Committee on Revision of the Penal Code

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October 30, 2026

The Honorable Gavin Newsom
Governor of California

Dear Governor Newsom:

We urge you to commute the death sentence of everyone on California's death row. In 2021, this Committee on Revision of the Penal Code — created by legislation you signed in 2019 and directed by law to make recommendations to "simplify and rationalize" California's criminal law — recommended that California abolish the death penalty and, among other measures, that the Governor's office exercise the power of commutation.

The time to commute all death sentences is now. The state homicide rate is the lowest it has been for at least 60 years. The death row population is also the lowest it has been in 25 years — far fewer death sentences are being imposed and people on death row are either dying of natural causes or getting resentenced to a penalty less than death. And the racialized application of the death penalty is more apparent than ever: the most recent death sentence for a white person was handed down in 2021 while 15 people of color have been sentenced to death between 2021 and 2025.

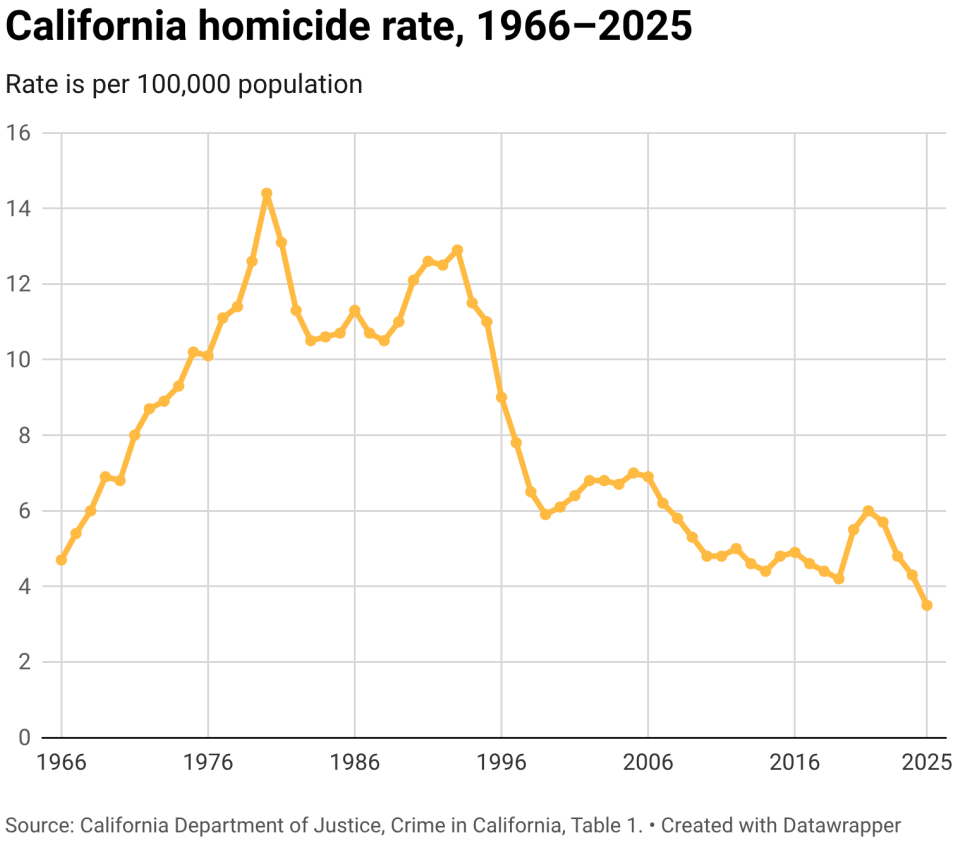
All of these elements exist amidst a reality that none of these people will ever be executed. The last execution in California was more than 20 years ago. Assuming the state had a functional lethal injection protocol or other method to kill people and was able to execute one person a week, it would take more than 10 years to carry out all the executions just to empty the existing death row.

