

~~(VI) WHETHER THERE IS ARBITRARY, UNFAIR, OR DISCRIMINATORY VARIABILITY AT ANY STAGE IN THE PROCESS FOR A CAPITAL CASE;~~

~~(VII) WHETHER THERE IS A DIFFERENCE IN THE CRIMES OR CIRCUMSTANCES OF THOSE SENTENCED TO DEATH AND THOSE SENTENCED TO LIFE IN PRISON; AND~~

~~(VIII) WHETHER ALTERNATIVES TO THE DEATH PENALTY EXIST THAT WOULD SUFFICIENTLY ENSURE PUBLIC SAFETY AND ADDRESS OTHER LEGITIMATE SOCIAL AND PENOLOGICAL INTERESTS, INCLUDING THE INTERESTS OF THE FAMILIES OF VICTIMS.~~

(2) (I) ~~THE COMMISSION SHALL MAKE RECOMMENDATIONS TO GUARANTEE THAT CONCERNING THE APPLICATION AND ADMINISTRATION OF CAPITAL PUNISHMENT IN THE STATE AND THE PUBLIC POLICY OF THE STATE REGARDING CAPITAL PUNISHMENT SO THAT THEY ARE FREE FROM BIAS AND ERROR AND DESIGNED TO GUARANTEE ACHIEVE FAIRNESS AND ACCURACY.~~

(II) THE RECOMMENDATIONS SHALL ADDRESS:

1. RACIAL DISPARITIES;
2. JURISDICTIONAL DISPARITIES;
3. SOCIO-ECONOMIC DISPARITIES;
4. THE RISK OF INNOCENT PEOPLE BEING EXECUTED;
5. EVOLVING STANDARDS OF PROPRIETY REGARDING STATE EXECUTIONS; AND A COMPARISON OF THE EFFECTS OF PROLONGED COURT CASES INVOLVING CAPITAL PUNISHMENT AND THOSE INVOLVING LIFE IMPRISONMENT WITHOUT THE POSSIBILITY OF PAROLE;
6. A COMPARISON OF THE COSTS ASSOCIATED WITH DEATH SENTENCES AND THE COSTS ASSOCIATED WITH SENTENCES OF LIFE IMPRISONMENT WITHOUT THE POSSIBILITY OF PAROLE ; AND
7. THE IMPACT OF DNA EVIDENCE IN ASSURING FAIRNESS AND ACCURACY IN CAPITAL CASES.