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Only Five States Conducted Executions and Seven States Imposed New Death Sentences in 2023, the Lowest Number of States in 20 Years

Florida's Six Executions and Five New Death Sentences Responsible for 2023 Increase

For the First Time, More Americans Believe the Death Penalty is Administered *Unfairly* than Fairly

(Washington, D.C.) This year marked the ninth consecutive year where fewer than 30 people were executed (24) and fewer than 50 people were sentenced to death (21) as of December 1, 2023, the lowest number of states that executed and imposed new death sentences in 20 years. The majority of states, 29, have now either abolished the death penalty or have paused executions by executive action.

The increase in executions from 18 in 2022 to 24 in 2023 can be attributed to Florida's return to executions after a lengthy pause as its governor launched a presidential campaign. Florida's six executions were the state's highest number since 2014, and it imposed five new death sentences, the highest number of any state this year.

Read "The Death Penalty in 2023: Year End Report" here: https://deathpenaltyinfo.org/facts-and-research/dpic-reports/dpic-year-end-reports/the-death-penalty-in-2023-year-end-report.

For the first time, the Gallup poll reported that more Americans (50%) believe that the death penalty is administered *unfairly* than fairly (47%). Relatedly, a growing number of conservative state lawmakers and some pro-death penalty elected officials publicly supported prisoners with innocence claims, including Richard Glossip in Oklahoma, and raised new concerns about the fairness and accuracy of the death penalty itself.

"The data show that most Americans no longer believe the death penalty can be imposed fairly," said Robin M. Maher, DPIC's executive director. "That important change can also be seen in the unprecedented show of support for death-sentenced prisoners from conservative lawmakers and elected officials this year, some of whom now oppose use of the death penalty in their state."

The U.S. Supreme Court turned away most petitions from death-sentenced prisoners, even those with strong claims of innocence, focusing attention on the need for adequate state procedures. Three death row prisoners were exonerated in 2023. With DPIC's ongoing research uncovering two additional exonerations, the number of U.S. death row exonerations since 1972 rose to 195.

The death penalty continues to be geographically isolated with only five states -- Alabama (2), Florida (6), Missouri (4), Oklahoma (4), and Texas (8) -- conducting executions this year, tying 2016 with the lowest number of states in 20 years. Together, Texas and Florida accounted for more than half of this year's 24 executions.

Only seven states -- Alabama, Arizona, California, Florida, Louisiana, North Carolina, and Texas -- sentenced people to death, also tying the lowest number of states of the past 20 years. The federal government secured its first new death sentence since 2019 (Robert Bowers), but another federal capital trial resulted in a life sentence (Sayfullo Saipov).

Most of the prisoners who were executed in 2023 would likely not have been sentenced to death if tried today due to significant changes in the law, prosecutorial decision-making, and public attitudes over the past few decades. Today, they would have powerful arguments for life sentences and decisions from juries who better understand the effects of mental illness, developmental impairments, and severe trauma. 79% of the people executed this year had at least one of the following impairments: serious mental illness; brain injury, developmental brain damage, or an IQ in the range considered intellectually disabled; and/or chronic serious childhood trauma, neglect and/or abuse. One-third or eight of the people executed had all three. At least three prisoners were under the age of 20 at the time of their crimes.

As has been historically true, prisoners of color were overrepresented among those executed and cases with white victims were more likely to be executed. Nine of the 24 prisoners executed were people of color. The vast majority of crimes for which defendants were executed this year (79%) involved white victims.

Also today, DPIC released "Compromised Justice: How A Legacy of Racial Violence Informs Missouri's Death Penalty Today" at https://deathpenaltyinfo.org/facts-and-research/dpic-reports/dpic-special-reports/compromised-justice-how-a-legacy-of-racial-violence-informs-missouris-death-penalty. It is the third in a series of reports detailing how histories of racial injustice inform the current use of capital punishment in an individual state.

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The **Death Penalty Information Center** (DPIC) is a national non-profit organization whose mission is to serve the media, policymakers, and the general public with data and analysis on issues concerning capital punishment and the people it affects. DPIC does not take a position on the death penalty itself but is critical of problems in its application.

Founded in 1990, DPIC promotes insightful discourse on the death penalty by curating and presenting expansive, authoritative data from credible sources and offering clear, trustworthy, and timely information and research about the history and current application of the death penalty. DPIC produces groundbreaking reports on issues such as arbitrariness, costs, innocence, and racial disparities. DPIC also releases an annual year-end report highlighting significant developments and trends. A wide variety of free online

resources are available on DPIC's award-winning website, including searchable databases; data visualizations; educational curricula; and podcast series, Discussions with DPIC, which explores diverse viewpoints and experiences related to capital punishment.