We reiterate today that almost fifty years of experience in this state with capital punishment have shown that the death penalty is the opposite of a simple and rational scheme. It has become so complicated and costly that it takes decades for cases to be fully resolved and it is imposed so arbitrarily — and in such a discriminatory fashion — that it cannot be called rational, fair, or constitutional.

In support of this letter, the following pages provide updates of relevant data from our 2021 report.

A. Homicide is at a record low.

The state homicide rate is at a historic low. After a nationwide increase during the COVID-19 pandemic, the state's homicide rate in 2025 was 17% lower than the pre-pandemic rate in 2019 when you took office. The 2019 rate was the lowest in the data (going back to 1966) — but the 2025 rate is even lower.



B. Fewer death sentences are being imposed than ever and far more people have died awaiting execution than have been executed.

Far fewer death sentences are being imposed. According to the California Department of Justice, between 2021 and 2025, 16 people were newly sentenced to death in California. In the 1990s when death sentences were at their height, California was sentencing dozens of people to death every year.

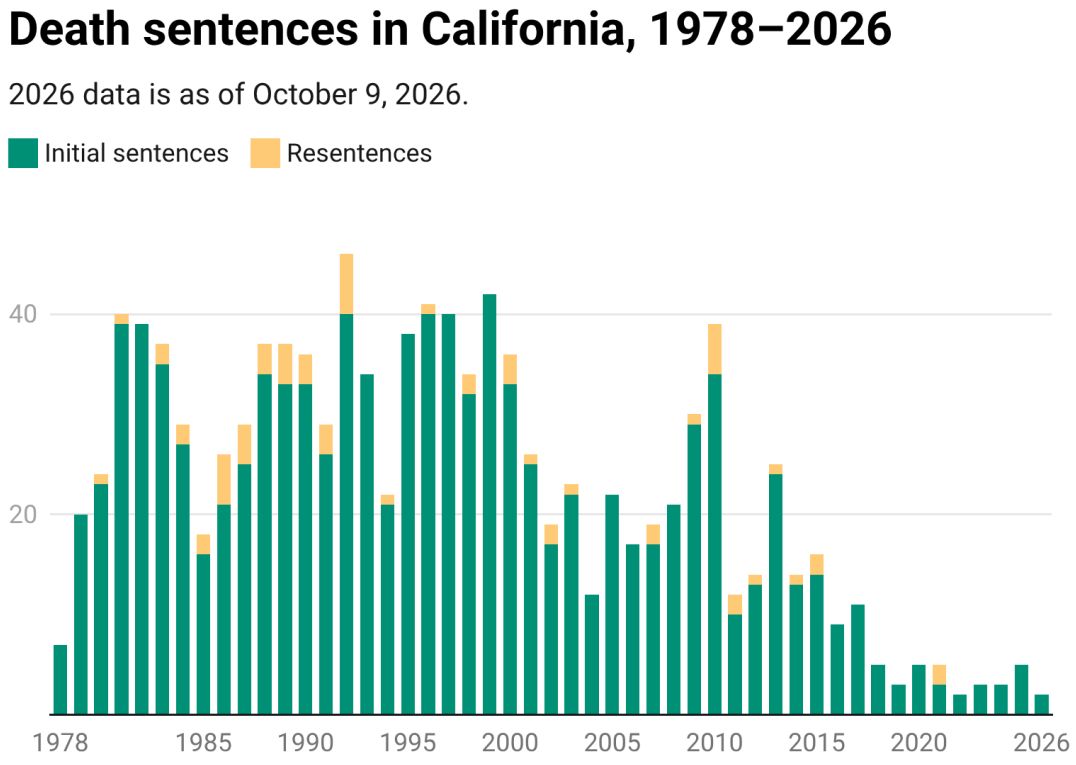


Chart: Committee on Revision of the Penal Code • Source: Initial sentences: California Department of Justice, Homicide in California, Table 32 (2025). People with multiple sentences in the same county in the same year are counted once. New death sentences imposed in 2026 are from the Habeas Corpus Resource Center. Resentences: For 1978–2002, California Department of Justice, Homicide in California, Table 35 (2002). For 2003–2026: Habeas Corpus Resource Center. • Created with Datawrapper

The death row population has fallen well below 600 — to 563 — for the first time in 25 years. In 2021, 692 people were on death row.

