

# 10.10.10

## The Death Penalty Casts a Shadow on Democracy



OCTOBER 10<sup>TH</sup>

2010

WORLD DAY  
AGAINST THE  
DEATH PENALTY

We can LIVE without  
the death penalty

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**WORLD**  
COALITION  
AGAINST THE DEATH PENALTY

10/10/10

## The 8th World Day Against the Death Penalty will be dedicated to the USA

In 2009, the United States of America had the fifth highest number of executions in the world, putting it in the company of China, Iran, Iraq and Saudi Arabia.

In the same year, 106 people were sentenced to death and 52 people were executed in the USA, bringing the total number of people executed since the reinstatement of capital punishment in 1976 to 1211, according to the Death Penalty Information Center.

The USA is one of the rare countries in the world where each state has its own criminal laws and criminal justice procedures, and may have its own death penalty. At present, there are 15 abolitionist states and 35 retentionist states, but 10 of those states have not carried out any executions in the last 10 years. Only 11 states carried out executions in 2009. Alabama, Oklahoma, Ohio, Texas and Virginia were the top executioners. Texas alone executed 24 people, accounting for 46 percent of the executions in the USA in 2009.

In recent years, abolitionist measures have been spreading throughout the USA. According to Amnesty International, death sentences in the USA reached a high in 1994 but have dropped over 60 percent in the past decade to a low of 106 in 2009. In 2009, New Mexico became the 15th State to legislatively abolish the death penalty, closely following New Jersey in 2008, and New York, which judicially ended the death penalty in 2008. Executions have declined as well over the past decade, from a high of 98 in 1999.

### [ The World Day Against the Death Penalty

Responding to the World Coalition Against the Death Penalty's call for action, every year on 10 October, citizens, national and international institutions and NGOs rally to oppose the death penalty and to recall that its abolition is a universal struggle. Since the creation of the World Day in 2003, hundreds of initiatives including debates, concerts, press conferences, demonstrations, petitions, and educational and cultural activities, have been organised in more than 70 countries across five continents.

The 2009 World Day was marked by the launch of an education campaign: "Teaching Abolition". Pedagogical tools were created for the campaign and each year they are added to and updated.

It is hoped that this World Day (10/10/10) will strengthen the trend towards abolition in the USA and also the trend towards global abolition. It is an opportunity to publicly oppose the use of this inhumane, cruel and degrading punishment and to support those in the USA who are fighting for its abolition.

The TAEDP organized workshops on "Teaching abolition" in Taipei, 2009.



Handover of the petition calling for a global moratorium, to Srgjan Kerim, President of the United Nations General Assembly in 2007.



World Congress Against the Death Penalty, 2010, Geneva.



**10/10/10**

## **10 reasons to end the death penalty**

- 1** No **state** should have the power to take a **citizen's** life.
- 2** It is **irrevocable**: no justice system is safe from judicial error and innocent people are likely to be sentenced to death.
- 3** It is **inefficient**: it has never been shown that the death penalty deters crimes more effectively than other punishments.
- 4** It is **unfair**: the death penalty is discriminatory and is often used disproportionately against the poor, the mentally ill, those from racial and ethnic minorities, and in some places in the world because of discrimination because of sexual orientation or religion.
- 5** It does not offer justice to **murder victims' families**: the effects of murder cannot be erased by more killing, and the death system prolongs the suffering of victims' families
- 6** It creates **more victims**: the death penalty inflicts pain on the families of those on death row
- 7** It is **inhuman, cruel and degrading**: the dreadful conditions on death row inflict extreme psychological suffering and execution is a physical and mental assault
- 8** It is applied overwhelmingly in **violation of international standards**: it breaches the principles of the 1948 Universal Declaration of Human Rights, which states that everyone has the right to life and that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. It is also in contradiction with the international trend towards abolition recognized by two votes at the United Nations General Assembly calling for the establishment of a universal moratorium on the use of the death penalty (resolutions 62/149 and 63/168 adopted on 18 December 2007 and 2008).
- 9** **It does not keep society safe.**
- 10** **It denies any possibility of rehabilitation** to the criminal.

