ohio's death penalty system, the American Bar Association has offered several recommendations to the state, including:

Requiring all biological evidence be preserved in all capital cases as long as the defendant is in prison.

Requiring law enforcement to record all interrogations in homicide cases from start to finish.

Implementing mandatory lineup procedures to protect against inaccurate identifications.

Adopting attorney qualifications in death penalty cases.

Conducting a state-sponsored study to look at disparities in how the death penalty is applied.

Adopting a rule against executing inmates with serious mental disorders.