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# DEATH PENALTY INFORMATION CENTER

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## STATEMENT BY ROBERT DUNHAM, EXECUTIVE DIRECTOR OF THE DEATH PENALTY INFORMATION CENTER, ON VIRGINIA'S ABOLITION OF CAPITAL PUNISHMENT

Today, Governor Ralph Northam signed a bill abolishing the death penalty in Virginia, making Virginia the 23rd state, and the first in the South, to repeal the death penalty. The two men on Virginia's death row will have their sentences reduced to life without parole.

Including the three states in which governors have formally imposed moratoria on executions, a majority of U.S. states (26) now either no longer authorize or will not carry out the death penalty.

Virginia's abolition of capital punishment is tremendously significant, both in terms of the death penalty's continuing nationwide decline and as an historical marker of race relations in the United States. No state that has relied so heavily on capital punishment has ever before repealed its death penalty. Going back to colonial times, Virginia has conducted more executions than any other U.S. jurisdiction and, in the modern era, it trails only Texas in the number of people it has put to death.

The commonwealth's death penalty has deep roots in [slavery, lynching, and Jim Crow segregation](#). Before the Civil War, Virginia explicitly provided different penalties for white people and its enslaved population. Although the Fourteen Amendment prohibited states from "depriv[ing] any person of life ... without due process of law" and afforded all persons "the equal protection of the laws," Virginia's executions showed that in practice different rules were applied to white and Black defendants. From 1900 until the U.S. Supreme Court banned the death penalty for offenses that did not result in death in 1977, Virginia executed 73 Black men — but no one who was white — on charges of rape, attempted rape, or robbery.

The symbolic value of a legislature sitting in the former capital of the Confederacy dismantling this tool of racial oppression cannot be overstated.

Virginia's repeal continues the erosion of capital punishment, both nationally and regionally. Virginia is the 11th state in 16 years to abolish the death penalty. The punishment has disappeared from all of New England and the mid-Atlantic coastal states. With Virginia's repeal, every coastal state north of the Carolinas has abolished capital punishment and one can now drive more than 1300 miles from the Canadian border of Maine to the Cumberland Gap border of Virginia and Tennessee without ever entering a death penalty state.

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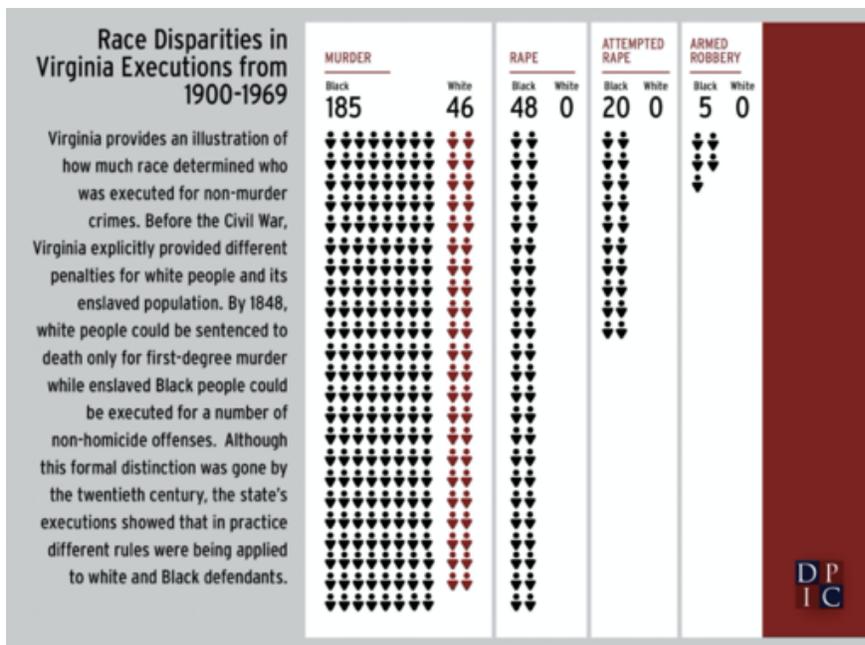
Virginia's path to abolition is representative of death-penalty trends in the nation as a whole. Capital punishment has been gradually disappearing in the commonwealth for more than a decade. No one has been sentenced to death in Virginia since 2011. In that same period, nationwide death sentences dropped from 85 to 18. Executions have also sharply declined. In 1999, Virginia's peak execution year, it executed 14 people. By contrast, it carried out five executions in the past ten years, the last in 2017. In the last several years, jurisdictions throughout Virginia, as throughout the U.S., have elected reform prosecutors who pledged to end or reduce the use of capital punishment. Twelve reform prosecutors, representing nearly 40% of Virginia's population, signed a letter in January urging the legislature to repeal the death penalty.

Virginia was the site of the first execution performed by European colonists in what is now the United States. In the modern era, it has executed a greater proportion of those it condemned than has any other state. Its abolition of a policy long steeped in racism, with the support of every statewide elected official, is an important and historic step towards racial healing and a fairer criminal legal system.

*To speak with Robert Dunham, DPIC's Executive Director, please contact Chloe Madvig at [cmadvig@deathpenaltyinfo.org](mailto:cmadvig@deathpenaltyinfo.org). To learn more about the history of race in the U.S. death penalty, read DPIC's 2020 report, [Enduring Injustice: The Persistence of Racial Discrimination in the U.S. Death Penalty](#).*

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The Death Penalty Information Center ([www.deathpenaltyinfo.org](http://www.deathpenaltyinfo.org)) is a non-profit organization serving the media and the public with analysis and information on issues concerning capital punishment. DPIC was founded in 1990 and prepares in-depth reports, issues press releases, conducts briefings for the media, and serves as a resource to those working on this issue.



From *Enduring Injustice*