

# FACT SHEET



## Support abolishing the death penalty

**Bills will be introduced in both the House and the Senate. Please encourage legislators to support legislation to abolish the death penalty during the 2021 General Assembly.**

**Problem:** Since the resumption of capital punishment in 1976, Virginia has executed 113 people, second only to Texas during that time. Since 1976, there have been 172 persons convicted and sentenced to death who have been released from death row with evidence of their innocence. In that same time period, there have been 1,524 executions. That's a ratio of one innocent person for every nine executed!

**Policy solution:** HB \*\*/SB \*\* would abolish the death penalty in Virginia, including for those currently sentenced to death. The default sentence for capital murder would then be life in prison without parole.

### Reasons to abolish the death penalty:

**Bias in Its Application** – Research has shown that a person is more than three times as likely to be sentenced to death when the murder victim is white versus when the victim is black. In Virginia, murder convictions ending in the death penalty are twice as likely in suburban and rural jurisdictions as in urban jurisdictions.

**Most of Virginia Abandoned It Long Ago** – No one has been sentenced to death in Virginia since September 2011. And the U.S. Fourth Circuit Court overturned that death sentence. In most of Virginia, the death penalty is no longer used.

Over the 133 local jurisdictions in the commonwealth:

- ❖19 localities have never had an execution (14%)
- ❖32 jurisdictions have not had an execution in over 100 years (24%)

❖68 localities have not had an execution in over 50 years (51%)

**The Death Penalty Is Expensive** – While there has never been a cost analysis of Virginia's death penalty, studies in other states demonstrate that the death penalty costs significantly more than life in prison without parole. Life in prison without parole protects the public from dangerous criminals at a significantly lower cost. Cost savings from abolishing the death penalty could be used to investigate unsolved cold cases or provide financial and counseling assistance to victims of violent crimes.

**No Deterrent Value** – In 2012, the prestigious National Research Council of the National Academies concluded that there is no credible evidence that the death penalty deters homicide. In fact, states without the death penalty have consistently had lower murder rates than death penalty states.

**Public Opinion** – Public opinion polls show a consistent decrease in support for the death penalty over the past 13 years. Support for the death penalty is now the lowest that it has been since 1972. Several recent polls have shown that a clear majority of voters prefer a punishment other than death for capital murder.

**Few states still carry out executions** – Twenty-two states have abolished the death penalty. The District of Columbia has also abolished the death penalty. Three other states have execution moratoriums ordered by their Governors. Another nine states have not carried out an execution in over ten years.

*Sources: American Civil Liberties Union, Death Penalty Information Center, The Death Penalty in 2019: Year End Report, NAACP Legal Defense Fund, Virginians for Alternatives to the Death Penalty, Virginia Joint Legislative and Review Commission of the Virginia General Assembly, Review of Virginia's System of Capital Punishment*