California condemned population, 1978–2026

Population is at year-end, except 2026 is through October 2, 2026.

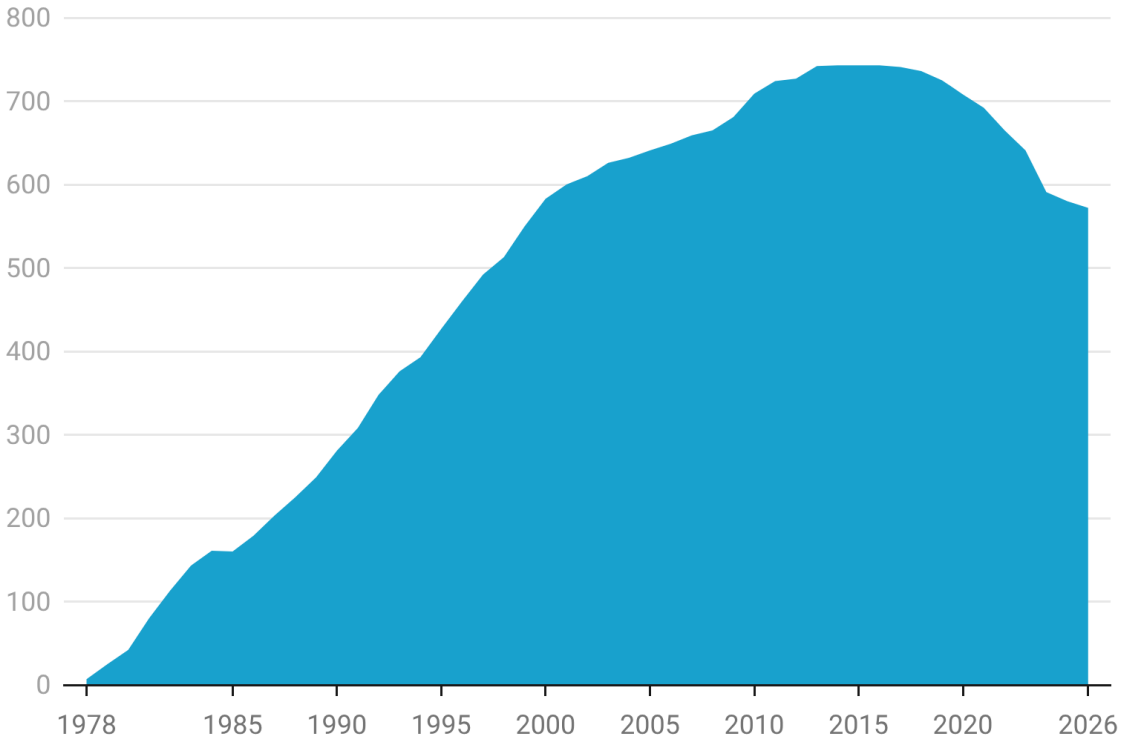
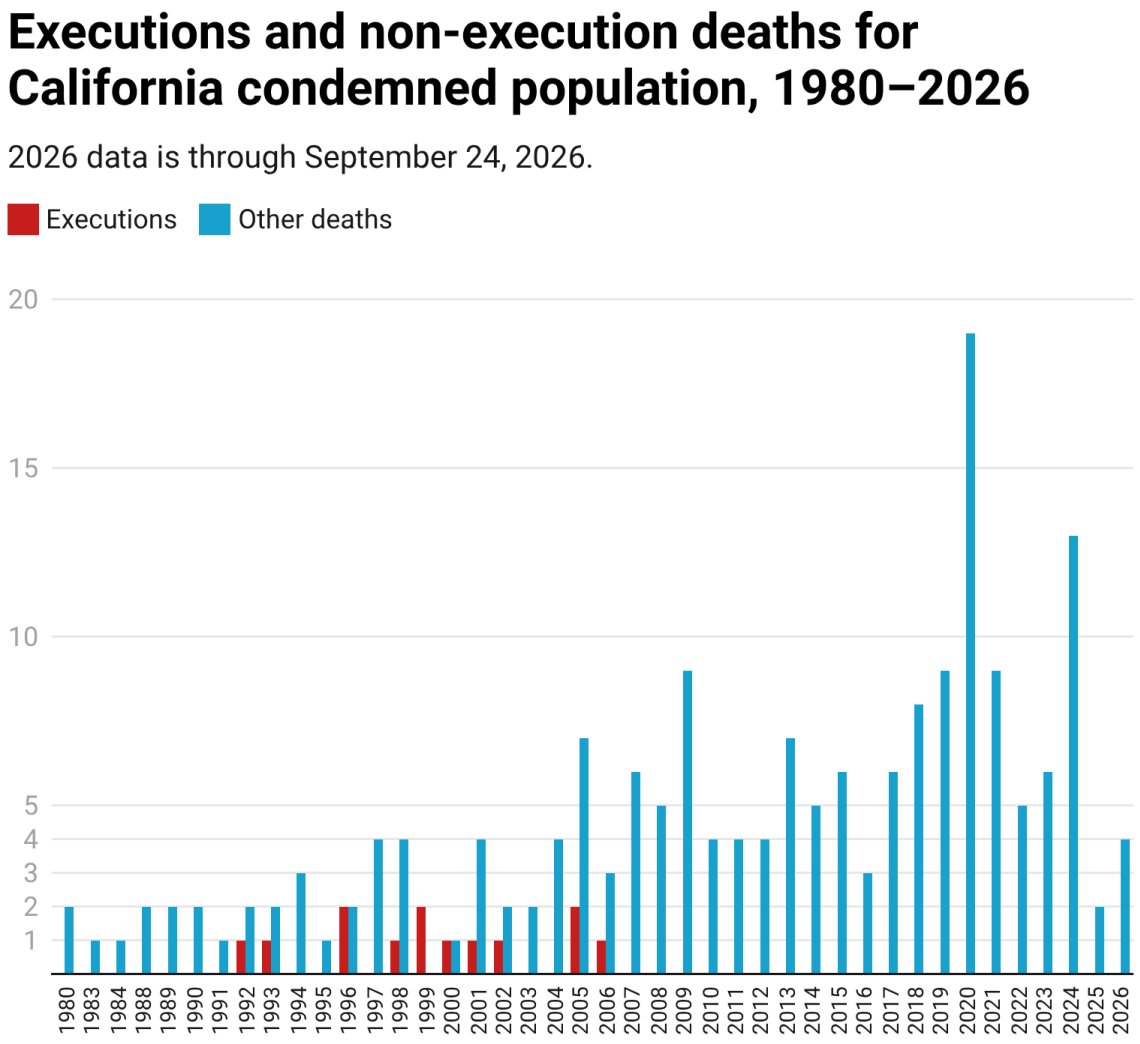


