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Contact: Hayley Bedard at media@deathpenaltyinfo.org or (202) 289-2275

Death Sentences and Executions Remain Near Historic Lows Amid Growing Concerns about Fairness and Innocence

President Biden and North Carolina Governor Consider Commutations of Death Rows to Remedy Systemic Problems

Four States Responsible for 76% of Executions

(Washington, D.C.) This year marked the tenth consecutive year where fewer than 30 people were executed (25) and fewer than 50 people were sentenced to death (26), while high profile cases of death-sentenced people attracted significant attention and new, unexpected supporters. At this writing, widespread coalitions of people with diverse perspectives are publicly urging President Biden and North Carolina Governor Cooper to consider commuting the death sentences of prisoners to remedy longstanding concerns about systemic problems with the application of the death penalty.

“In 2024, we saw people with credible evidence of innocence set for execution, followed by extraordinary levels of public frustration and outrage. Several high-profile cases fueled new concerns about whether the death penalty can be used fairly and accurately. A new poll also predicts a steady decline of support in the future, showing for the first time that a majority of adults aged 18 to 43 now oppose the death penalty,” said Robin M. Maher, Executive Director of the Death Penalty Information Center (DPI).

Read “The Death Penalty in 2024: Year End Report” here:

<https://deathpenaltyinfo.org/research/analysis/reports/year-end-reports/the-death-penalty-in-2024>

Ten states -- Alabama, Arizona, California, Florida, Idaho, Mississippi, Nevada, Ohio, Tennessee, and Texas -- sentenced people to death in 2024. Just four states -- Alabama, California, Florida, and Texas -- account for the majority (20) of new death sentences this year. Florida imposed the highest number of new death sentences, with seven. Texas imposed six new death sentences, while Alabama imposed four, California imposed three, while Arizona, Idaho, Mississippi, Nevada, Ohio, and Tennessee each had one new death sentence.

About one third of the 26 new death sentences were imposed by non-unanimous juries: six in Florida and three in Alabama. In 2023, Florida Governor Ron DeSantis signed legislation reducing the number of votes needed to recommend a death sentence from unanimous to just 8 out of 12 jurors. Observers accurately predicted that this change would result in an increase in Florida death sentences. At least ten votes are required for Alabama juries to recommend a death sentence, while every other state requires unanimity. Non-unanimous juries have been criticized for silencing minority voices on a jury, increasing the chances that an innocent person will be convicted, and undermining public confidence in the death penalty system.

Nine states -- Alabama (6), Florida (1), Georgia (1), Indiana (1), Missouri (4), Oklahoma (4), South Carolina (2), Texas (5), and Utah (1) -- carried out executions in 2024. Four states -- Alabama, Missouri, Oklahoma, and Texas -- were responsible for 76 percent of executions.

Executions resumed for the first time in decades in Indiana, South Carolina, and Utah after elected officials announced they had secured execution drugs or approved new methods. Idaho attempted to resume executions this year after a twelve-year hiatus but called off the botched execution of Thomas Creech when the execution team was unable to establish an IV line after an hour of attempts.

Public support for the death penalty in 2024 remains at a five-decade low (53%), and polling reveals significant and growing generational differences, as well as rising disapproval among people ages 43 and younger. Also, a growing number of conservative lawmakers and elected prosecutors publicly supported prisoners with compelling evidence of innocence, including Richard Glossip in Oklahoma, Marcellus Williams in Missouri, and Robert Roberson in Texas.

Three death row prisoners were exonerated in 2024. DPI's ongoing research uncovered two additional exonerations from prior years, bringing the number of U.S. death row exonerations since 1972 to 200. In Texas, Melissa Lucio, who came within two days of execution in 2022, was declared "actually innocent" by a trial court in October.

The U.S. Supreme Court turned away almost all petitions (145 of 148, 98%) from death-sentenced prisoners in 2024, even those with strong evidence of innocence. This approach reflects the Court's retreat from the critical role it has historically played in regulating and limiting use of the death penalty. The Court's December 6 certiorari grant in *Rivers v. Lumpkin*, a non-capital case, threatens to further restrict pathways to relief on appeal for death-sentenced prisoners.

The number of new death sentences (26) and executions (25) in 2024 represented an increase from 2023 when there were 21 new death sentences and 24 executions but represented a dramatic drop from twenty years ago when there were 130 new death sentences and 59 executions. This change can be attributed to an increase in non-unanimous death sentences in Florida, where the law was changed in April of 2023, and Alabama, the only two states that permit non-unanimous death sentencing. In 2023, non-unanimous sentences accounted for three new death sentences (one in Florida, two in Alabama) but this year accounted for nine (six in Florida, three in Alabama).

Executions reflect the views of jurors at the time of sentencing—increasingly, views that are 20 or 30 years out of date. The majority of individuals executed in 2024 would likely not receive death sentences if their cases were tried today. Legislative and legal changes, increased scrutiny of prosecutorial practices, and shifts in societal attitudes over recent decades have significantly affected whether defendants receive death sentences.

Today's jurors, with their better understanding of how severe mental illness, developmental disabilities, youth, and profound trauma affect behavior, are increasingly choosing life sentences over death sentences. All but one individual executed in 2024 had at least one of the above-listed vulnerabilities. Six of the 25 people executed were 21 or younger at the time of the crime for which they were executed.

As has been historically true, prisoners of color and prisoners convicted of killing white victims were overrepresented among those executed. Twelve of the 25 prisoners executed this year were people of color. The vast majority of defendants (80%) were executed for killing at least one white victim. Fourteen of the defendants sentenced to death this year (54%) were people of color. Death penalty-related legislation was enacted in at least six states (California, Delaware, Louisiana, North Carolina, Tennessee, and Utah) to limit use of the death penalty, alter execution methods or protocols, modify procedures, and increase secrecy. Death penalty abolition efforts continue in more than a dozen states, and efforts to reintroduce the death penalty in eight states failed. Only one effort to expand the death penalty to non-homicide crimes was successful, in Tennessee.

If you are interested in a separate report focusing on Texas, please visit the Texas Coalition to Abolish the Death Penalty, which is unaffiliated with DPI, at <https://tcadp.org/reports/>

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The Death Penalty Information Center (DPI) is a national non-profit organization whose mission is to serve the media, policymakers, and the general public with data and analysis

on issues concerning capital punishment and the people it affects. DPI does not take a position on the death penalty itself but is critical of problems in its application.

Founded in 1990, DPI promotes insightful discourse on the death penalty by curating and presenting expansive, authoritative data from credible sources and offering clear, trustworthy, and timely information and research about the history and current application of the death penalty. DPI produces groundbreaking reports on issues such as arbitrariness, costs, innocence, and racial disparities. DPI also releases an annual year-end report highlighting significant developments and trends. A wide variety of free online resources are available on DPI's award-winning website, including searchable databases; data visualizations; educational curricula; and podcast series, *Discussions with DPI*, which explores diverse viewpoints and experiences related to capital punishment.