



The League of Women Voters of Delaware

POSITION STATEMENT: We Oppose Reinstatement of Capital Punishment

The League of Women Voters of Delaware opposes reinstatement of the death penalty in Delaware based on a position adopted at the League of Women Voters of the United States convention in 2006: “The LWVUS supports the abolition of the death penalty.”

The League of Women Voters of Delaware is one of the six original members of the Coalition to Repeal Delaware’s Death Sentence during the 148th Session and strongly supported repeal because it does not function as an appropriate punishment for the following reasons:

1. The death sentence may cause an innocent person to be executed by the state. An error cannot be corrected if the death penalty is carried out on an innocent person. As of last year, 142 persons in the United States, convicted of murder and sentenced to death, have been exonerated after new evidence showed them to be innocent.
2. The death penalty is not a deterrent. States without the death penalty, such as Iowa, Wisconsin and Michigan have crime rates equal to or less than that of Delaware.
3. The death penalty does not serve the interests of family members of victims since the necessary and lengthy appeals process postpones the realization of justice and so, can retard the healing process. On average the appeal process in a death penalty case lasts twelve years.
4. The death penalty is extremely expensive, due to the so-called precautions and extra measures taken to ensure that only appropriate defendants receive the death penalty.
5. In practice, the death penalty is unfair. It targets the poor and other vulnerable people such as those who are mentally ill, intellectually disabled, brain-damaged, and members of an ethnic or racial minority group. (70% of the Delaware’s death sentences involved cases where the victim was white although the majority of people murdered in Delaware are black.)
6. The nations with which the United States most identifies—the nations of the European Union and Canada, for example—have abolished the death penalty that fails to recognize capital punishment as a profound human rights violation and as a frightening abuse of government power.
7. Per capita, Delaware ranks #5 among states that impose the death sentence.
8. Based on the state’s murder rate, Delaware ranks third per capita in executions among states which allow death sentences.
9. Reform has been tried and has not worked. In 1972, the U.S. Supreme Court declared unconstitutional the death penalty statutes of 40 states. The Court held that extensive jury discretion over death sentences resulted in arbitrary sentencing and therefore resulted in cruel and unusual punishment. However, resulting reforms have been shown to be ineffective to stave the arbitrary nature of the sentencing. As distrust of the system has grown, the death penalty is again infrequently applied and a host of arbitrary factors still strongly influence who lives and who dies.

The League of Women Voters of Delaware strongly urges the Delaware legislature to oppose HB 125 that would reinstate the death penalty.