

**ADOPTED**

**RESOLUTION**

- 1 RESOLVED, That the American Bar Association urges all federal, state, and territorial  
2 governments, that impose capital punishment, and the military, to require that:  
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4 (1) Before a court can impose a sentence of death, a jury must unanimously  
5 recommend or vote to impose that sentence; and  
6  
7 (2) The jury in such cases must also unanimously agree on the existence of any  
8 fact that is a prerequisite for eligibility for the death penalty and on the  
9 specific aggravating factors that have each been proven beyond a reasonable  
10 doubt.



