Two Supremes Speak Out
It is tempting to pretend that minorities on death row share a fate in no way connected to our own, that our treatment of them sounds no echoes beyond the chambers in which they die. Such an illusion is ultimately corrosive, for the reverberations of injustice are not so easily confined.


Even under the most sophisticated death penalty statutes, race continues to play a major role in determining who shall live and who shall die.

Justice Harry Blackmun (1994)
Outrageous Quotes and Facts
"One of you two is gonna hang for this. Since you're the nigger, you're elected."³ Spoken by a Texas police officer to Clarence Brandley, who was charged with the murder of a white high school girl. Brandley was later exonerated in 1990 after ten years on death row.

In preparing for the penalty phase of an African-American defendant's trial, a white judge in Florida said in open court: "Since the nigger mom and dad are here anyway, why don't we go ahead and do the penalty phase today instead of having to subpoena them back at cost to the state."⁴ Anthony Peek was sentenced to death and the sentence was upheld by the Florida Supreme Court in 1986 reviewing his claim of racial bias.
• A prosecutor in Alabama gave as his reason for striking several potential jurors the fact that they were affiliated with Alabama State University -- a predominantly black institution. This pretext was considered race neutral by the reviewing court.

• During the 1997 election campaign for Philadelphia's District Attorney, it was revealed that one of the candidates had produced, as an Assistant D.A., a training video for new prosecutors in which he instructed them about whom to exclude from the jury, noting that "young black women are very bad" on the jury for a prosecutor, and that "blacks from low-income areas are less likely to convict." The training tape also instructed the new recruits on how to hide the racial motivation for their jury strikes.
Death Penalty in America

Size of Death Row: 1968-2000
Death Penalty in America
Capital Punishment and Race
Since 1976

Race of Defendants Executed
- White: 57%
- Black: 35%
- Hispanic: 7%
- Other: 2%
Capital Punishment and Race
Since 1976

Race of Death Row Inmates:
- Black: 1600 (45%)
- Hispanic: 350 (9%)
- White: 1662 (43%)
- Other: 80 (2%)

Race of Victims:
- White: 81% (81%)
- Black: 13% (4%)
- Hispanic: 2% (2%)
- Asian: 2% (2%)

Over 80% of completed capital cases involve white victims, even though nationally only 50% of murder victims are white.

"In 82% of the studies [reviewed], race of the victim was found to influence the likelihood of being charged with capital murder or receiving the death penalty, i.e., those who murdered whites were found more likely to be sentenced to death than those who murdered blacks."


David Baldus, George Woodworth and others

September, 1998,
83 Cornell L. Rev. 1638
Race and Death Sentencing in Philadelphia

Being Black Can Act As An "Aggravating Factor"

- Murder with torture: 1.9
- Grave risk of death to others: 1.5
- Black Defendant: 1.4
- Caused great harm, fear or pain: 1.0
- Murder with multiple stab wounds: 0.9
- Murder with another felony: 0.8

Fig. 3
Relative Value in Predicting a Death Sentence by Jury
Race and Death Sentencing in Philadelphia

Fig. 2 Comparison of Jury Death Sentencing Rates for Black Defendants and Other Defendants (unadjusted)

- Rate of Death Sentencing from Eligible Cases of the Same Race

- Black Defendants: 0.18
- Other Defendants: 0.13

38% higher rate
Race and Death Sentencing in Philadelphia


Defendant Culpability Index and Scale Score Estimated in a Logistic Regression Analysis