

Facts

The Death Penalty System in Texas*

Number of Executions - Texas leads the nation by far in number of executions. Since the U.S Supreme Court ruling in 1976 that allowed executions to resume after a four-year period during which they were considered unconstitutional, there have been 1121 executions in the United States. Texas has performed 414 of those executions, which amounts to about 36.9 percent of the national total. According to the 2000 census, Texas has only 7.4 percent of the nation's entire population.

Innocence - 130 innocent people have walked off Death Row in the modern era after spending up to 33 years condemned to death. Eight Death Row inmates in Texas have been fully exonerated and released. An innocent man named Ernest Willis walked off death row into freedom in Texas on October 6, 2004. There are several people currently on Death Row in Texas with credible claims of innocence. There have also been reports in major media that three people executed in Texas were probably innocent, Ruben Cantu, Cameron Todd Willingham and Carlos DeLuna.

Executions are primarily a Southern tradition - The former slave-holding states, plus Oklahoma, have performed 80 percent of all executions since 1977. Texas and Virginia alone account for 45 percent of all executions. Since 1997, Texas, Virginia and Oklahoma have alone accounted for 61 percent of all executions in the United States.

Racism - 66 percent of all people on Texas's Death Row are non-white. Out of all the executions in Texas since 1982, no white person has ever been executed solely for the murder of an African-American. On Sept 10, 2003 Texas executed a white man for the murder of his white wife and a black female convenience store clerk. Of course, African-Americans are often sentenced to die in Texas for killing white people. For example, Napoleon Beazley, an African-American juvenile, was sentenced to death by an all-white jury for killing a white man. The last seven juvenile offenders executed in Texas since 1998 have all been African-Americans who committed their offenses at the age of 17.

Juveniles - There were 22 executions of juvenile offenders in the U.S. between 1985 and the last such execution in 2003. Texas executed 13 of those juveniles or about 59 percent. The United States was virtually the only place on Earth that had not abandoned the practice of executing juvenile offenders before the United States Supreme Court banned executions of juvenile offenders on March 1, 2005. Texas had scheduled five executions of juvenile offenders in 2004, before they were put on hold pending the U.S. Supreme Court decision. The Supreme Court ruling affected 29 juvenile offenders who were on death row in Texas on March 1, 2005. Their sentences will now be changed to life in prison. Since Texas does not have the option of life without parole, they could not be resentenced to life without parole.

Mental retardation - The governor of Texas vetoed a bill in 2001 that would have banned the execution of people with mental retardation. On June 20, 2002 the U.S. Supreme Court ruled that executing people with mental retardation violates the U.S. Constitution's 8th Amendment prohibition against "cruel and unusual punishment", so now such executions are banned in every state. Despite the Supreme Court ban, Johnny Penry, who suffers from mental retardation, was sentenced to death again in Texas on July 3, 2002. Texas has executed six people with mental retardation since 1982.

Life Without Parole - 37 of the 38 states that have the death penalty allow juries to sentence offenders to Life Without Parole instead of death. On June 17, 2005 Texas Governor Rick Perry signed a law giving Texas juries the option of sentencing capital defendants to Life Without Parole. New Mexico is now the only death penalty state that does not have a life without parole option. Alaska is the only other state that does not have life without parole and it does not have the death penalty either.

Cost - In 1992, the Dallas Morning News concluded that a death penalty case costs an average of \$2.3 million, about three times the cost of imprisoning someone in a single cell at the highest security level for 40 years.

* The stats on this page regarding numbers of executions are as of September 18, 2008.