Chart: Committee on Revision of the Penal Code • Source: For 1978–2011, California Department of Justice, Homicide in California, Table 35 (2011). For 2012–2025, NAACP Legal Defense and Educational Fund, Inc., Death Row U.S.A. reports. For 2026, CDCR. • Created with Datawrapper

People are more likely to die while waiting for execution than to die by execution in California. According to CDCR, 188 people have died while awaiting execution while only 13 have been executed in California.



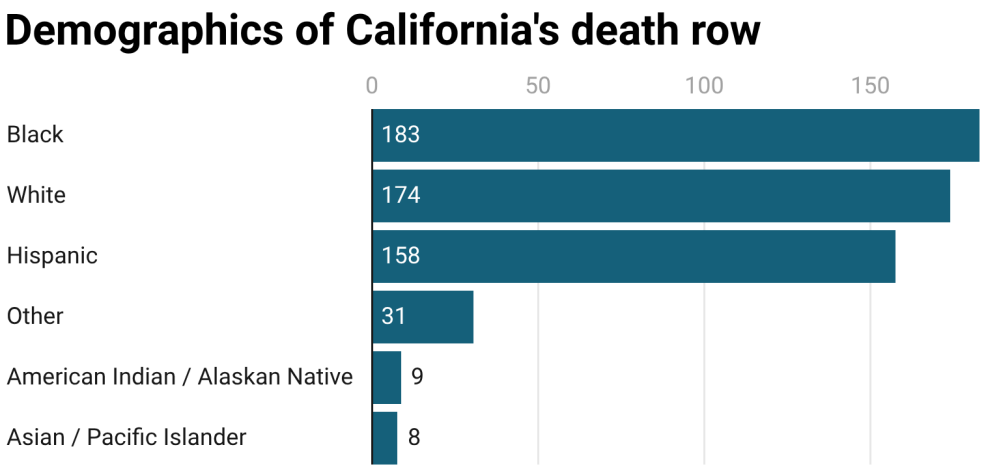
No deaths occurred in 1978 and 1979. Non-executions are: 126 deaths by natural causes; 32 deaths by suicide; 18 deaths by other causes; and 12 causes-of-death pending. Two executions in other states of people also condemned to death in California are excluded.

Chart: Committee on Revision of the Penal Code • Source: CDCR • Created with Datawrapper

C. The death penalty in California continues to be racially biased.

The death penalty in California is racially biased. Race has often determined when the death penalty is sought and when it is imposed.

Despite accounting for only 6.4% of California's population, one-third of people on death row are Black.

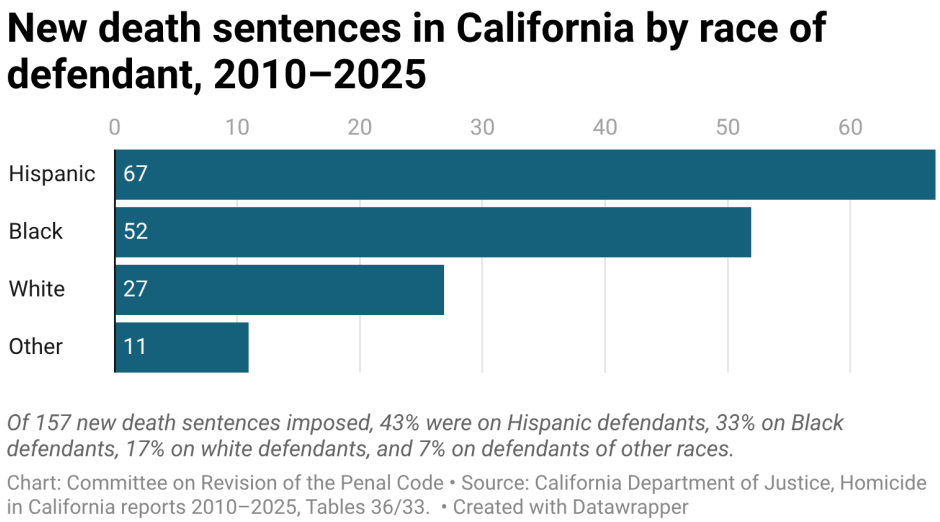


Data is as of October 2, 2026. Of the 563 people currently on death row, 33% are Black, 28% are Hispanic, 31% are White, 6% are Other, 2% are American Indian/Alaska Native, and 1% are Asian/Pacific Islander. Percentages may not add up to 100 due to rounding. "Hispanic" includes Mexican and Hispanic. "Other" includes offenders whose ethnicity is unknown or not self-reported.

