

# Virginia's state government abolishes capital punishment

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On Wednesday, Democratic Governor of Virginia Ralph Northam signed legislation banning the use of capital punishment within the Commonwealth. The passage of state Senate Bill 1165 makes Virginia the 23rd state in the United States to abandon usage of the barbaric punishment.

Virginia is the first state in the American South to do away with execution. Its new law follows closely behind the state of Maryland's 2013 decision to rid itself of the punishment. The bill was passed largely along party lines in the state's two legislative chambers, with a handful of Republican officials joining with the Democratic majority in both houses to pass the legislation.

Aside from Texas, Virginia has resorted to the death penalty far more than any of its state counterparts. "For decades—centuries, actually—the only real issue in Virginia related to the death penalty was how to expand it, no matter which party was in charge," wrote the *Washington Post* as Northam prepared to sign the bill into law.

The state has executed over 1,300 prisoners in its 400 years of existence. For the first 300 years, the state hanged its condemned. In 1908, the state's first death by electrocution was carried out. More recently the state sought to employ various combinations of lethal chemicals in order to kill prisoners. Virginia has executed 103 people since unveiling its modernized death chamber in 1991.

In 2015, the state went so far as passing legislation to shield the identities of participating chemical producers from public scrutiny, due to the backlash participation in such acts could bring. According to [deathpenaltyinfo.org](http://deathpenaltyinfo.org), the state's disproportionate use of executions was "the combined product of poor defense representation and the most draconian

procedural rules in the country," which have punished inmates for errors of a technical nature during trials and disallowed appeals.

"Ending the death penalty comes down to one fundamental question, one question: Is it fair?" stated Northam as he was preparing to make the legislation law. The Democratic governor declared, "One question: Is it fair? For the state to apply this ultimate, final punishment, the answer needs to be yes. Fair means that it is applied equally to anyone, no matter who they are."

In other words, for Northam it is not a question of abolishing the death penalty due to its barbaric nature, but because it has been applied inequitably.

The abolition of the death penalty comes as something of an about-face for Governor Northam. While claiming to be personally opposed to the barbaric act, the then-state senator was one of several Democratic Party lawmakers that voted to expand the death penalty to cover accomplices to murder in 2009.

According to the governor, his thinking on the matter "evolved" as a product of discussions with his father, a retired judge. However, the major impetus for abolition came during the mass protests last May-June after the Memorial Day weekend killing of George Floyd in Minneapolis. The mass opposition of working people to the police murder "opened a lot of folks' eyes" and forced the Democratic Party-controlled state government to act, claims Northam.

In addition to the increasing popular opposition to state executions, other factors, such as programs providing court representation for convicted felons, have greatly reduced the prevalence of the death penalty. According to Democratic state Senate leader Richard Saslaw, "the juries aren't handing these [state executions] out anymore." Currently, there are only

two individuals on death row in the state, and no court has sentenced anyone to die since 2011.

Predictably, the state's Republican lawmakers appealed to vengeance and social backwardness in expressing their opposition to the law. This was most grotesquely demonstrated in comments made by House Republican Robert B. Bell during a February session. Bell viciously declared that up and down the state of Virginia, the cheers of criminals "could metaphorically be heard at the grave sites of ... crime victims" as the bill was being made into law. Other officials stated that the law represented "a criminal-first, victim-last mindset."

Such fascistic sentiments are preposterous and demonstrate the exceedingly antidemocratic and authoritarian bent of the state Republican Party. With or without the death penalty, Virginia is one of the nation's top states in the sheer number of its population behind bars.

According to the Vera Institute of Justice, from 1983 to 2015, Virginia's inmate population expanded by 298 percent. The state currently has nearly 30,000 people locked up, an amount equivalent to the population of a small city.

According to the institute, the state ranks at number four in the country for jail admissions, as well as for the total amount of the population which is incarcerated before trial. According to a 2015 study, "Racial disparities in incarceration remain strikingly wide" in the state, while "women constitute a rising number" of the prison population.

The state Democratic Party's cynicism is revealed in a recent *Washington Post* article on Virginia's latest law. Democratic state Senator Scott A. Surovell, the bill's sponsor, told the *Post* that proposals for the death penalty's abolition received "big yawns" from his fellow party members as recently as 2019, just after the Democrats swept the state midterms. "I want to say five to seven hands went up" for the proposal during the Democrats' first post-election caucus, he said.



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