# The death penalty in the United States of America

## [ The failure of a judicial system that condemns innocent people to death

Since executions resumed in 1977, more than 130 people have been released from death rows in the USA on grounds of innocence, including nine in 2009. Factors contributing to the conviction of innocent people in USA capital trials are: unreliable eyewitness evidence, police or prosecutorial error or misconduct, inadequate legal representation, unreliable expert evidence, and false confessions. Miscarriages of justice in emblematic cases sensitize public opinion. One such case was that of Anthony Porter, who came within 48 hours of execution in Illinois in 1998 after 17 years on death row. His execution was temporarily stayed, during which time a group of students took up his case and proved his innocence. He was later released. The Governor of Illinois in 2003 declared a moratorium on executions and commuted the death sentences of all those on the state's death row.

## [ Miscarriages of justice as a result of discrimination

The USA population is 68 percent white, 12 percent black, 15 percent Hispanic and 5 percent other ethnic minorities. However, 42 percent of the death row inmates are black, compared to 44 percent white according to the Death Penalty Information Center, illustrating the disproportionate use of the death penalty on minorities.

Over the past three decades, sociologists have repeatedly observed that defendants are sentenced to death much more often when convicted of a murder committed against a white victim.

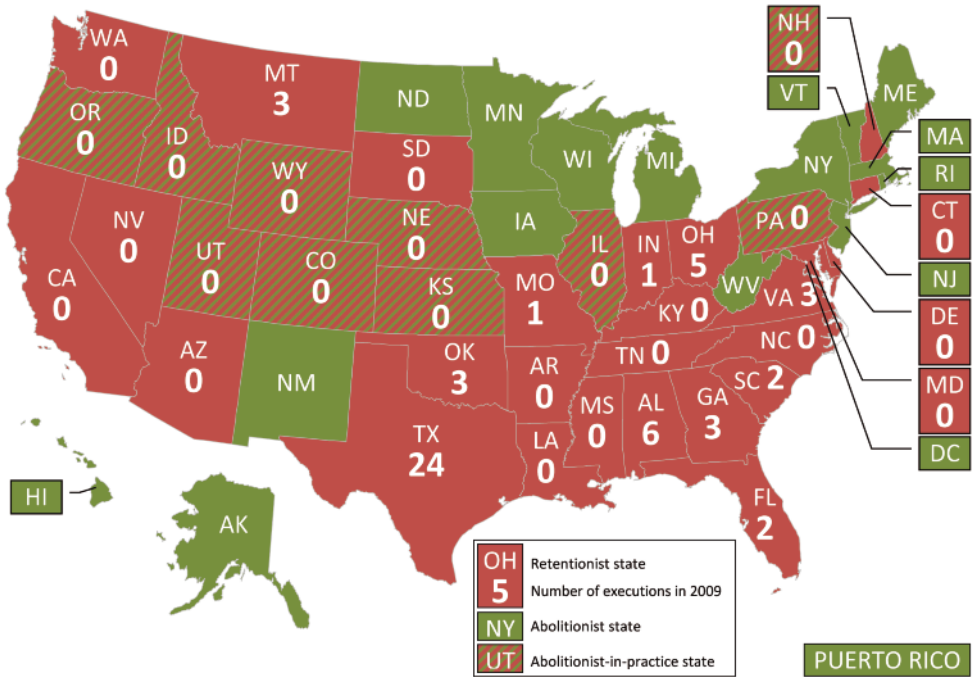
Economic status also plays an influential role in determining who is sentenced to death. Most death row inmates come from poor backgrounds and cannot afford high legal expenses. Neither income nor race is a legitimate factor in the application of the law.

People in Nepal protested against executions in the United states to mark the World Day 2009.



Conference organized by Lawyers for Human Rights in India, to mark the World Day 2009





**[ USA states that have abolished the death penalty for all crimes:** Alaska, Hawaii, Iowa, Maine, Massachusetts, Michigan, Minnesota, New Jersey, New Mexico, New York, North Dakota, Rhode Island, Vermont, West Virginia, Wisconsin

**[ USA states that retain the death penalty but have not carried out any executions in the past 10 years:** Colorado, Idaho, Illinois, Kansas, Nebraska, New Hampshire, Oregon, Pennsylvania, Utah, and Wyoming

**[ USA retentionist states (states that maintain the death penalty):** Alabama, Arizona, Arkansas, California, Connecticut, Delaware, Florida, Georgia, Indiana, Kentucky, Louisiana, Maryland, Mississippi, Missouri, Montana, Nevada, North Carolina, Ohio, Oklahoma, , South Carolina, South Dakota, Tennessee, Texas, Virginia and Washington

\* The USA Government and USA Military are both retentionist.

