

CRIMINAL JUSTICE & POLICING

THE DEATH PENALTY

There have been more than 1,500 executions in the USA since judicial killing resumed under revised statutes in 1977; and more than 130 since 2015. At the end of 2019, 2,581 prisoners remained on death row in 31 jurisdictions. Studies demonstrate that race, particularly of the murder victim, plays a role in who is sentenced to death. More than 170 prisoners have been released from death row since 1977 on grounds of innocence. In numerous cases, prisoners have gone to their deaths despite serious doubts about the proceedings that led to their convictions, including without adequate legal representation. People with serious mental and intellectual disabilities are subjected to the death penalty in violation of international law. Individual states continue to move towards abolition. Since the end of 2015, four states have abolished the death penalty in law, bringing the total to 22, while three states have issued Gubernatorial moratoriums on executions. The four US states that most recently abolished the death penalty were: Delaware in 2016, Washington in 2018 when the State Supreme Court ruled the current death penalty statute unconstitutional on the ground that its application resulted in racial bias, New Hampshire's state legislature overrode its governor's veto of a bill to abolish the death penalty in 2019, and in March of 2020, Colorado's legislature passed a bill to abolish the state's death penalty, signed into law by Governor Jared Polis. In addition, California, the state with the largest death row in the country, issued a moratorium on executions on 13 March 2019 by its Governor, joining three other states with current moratoriums in the US: Oregon, Pennsylvania, and Colorado at the time. However, in contrast to this progress, in 2019, the US Attorney General announced the resumption of federal executions following a 17-year hiatus, and in 2020 thus far, seven federal executions have been carried out this year, some of them raising possibly [violations of international law](#).

Amnesty International Calls on the U.S. Government to:

- The federal government should rescind the July 25, 2019 addendum to the Federal Executive Protocol, withdraw any pending death warrants, and dismantle the death chamber at FCI Terre Haute prison.
- Congress should abolish the federal death penalty.

Further Reading:

- Amnesty International, *Death Sentences and Executions in 2019*, 21 April 2020, <https://www.amnesty.org/download/Documents/ACT5018472020ENGLISH.PDF>
- Amnesty International: *Darkness Visible in the Sunshine State, the death penalty in Florida*, 23 August 2018, <https://www.amnesty.org/en/documents/amr51/8959/2018/en/>

KEY STATISTICS:

- As of the end of 2019, more than 1500 executions in the U.S. since 1977
- 2581 prisoners on death row in 31 jurisdictions at the end of 2019
- 22 U.S. states have abolished the death penalty and three have moratoriums

POLICE USE OF LETHAL FORCE

Each year about 1,000 people are shot and killed by law enforcement in the U.S. The limited data available shows that Black people were three times more likely to be killed by police than White people. Mapping Police Violence documented 1,099 people shot and killed by police in 2019. According to that data – 278 individuals, or 25 percent, were identified as Black. Black people comprised 13.4 percent of the US population in 2019. The US government does not effectively track how many such deaths occur annually. The Death in Custody Reporting Act, or “DICRA”, (Public Law No: 113-242), requires the creation of a national system to document and annually report each death due to interaction with law enforcement. However, DICRA has not been fully implemented since enacted in 2014. In 2015, Amnesty International reviewed state laws – where they exist – governing the use of lethal force by law enforcement officials and found that none comply with international law and standards regarding the use of lethal force, which require that lethal force be used only as a last resort against an imminent threat of death or serious injury.

Amnesty International is calling for the US Government to:

- Congress should pass law to limit the use of force in line with international standards, lethal force must only be a matter of last resort after exhausting all reasonable options when there is an imminent threat of death or serious bodily injury
- Enforce oversight including via 42 U.S.C. § 12601 which gives the Department of Justice the authority to investigate police departments with a pattern or practice of misconduct.
- End the transfer of surplus military equipment to state and local law enforcement

Further Reading:

- Amnesty International, *Deadly Force: Police use of lethal force in the USA*, 2015, www.amnestyusa.org/files/aiusa_deadlyforcereportjune2015.pdf
- Amnesty International, *On the Streets of America: Human rights abuses in Ferguson*, 2014, www.amnestyusa.org/wp-content/uploads/2017/04/onthestreetsofamericaamnestyinternational.pdf

KEY STATISTICS:

- About 1,000 people are shot and killed by law enforcement each year in the U.S.
- Black people are overrepresented in police use of lethal force, estimated to be three times as likely to be killed by police than white people
- No state's use of lethal force statute meets international or standards

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