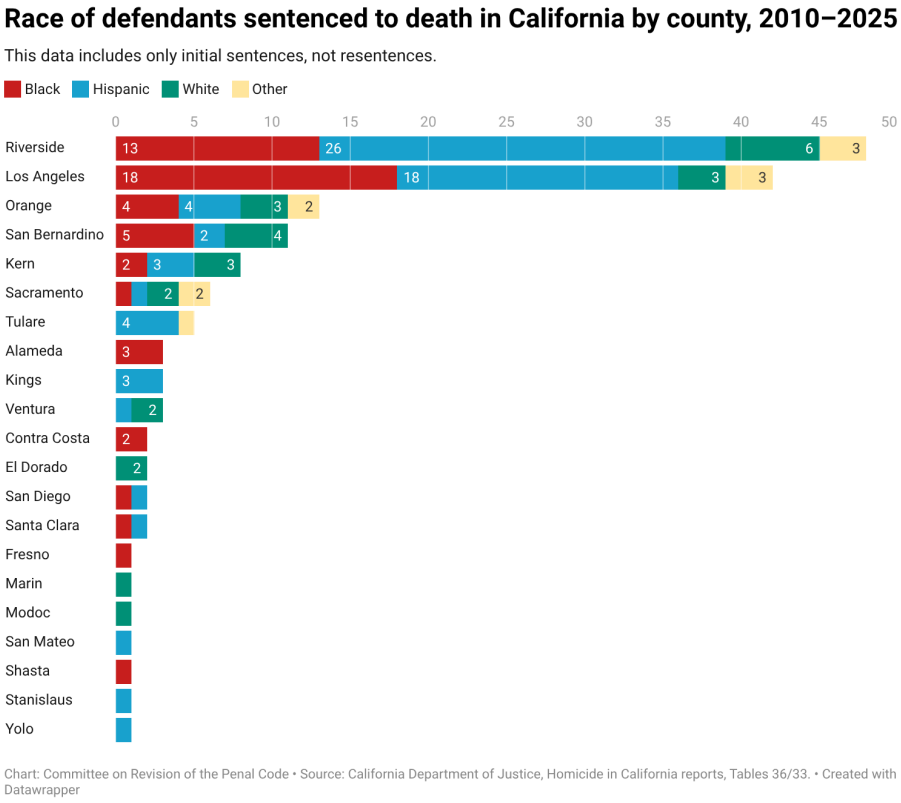
Chart: Committee on Revision of the Penal Code • Source: CDCR • Created with Datawrapper

Between 2021 and 2025, according to the California Department of Justice, 16 people have been sentenced to death statewide in California. Only 1 of these people was white — and between 2022 and 2025, no white person was sentenced to death.

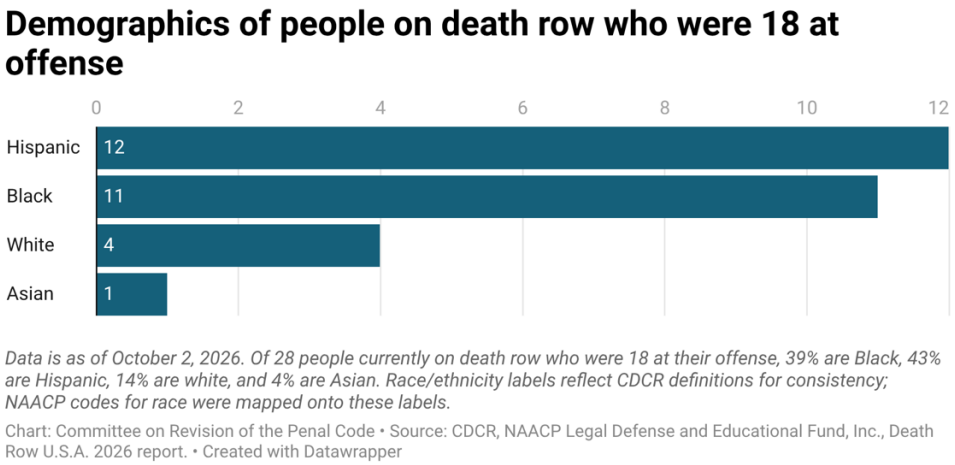
Over a longer time frame, from 2010–2025, out of 157 people sentenced to death, only 17% of people were white.



Over that same 15-year period of time, some counties did not sentence a single white person to death.



Even more starkly, of the 28 people who are on death row who were 18 at the time of the offense, only four are white.



Please contact us if there is any further information we can provide.

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