

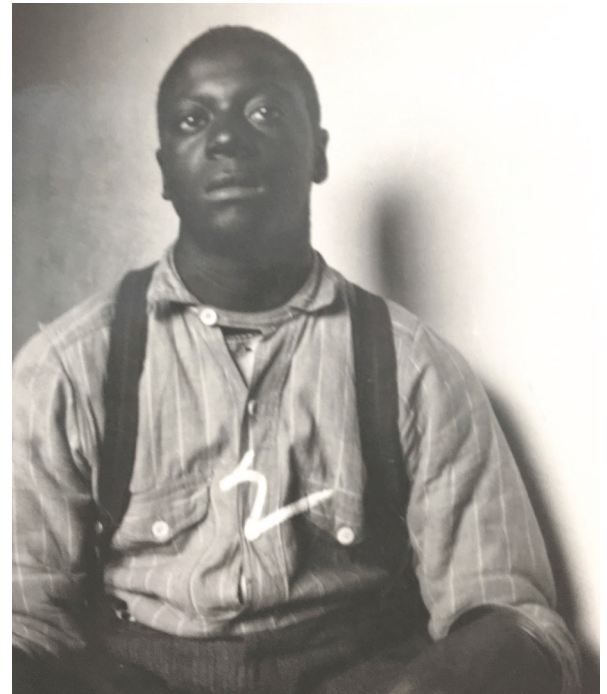
# From its inception, Virginia's death penalty has been shamefully tarnished by racial bias.

If Virginia values Black lives, it must repeal its death penalty. Virginia's death penalty continues a shameful history that devalues Black lives and makes other harsh sentences seem merciful.

Early Virginia statutes reserved death primarily for Black people; white people often received lighter sentences. Executions were later extended to white people, but only for murder, while Black people were executed for lesser offenses.

Today, race remains a major factor in who is sentenced to die.

- In 1848, a Black Virginian (slave or freeman) could receive death for any offense for which a white man might be sentenced to three or more years in prison.
- At the same time, the law prohibited any Black person from acting as a witness against a white defendant. Crimes such as the rape of a Black woman by a white man were rarely prosecuted, and never resulted in a death sentence because the victim could not testify against her attacker.
- From 1800 to 1900, Virginia executed 538 Black people, 45 white people, and eight people of unknown races.
- The execution of white people was so rare in far-western Virginia that in 1858 when Preston Turley, a white man, was hanged, the *Charleston Star* reported "it was the first occurrence of the kind ever known to have taken place within the country."



*In 1908, Winston Green was executed for frightening a 12-year-old white girl.*

## **In the late 1800s, Virginia tried to discourage lynchings by promising increased use of the death penalty; they tried, convicted, and executed Black men, all in a few hours.**

In 1899, a Black man named Noah Finley was convicted of robbing a white businessman. As the jury deliberated over a sentence, a party of citizens notified them that, if a verdict was not rendered by 10:00 am, "the Negro would be lynched." The jury delivered their verdict at the appointed time, and Noah Finley was promptly hanged.

- From the *Richmond Planet*

**In 1908, Virginia moved from outdoor public hangings to private, government-sanctioned electrocutions. Segregationists praised the move because it prevented Black people from gathering to witness and pray at executions.**

