Dear \_\_\_,

I am writing to you following Governor Newsom’s press conference concerning the death penalty and the press release issued by the Governor’s Office. This letter is to try to answer questions you may have.

On March 13, 2019, Governor Newsom announced a moratorium on the death penalty in California. This means three things: 1) If any death warrant reaches his desk, he will issue a reprieve, which means there will be no executions while he is Governor; 2) He withdrew the lethal injection regulations; and 3) He directed the CDCR to close the death chamber at San Quentin.

I know this raises a lot of questions. I will try to address a few:

*Will the row be closed? Will the prisoners be moved?* *Will I be double-celled?* No. Closing down death row, moving the prisoners, and changing how they are housed is not part of Governor Newsom’s plan at this time. We know that Proposition 66 contained the possibility that prisoners might be moved. However, while there have been many rumors, we have not been made aware of any real plans to move people.

*What will happen to my case? Does this mean I give up my appeal? Or my habeas petition?* For now, nothing will change. If you have a lawyer, your lawyer will continue his or her work on your behalf. If you are waiting for a lawyer to be appointed to your appeal, you should still expect that to happen. If you are waiting for your habeas lawyer, we also expect that the rules for the appointment of habeas counsel will go into effect in late April, and there will be some state habeas appointments later this year. CAP, the Office of the State Public Defender, the Habeas Corpus Resource Center, and the Federal Defenders will all remain open and continue their work.

*What about Proposition 66?* We expect that the people who funded and worked for Proposition 66 will be opposed to the Governor’s moratorium, and they may sue to make the Governor take action to carry out the death penalty. These suits have happened in other states. They have not succeeded. Of course, we do not know what will happen here.

*What about people who say they want to be executed?*  Governor Newsom has specifically said he will not permit anyone to volunteer to be executed.

*Will this end the death penalty?* Because of the way the law works in California, the only way to end the death penalty is through a voter initiative. At the moment, we don’t know of any plans to pay for a voter initiative to end the death penalty in California. The Governor’s Moratorium should end all executions, but it will not stop counties from prosecuting people, and sending them to death row.

This is all the information we have at this point.  We expect to know more in the coming weeks and months, and will keep you informed as things develop. Feel free to contact CAP if you have any other questions.

# # #

Dear \_\_\_\_\_,

As you know, Governor Newsom has declared a moratorium on the carrying out of any death sentence in California.  More specifically, he has issued a reprieve to everyone currently under a sentence of death and made it clear that as long as he is Governor no one shall be executed.  He has also rescinded the current execution protocols and is in the process of dismantling the death chamber; steps that make it even more difficult to carry out an execution.

These actions do not mean, however, that your case has come to a halt or that we will not continue to litigate on your behalf to get your conviction and sentence overturned.  The Governor’s actions mean that death sentences will not be carried out while he is in office, but the convictions and sentences for those on death row remain in place.  Consequently, we will continue to represent you just as we have been and your case will move forward.  The Governor’s actions do not impair your ability to fight your conviction and sentence.

One final thing to note is that we have received no information that would lead us to believe that the Governor’s action will lead to death row being closed and people being transferred to other locales.  Please let me know if you have any specific questions regarding the Governor’s actions.  As I said, the most important thing from our perspective is that we will continue to handle your case and continue to represent you in pursuing relief from your conviction and sentence.

# # #

Dear [client];

As you likely heard or read, Governor Newsom has issued a moratorium on executions in California. In short, the Governor has proclaimed that there will be no executions while he is in office. This does not mean the death penalty is abolished, rather, it ensures there will not be any executions for several years to come. Our representation of clients will continue uninterrupted and all pending litigation will proceed. In short, we are still on your case. At this point, we have no reason to think your case or your housing at San Quentin will be disrupted based on this development. We are, of course, available to address any questions you may have, but wanted to assure you, first and foremost, that we will continue to represent you in your habeas case.