

The Death Penalty in Delaware

- Per capita, Delaware ranks 3rd in executions among states behind Oklahoma and Texas.
- Since 1992, Delaware has conducted 16 executions. Comparatively, California has executed only 13 men despite having the largest death row in the country. Pennsylvania, with a death row of nearly 200, has only executed 3 men in the last 20 years. In February 2015, citing ongoing concerns with fairness issues and a pending study commission report, Pennsylvania Governor Wolf declared a moratorium on executions in that state.
- Of the 15 men on Delaware's death row (as of March 1, 2015), 4 are white (27%), 8 black (53%), and 3 are Hispanic (20%). This means that 73% of the death row population is comprised of minorities.ⁱ
- Delaware's death row has a far greater racial disparity when compared to the rest of the country. Nationally, 43% of death row inmates are white, 42% are black, and 13% are Hispanic (55% minority).ⁱⁱ
- A white person has not been sentenced to death in Delaware since 2003.
- The majority of murder victims in Delaware are black, yet 70% of the death sentences imposed here involved cases when the murder victim was white.
- Compared to all other states with the death penalty, the Delaware statute governing the death penalty is the broadest. Virtually any murder could be tried as a capital murder here.
- Convicted accomplices to a murder can be sentenced to death in Delaware even when they have not actually killed anyone.
- Delaware is one of only three states where a judge can overrule a jury's decision not to impose a death sentence.

ⁱ State of Delaware Department of Corrections, Death Row, <<http://doc.delaware.gov/information/deathrow.shtml>>

ⁱⁱ Johnson, Sheri Lynn, Blume, John H., Eisenberg, Theodore, Hans, Valerie P. and Wells, Martin T., The Delaware Death Penalty: An Empirical Study (March 11, 2012). Cornell Law School.