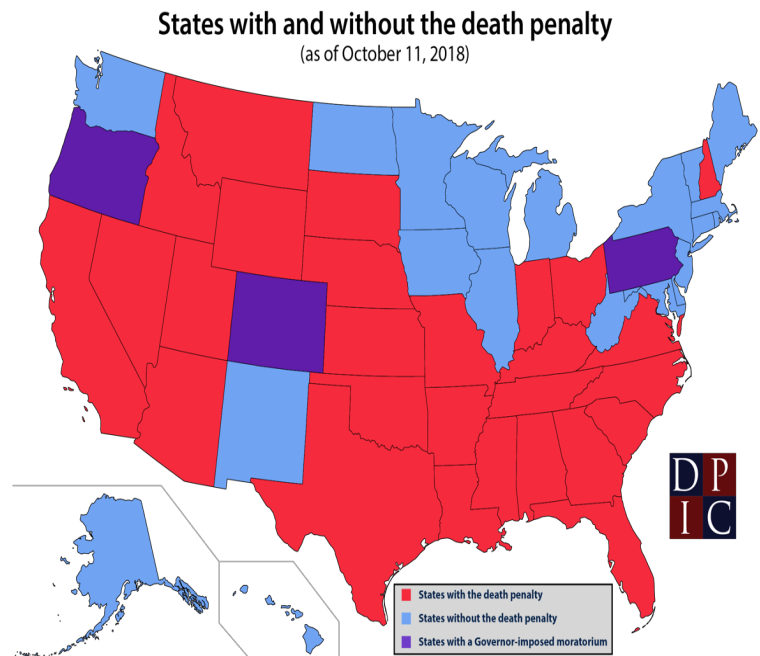


“Repeal Death Penalty.” (House Bill 604)
Karlton Tate, University of North Carolina at Chapel Hill
November 27, 2018

There are several reasons why the North Carolina General Assembly should enact House Bill 604 to repeal the death penalty in the state of North Carolina. This policy brief explains the history of capital punishment reform in the United States and illustrates the **discriminatory, unethical and ineffective** nature of the practice.

History of death penalty reform in the United States

- In 1853, **Wisconsin** became the first state to abolish the death penalty for all crimes (Bohm, 1999).
- In 1972, the death penalty was struck down by the Supreme Court in *Furman v. Georgia* as the court ruled that the practice violated the **“cruel and unusual”** clause of the eighth amendment (Ronda, 1997).
- In 1976, the Supreme Court reinstated capital punishment in *Gregg v. Georgia* (Ronda, 1997).
- Today, **20** states have officially abolished the death penalty and three more have placed a gubernatorial moratorium on the practice. **North Carolina is not one of those states** (Ronda, 1997).



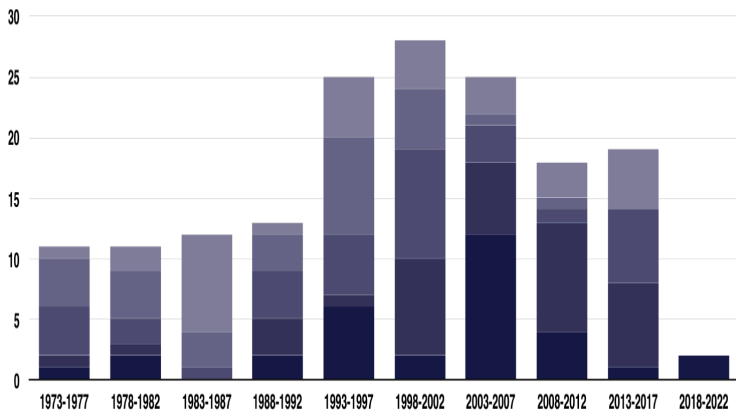
“Why does the death penalty matter?” – 3 Reasons

1. Racially biased sentencing patterns

There is a large body of evidence to indicate that people of color receive the death penalty at a much higher rate than their white counterparts, and that the race of the jury plays a significant role in sentencing patterns.

- ☠ In 2015, a University of Washington study found that jurors were **four-and one-half** times more likely to impose a death sentence when the defendant was black than they were in similar cases involving white defendants (Beckett, 2014).
- ☠ Today, black and Latino inmates make up **55.01%** of death row population, while constituting only **31.5%** of the general population of the United States (Fins, 2018).
- ☠ **31** of North Carolina’s death row inmates were tried by all-white juries and another **38** were tried by juries with only one person of color, even though racial minorities make up **over a quarter** of the state’s population (NCCADP, 2018)

Exonerations by 5 Year Span



National exonerations of death row inmates by 5-year span since 1973 (Death Penalty Information Center)

2. Innocence of defendants on death row

The frequent innocence of death row defendants and inmates presents another issue with death penalty policy.

