



**FOR IMMEDIATE RELEASE**  
Wednesday, June 26, 2013

**CONTACT:** Kristin Houlé, Executive Director  
Cell: 512-552-5948; [khoule@tcadp.org](mailto:khoule@tcadp.org)

**State of Texas Poised to Carry Out 500<sup>th</sup> Execution Since 1982**  
*Troubling questions persist regarding arbitrary and biased imposition of the ultimate punishment*

*Austin, Texas* – Today, the State of Texas stands on the brink of an appalling milestone in its death penalty history: the execution of the 500<sup>th</sup> person since 1982. Barring any last-minute legal developments, this evening, Kimberly McCarthy will be the 500<sup>th</sup> person put to death by lethal injection since the resumption of executions. This figure stands far above any other state – and most countries.

“Among these 500 men and women are names that symbolize everything that can go wrong with the death penalty, resulting in the ultimate nightmare: the execution of an innocent person,” said Kristin Houlé, Executive Director of the Texas Coalition to Abolish the Death Penalty (TCADP). “Haunting questions continue to linger around the cases of Gary Graham, Claude Jones, Ruben Cantu, Carlos DeLuna, Cameron Todd Willingham, and others who were put to death despite significant doubts about their guilt and the reliability of their convictions.”

These 500 cases also include individuals who suffered from severe mental illness or who had diminished intellectual capacity, those whose trials were tainted by egregious racial discrimination or woefully inadequate legal representation, and those who were convicted of crimes as 17-year-olds and put to death before the U.S. Supreme Court finally recognized the cruelty of executing juvenile offenders.

Through the efforts of attorneys, journalism students, and community leaders, Anthony Graves and 11 others were not mistakenly put to death by the State of Texas. They are among the 142 people released from death rows nationwide due to evidence of their wrongful convictions. Hundreds of other individuals spent decades in prison before DNA or other evidence led to their exonerations.

Public awareness of the risk of wrongful convictions, the exorbitant cost of death penalty trials, and the now available sentencing option of Life in Prison without the Possibility of Parole (LWOP), among other factors, account for the steep decline in new death sentences over the last decade and a half. New death sentences in Texas peaked in 1999, when juries sent 48 people to death row, but have since fallen to single digits in the last few years.

As Texas moves away from the death penalty, the punishment remains geographically isolated to just a few jurisdictions statewide. Just five counties account for 54% of death sentences in the last five years. In addition, the death penalty continues to be applied in an arbitrary way, disproportionately impacting people of color. Over the last five years, nearly 3 of 4 new death sentences in Texas have been imposed on people of color – 46% African-American and 28% Hispanic.

The 500th execution provides an important moment to reflect on the well-documented history of racial bias in Texas' death penalty system and the discrimination that still pervades the system today. Kimberly McCarthy, an African American woman, was sentenced to death in Dallas County for the 1997 murder of Dorothy Booth, a white woman, by a jury that was all white but for one person. Dallas County is notorious for its longstanding practice of excluding African Americans from criminal juries. In Ms. McCarthy's 2002 capital trial, the state employed this practice to exclude three of only four non-white potential jurors. The biased practices used by Dallas County and in Ms. McCarthy's case reflect a capital system riddled with prejudice.

The 500<sup>th</sup> execution in Texas comes at a time of national momentum away from the death penalty, as six states have abandoned it in the last six years.

"Attitudes toward the death penalty are shifting as public confidence in the ultimate punishment erodes," said Houlé. "At this moment in our state's experience with the death penalty, TCADP urges concerned citizens and elected officials to confront the realities of this irreversible and costly punishment and seek alternative ways of achieving justice."

TCADP is a statewide, grassroots advocacy organization based in Austin.

###