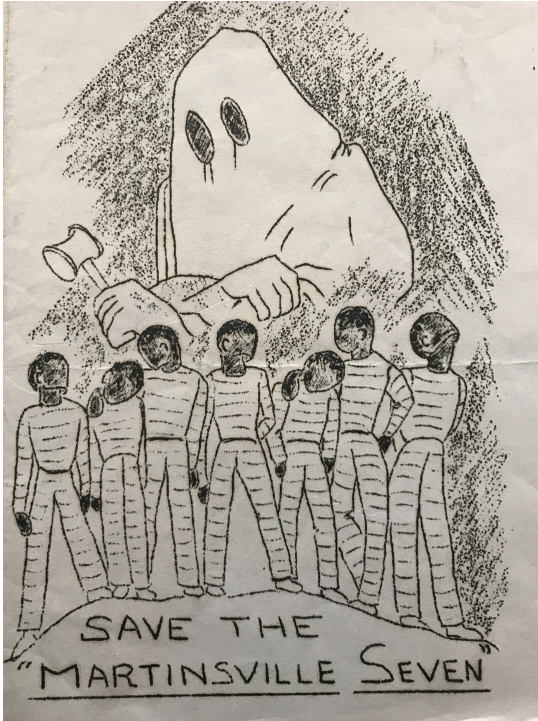
- Winston Green, a 17-year old mentally disabled teenager from Midlothian, was executed by electric chair in 1908 for the crime of frightening a 12-year-old white girl.
- In 1909, Clifton Breckenridge was indicted at 11:00 am for the “attempted criminal assault” of a six-year-old white girl in Staunton. By 3:37 he had been tried, convicted, and sentenced to death. His execution was held 31 days later.
- An 1894 law made the *attempted* rape of a white woman by a Black person punishable by death. Legislators claimed the law was necessary because otherwise white Virginians would “take matters into their own hands” and lynch the accused.
- A 1908 editorial in the Richmond Times-Dispatch praised the state’s secretive use of the electric chair, saying it was “calculated to inspire terror in the heart of the superstitious African.”

**The introduction of the electric chair gave way to the deadliest period of executions in VA history. From 1908 to 1920, 87 Black people and 13 white people died by electrocution.**



- Virginia Christian (left) was the first woman executed in Virginia since 1896. She was a teenager who killed her white employer in self-defense. With mob violence looming, the prosecutor and governor used her case to remind the local Black community that “the consequences of killing a white person would always be death.” The unspoken message was that if a court did not order execution, the mob would resort to lynching.

**At the dawn of the Civil Rights Movement, in 1949, seven Black men from Martinsville were convicted of rape. All seven were executed in 1951. It was the largest mass execution in Virginia history.**



- In stark contrast, the *Norfolk Journal and Guide* reported on the 1948 conviction of a farmer who raped a pregnant nineteen-year-old Black woman. He was fined \$350.
- Even more egregious was the rape of a “feeble-minded” Black woman by a white man, Murrell Dudley, near Glasgow. On August 29, 1948, the *Journal* reported that Dudley was convicted and fined \$20.
- From 1900 to 1969, Virginia executed 68 men for rape or attempted rape. All were Black. No white man was ever executed in Virginia for rape or attempted rape.

**Virginia resumed executions in 1982, following a 20-year hiatus. Since then, Virginia has executed 113 people, second only to Texas for most in the nation.**

The state still values speed above accuracy and fairness: ever since the days of Jim Crow, the state has had the fastest execution process in the US.

- Race remains a major factor in who is sentenced to die. Black people make up about 20% of Virginia’s population, but 46% of people executed since 1982.
- Virginia did not execute a white person for a crime against a Black person until 1997.
- A defendant is three times more likely to be sentenced to death if the victim is white rather than Black.
- As of 2020, Virginia has two men on death row. Both are Black. Both of their cases are under review for possible misconduct at the trial stage.

---

Sources: Death Penalty Information Center, “Enduring Justice” report, and Deathpenalty.org; 2020 Death Penalty Fact Sheet, Virginia Interfaith Center; Virginians for Alternatives to the Death Penalty website (VADP.org); the “The Espy File,” Fourth Edition, Ann Arbor, MI: Inter-university Consortium for Political and Social Research, 2017. “The Capital Laws of Virginia: An Historical Sketch,” Virginia State Crime Commission Advisory Committee on Capital Punishment, 1973; Oyez.org, “Gregg v. Georgia;” “Railroaded: the true stories of the first 100 executions in Virginia’s electric chair” and “Virginia State Penitentiary: a Notorious History,” by Dale Brumfield.