



STATE OF ARIZONA

JANICE K. BREWER
GOVERNOR

EXECUTIVE OFFICE

April 24, 2014

The Honorable Ken Bennett
Secretary of State
1700 West Washington
Phoenix, Arizona 85007

Re: House Bill 2313 (capital sentencing; aggravators; serious offenses)

Dear Secretary Bennett,

Today, I vetoed House Bill 2313, which would have established in Arizona's death penalty statute an additional aggravating circumstance and expanded the list of serious offenses in determining whether to impose a sentence of death. The aggravating circumstance language is overly broad and vague. Additionally, the expansion of serious offenses contemplated in the bill does not appear necessary in light of the existing list of offenses.

The proposed additional language in the legislation broadens the scope of those eligible for the death penalty to the point where the constitutionality of Arizona's death penalty statute likely would be challenged and potentially declared to be unconstitutional. Arizona's death penalty statute has withstood constitutional challenges in both state and federal courts because it sufficiently narrows the class of individuals eligible for the death penalty.

These concerns are among the primary reasons I have vetoed House Bill 2313.

Sincerely,

A handwritten signature in cursive script that reads "Janice K. Brewer".

Janice K. Brewer
Governor

cc: The Honorable Andy Biggs
The Honorable Andy Tobin
The Honorable Justin Pierce