

Trump Department of Justice seeks death penalty for Luigi Mangione

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3 April 2025

The US Department of Justice under Attorney General Pam Bondi has announced it will seek the death penalty against Luigi Mangione, the 26-year-old accused of murdering UnitedHealthcare CEO Brian Thompson on December 4, 2024. Mangione is charged with federal murder and stalking offenses following the fatal shooting of Thompson in Midtown Manhattan.

“Luigi Mangione’s murder of Brian Thompson—an innocent man and father of two young children—was a premeditated, coldblooded assassination that shocked America,” Attorney General Bondi said in a statement. Her decision came after “careful consideration,” she said, and was in line with President Donald Trump’s death penalty agenda.

The high-profile case against Mangione is being seized upon by the Trump administration to advance its bloodthirsty drive to revive the federal death penalty. However, any misguided public sentiment that has held up Mangione’s actions as a justified response to the evils of the profit-hungry healthcare system cannot counter the government’s reactionary drive to send him to his death. Individual violence is a retrograde reaction that does nothing to reform the healthcare system or ameliorate any of the scourges of American capitalism. This requires a unified, working class response based on a revolutionary socialist program.

While Mangione also faces state charges, including terrorism-related counts, only the federal charges make him eligible for the death penalty, as the state of New York does not currently practice capital punishment. Federal prosecutors in Manhattan filed murder charges against Mangione, citing jurisdiction because he had crossed state lines to commit the crime.

The death penalty was effectively abolished in New York in 2004 when the New York Court of Appeals ruled in *People v. LaValle* that the state’s death penalty statute was unconstitutional. Under US law, federal crimes

committed within the state can still be subject to the federal death penalty.

On January 20, President Trump signed an executive order titled “Restoring the Death Penalty and Protecting Public Safety,” one of dozens of orders he issued on Inauguration Day. It calls for a dramatic expansion of the use of the death penalty, utilizing fabrications about the deterrent character of capital punishment, as well as about its constitutionality, to outline a fascistic escalation of the already barbaric practice that remains on the books in 27 US states, the federal government and the military.

“Federal Capital Punishment,” Sec. 3 of the execution order, states:

(a) The Attorney General shall pursue the death penalty for all crimes of a severity demanding its use.

(b) In addition to pursuing the death penalty where possible, the Attorney General shall, where consistent with applicable law, pursue Federal jurisdiction and seek the death penalty regardless of other factors for every federal capital crime involving:

- (i) The murder of a law-enforcement officer; or
- (ii) A capital crime committed by an alien illegally present in this country.

The final point regarding “aliens illegally present in this country” takes on a particularly chilling character in the context of the administration’s use of the Alien Enemies Act in its dragnet rounding up immigrants for deportation without due process and the abduction of student Green Card and visa holders based on their support for the Palestinian people and opposition to the genocide in Gaza.

Immigrants have been flown out of the country in

defiance of court orders to the notorious Terrorism Confinement Center (CECOT) concentration camp in El Salvador, which amounts to a life sentence with no legal recourse. It is certain that the Trump Justice Department is actively looking for cases where it can utilize the executive order on the death penalty to seek federal death sentences against immigrants on US soil.

During his first term in office, Trump made clear his bloodthirsty commitment to the death penalty when his Justice Department under Bill Barr authorized 13 federal executions in the last six months of his presidency, between July 2020 and January 2021. These marked the first federal executions in 17 years, making Trump the most prolific president in terms of federal executions in over a century.

Joe Biden campaigned for president claiming his opposition to the federal death penalty. Attorney General Merrick Garland imposed a moratorium on federal executions in July 2021, effectively halting all federal executions during Biden's presidency. However, this was not an effort at ending the practice but was to allow for a review of federal death penalty practices, citing concerns about racial disparities, wrongful convictions and the arbitrary application of capital punishment. In other words, the moratorium was aimed at making an inherently barbaric practice more "just."

Under US law, the president only has the power to commute or pardon the death sentences of federal death row inmates. Trump seized on President Biden's December 2024 commutation of 37 of 40 federal death row inmates to life in prison without the possibility of parole.

The exceptions were Dylann Roof, who carried out the 2015 slayings of nine black members of Mother Emanuel AME Church in Charleston, South Carolina; Dzhokhar Tsarnaev, convicted in the 2013 Boston Marathon bombing; and Robert Bowers, who fatally shot 11 congregants at Pittsburgh's Tree of Life Synagogue in 2018. Like most Democratic politicians who claim to oppose the death penalty, this opposition does not apply when an individual's alleged crime is particularly egregious, as Biden determined these three individuals' crimes to be.

The gruesome execution of death row inmate Clayton Lockett in Oklahoma in April 2014 exposed the hypocrisy of the Democratic Party's supposed anti-death penalty wing. Lockett was subjected to 43 minutes of torture as the execution team attempted to locate a vein through which to inject the lethal chemicals to kill him.

At the time, President Obama made clear the tenuous character of his opposition to the death penalty. Commenting on Lockett's execution, Obama's press secretary stated, "While the evidence suggests that the death penalty does little to deter crime, [the president] believes there are some crimes that are so heinous that the death penalty is merited."

He added, "But it's also the case that we have a fundamental standard in this country that even when the death penalty is justified, it must be carried out humanely. And I think everyone would recognize that this case fell short of that standard."

As the WSWS wrote at the time:

Such statements are the height of hypocrisy and an affront to the memory of the hundreds of individuals who have been put to death by the US state in a supposedly "humane" fashion.

Strapping an individual to a gurney and injecting poisonous chemicals into his or her veins for the express purpose of inflicting death can never be carried out "humanely," and those in authority do not have the right to pick and choose when it is justified. It is the duty of class conscious workers and young people to oppose this vengeful practice in all cases, and not only condemn those in the political establishment that promote and defend it, but struggle to put an end to the system of class exploitation and oppression that underlies it.

There are currently around 2,100 condemned inmates languishing on death rows across the US. The Socialist Equality Party's opposition to the death penalty applies as equally to the case of Luigi Mangione as it does to these men and women. We oppose the vindictive prosecution against him and the Justice Department's pursuit of the death penalty in his case. As we stated in a Perspective in December, "We demand that Mangione, who apparently suffers from severe health issues, be granted bail and receive the medical care that he needs."



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