## [ There are better ways to make us safe

Although state expenses related to the death penalty are different in each state, they are very high throughout the USA. On average, each state will pay one million dollars more for a death penalty trial than for a non death penalty trial because the trial procedure is different. In California, the largest state, a State Commission recently found that the cost of the inefficient death penalty, with a delay of over 22 years between sentence and execution, is \$125 million per year over and above the cost of permanent imprisonment. It is even more reprehensible that these expenses could be used for other purposes such as more effective law enforcement measures.

In March 2010, a Fox News article on the cost of capital punishment stated that "Every time a killer is sentenced to die, a school is closed. That is the broad assessment of a growing number of studies taking a cold, hard look at how much the death penalty costs in the 35 states that still have it."

A 2009 report by the Death Penalty Information Center showed that the nation's police chiefs rank the death penalty last in their priorities for effective crime reduction, that they do not believe the death penalty acts as a deterrent to murder, and they rate it as one of most inefficient uses of taxpayer dollars in fighting crime. As well, a growing number of murder victims' families say that money spent on the death penalty would be better used to increase victim's services and meet their needs in the aftermath of a homicide.

## [ A trend towards abolition

There has been some progress in recent years in the USA. Two recent decisions by the US Supreme Court narrowed the scope of the constitutional death penalty – in 2002 the Court prohibited the execution of people who have 'mental retardation', and in 2005 it prohibited the use of the death penalty against offenders who were under 18 years years of age at the time of the crime. In 2009, progress was made with a decrease in the number of death sentences in previous years. The number of executions is also decreasing. The increase in the number of exonerations continues to highlight fundamental flaws in the system. In addition to the 15 states which have now abolished the death penalty in law, a further 11 states have made legislative proposals to abolish capital punishment. This further demonstrates that this trend is being established in a country where states determine their own legislation on the issue of the death penalty.

This positive trend towards abolition would not be possible without the development of the abolitionist network that is growing day by day in the USA, reflecting the gradual change of civil society towards abolition of the death penalty.

In Morocco, a Sit in was organized in front of the Parliament in 2009.



Campaign against the death penalty, organized by Amnesty International Mongolia for the World Day 2008.



Demonstrators in Paris 2007.





# Take action: 10-10-10 take action against a justice system that condemns innocent people!

**10/10/10**

## **10 things you can do to end the death penalty:**

- 1 Prepare** an event in your city on October 10, 2010
- 2 Join** the events prepared for the abolition of the death penalty worldwide
- 3 Send** messages of support to USA abolitionists
- 4 Take part** in our worldwide art project against the death penalty
- 5 Teach abolition** to your friends and relatives
- 6 Create a poster** on the theme "Death is not justice".  
This year, the World Coalition is associated with "Poster for Tomorrow", an international poster competition which will reward the best 100 posters (selected by the jury) by including them in the "Death is not justice" exhibitions, held in 100 cities around the world. For more information visit the website: [www.posterfortomorrow.org](http://www.posterfortomorrow.org)
- 7 Write to a death row inmate**
- 8 Join** an abolitionist organization
- 9 Mobilize the media** to raise awareness on the issue of the death penalty
- 10 Participate** in the "Cities Against the Death Penalty / Cities for Life" on November 30, 2010

## To find out more:

Find out everything about the World Day Against the Death Penalty

[www.worldcoalition.org](http://www.worldcoalition.org)

and in particular:

- the campaigning kit
- detailed factsheets on the death penalty in the United States and around the world
- the 2009 World Day Report including hundreds of examples of initiatives
- the pedagogical guide and the capital punishment curriculum

### The World Coalition Against the Death Penalty

Created in Rome in May 2002, the World Coalition brings together 108 bar associations, trade unions, local governments and non-governmental organizations. It aims at strengthening the international dimension of the fight against the death penalty and contributing to putting an end to death sentences and executions.

In 2003, the World Coalition established the World Day Against the Death Penalty on 10 October. This event is followed all over the world and especially in countries that continue to use the death penalty.



This document was produced with the financial support of the European Union. The content of this document is the sole responsibility of the World Coalition Against the Death Penalty and should in no way be considered to reflect the position of the European Union.

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