

STATE OF OKLAHOMA

2nd Session of the 54th Legislature (2014)

SENATE CONCURRENT  
RESOLUTION 43

By: Johnson (Constance) of the  
Senate

and

Scott of the House

AS INTRODUCED

A Concurrent Resolution establishing a moratorium on capital punishment and calling for an independent investigation of specified aspects of capital punishment in Oklahoma; and directing distribution.

WHEREAS, eighteen states in the United States have abolished capital punishment; and

WHEREAS, the State of Oklahoma is one of thirty-two states still using capital punishment as a form of criminal punishment; and

WHEREAS, certain drugs that Oklahoma and other states have used in the past to administer the death penalty by means of lethal injection are no longer available for that purpose in the United States; and

WHEREAS, several states have attempted to procure alternative combinations of drugs with which to achieve lethal injections while at the same time obscuring the source and potency of such drugs; and

1       WHEREAS, the Oklahoma Supreme Court initially stayed the  
2 execution of Clayton Lockett in order to allow time to get more  
3 information about the combination of drugs to be used for his lethal  
4 injection; and

5       WHEREAS, the State, using an untested combination of drugs,  
6 unsuccessfully administered the lethal injection of Clayton Lockett  
7 on April 29, 2014, and such action resulted in physiological  
8 complications constituting cruel and unusual punishment in violation  
9 of the Eighth Amendment to the United States Constitution; and

10       WHEREAS, the use of combinations of drugs from sources unknown  
11 to the Oklahoma State Legislature in connection with any future  
12 executions in this State could similarly constitute cruel and  
13 unusual punishment.

14       NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 2ND SESSION  
15 OF THE 54TH OKLAHOMA LEGISLATURE, THE HOUSE OF REPRESENTATIVES  
16 CONCURRING THEREIN:

17       THAT the State of Oklahoma immediately establishes a moratorium  
18 on capital punishment in Oklahoma.

19       THAT the State shall conduct an independent investigation into  
20 the sources of drug combinations used in lethal injections, as well  
21 as other issues related to the cost, effectiveness, and  
22 constitutionality of capital punishment.

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1            THAT a copy of this resolution be distributed to the Governor of  
2 Oklahoma and the Executive Director of the Oklahoma Department of  
3 Corrections.

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