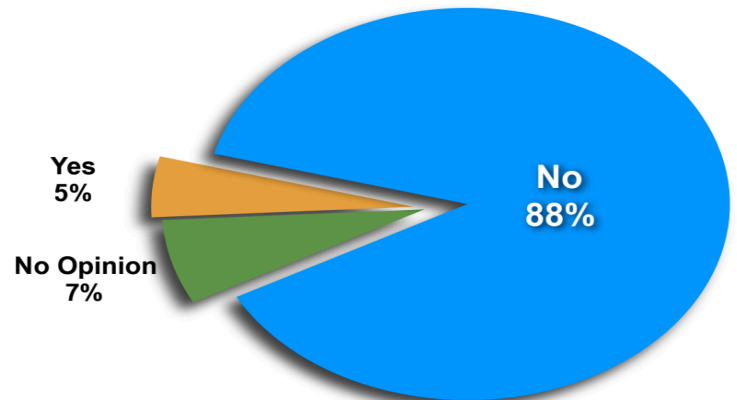
- ☠ In North Carolina, **nine men** on death row have been exonerated (NCCADP, 2018)
- ☠ Nationally, over **160 people** on death row have been found innocent (Gross, O’Brien, et. al., 2014)
- ☠ A 2014 study found that **one in every 25** death sentences has been imposed on an innocent person (Gross, O’Brien, et. al., 2014)

3. Capital punishment does not deter crime

Scores of academic studies indicate that the death penalty does not act as a deterrent to future crime.

- ☠ Nationally, states that do not have death penalty laws **have significantly lower murder rates**, on average (NCCADP, 2018).
- ☠ In 2008, a national study of police chiefs ranked the death penalty **at the bottom of a list of effective crime fighting tools** (Death Penalty Information Center, 2018).

Do executions lower homicide rates?



A survey indicating the beliefs of 79 former and current presidents of the nation’s top criminological societies (Radelet and Lacock, 2009)

“How can the death penalty be repealed?” – Contact your local representative!

If passed, House Bill 604 will repeal the death penalty in North Carolina and resentence all prisoners on death row to life in prison without possibility of parole.

Contact the office of your local state Congressperson and urge them to support House Bill 604!



House Bill 604’s primary sponsor, NC Representative MaryAnn Black

Works Cited

- Beckett, K. (2014). *The Role of Race in Washington State Capital Sentencing, 1981-2014*. Seattle, WA: University of Washington, Department of Sociology. Retrieved from <https://deathpenaltyinfo.org/documents/WashRaceStudy2014.pdf>
- Bohm, R. (1999). *Deathquest: An Introduction to the Theory and Practice of Capital Punishment in the United States*. Cincinnati, OH: Anderson Publishing Co.
- Death Penalty Information Center. (2018, November 5). *Innocence and the Death Penalty*. Retrieved November 26, 2018, from <https://deathpenaltyinfo.org/innocence-and-death-penalty>
- Death Penalty Information Center. (2018, November). *Deterrence: States Without the Death Penalty Have Had Consistently Lower Murder Rates*. Retrieved November 26, 2018, from <https://deathpenaltyinfo.org/deterrence-states-without-death-penalty-have-had-consistently-lower-murder-rates>
- Fins, D. (2018, April 1). *Death Row U.S.A.* Retrieved November 26, 2018, from <http://www.worldcoalition.org/media/resourcecenter/DRUSASpring2018.pdf>
- Gross, S., & O'Brien, B. (2014, April 28). *Rate of false conviction of criminal defendants who are sentenced to death*. Retrieved November 26, 2018, from <http://www.pnas.org/content/early/2014/04/23/1306417111>
- (2018). *Innocence*. Retrieved November 26, 2018, from <https://nccadp.org/death-penalty-issue/innocence/>
- National Research Council. (2012). *Deterrence and the Death Penalty*. Retrieved November 26, 2018, from <https://www.nap.edu/catalog/13363/deterrence-and-the-death-penalty>
- (2018). *Racial Bias*. Retrieved November 26, 2018, from <https://nccadp.org/death-penalty-issue/racial-bias/>
- Radelet, M., & Lacock, T. (2009). *Do Executions Lower Homicide Rates: The Views of Leading Criminologists*. *Journal of Criminal Law and Criminology*, 99(Issue 2 Winter), 489–508. Retrieved from <https://scholarlycommons.law.northwestern.edu/cgi/viewcontent.cgi?article=7323&context=jclc>
- Randa, Laura (1997). *Society's final solution: a history and discussion of the death penalty*. University Press of America, Lanham, Md