

THE DEATH PENALTY IS USED TO PUNISH THE MOST VULNERABLE

The vast majority of people who are executed in the United States have one or more serious impairments. In 2025, 83% of executions were carried out against individuals who had at least one of the following vulnerabilities: serious mental illness (27 cases); intellectual disability, low IQ, or brain damage (25 cases); and/or significant childhood trauma, neglect, or abuse (28 cases). Eight people executed in 2025 were under the age of 21 at the time of their crimes.

INTELLECTUAL DISABILITY AND BRAIN INJURY

- In 2002, the U.S. Supreme Court determined that individuals with intellectual disability should be spared from the death penalty due to their lessened culpability. However, in practice, many individuals with intellectual disabilities and traumatic brain injuries still face execution today.
- Byron Black was executed in Tennessee in 2025 despite having an IQ below 70, dementia, and significant brain atrophy.

SEVERE MENTAL ILLNESS

- There is no categorical ban on executing individuals with serious mental illness in the United States, though two states have passed prohibitions in recent years: Ohio and Kentucky. Nearly a dozen other states have considered enacting similar bans.
- When the U.S. Court decided that persons with intellectual disabilities and juveniles should not be subject to the death penalty due to their diminished culpability, it relied on evolving standards of decency and scientific consensus. Many mental health experts believe that people with serious mental illnesses, such as schizophrenia and bipolar disorder, are categorically similar to those for whom the death penalty has been deemed inappropriate. The American Psychiatric Association and the American Bar Association currently support ending the death penalty for

individuals with severe mental illness.

YOUTH

- In 2005, the Supreme Court determined that youth under the age of 18 should not face the death penalty due to their diminished culpability.
- Since that time, experts in brain development have emphasized that the juvenile brain is not fully developed until an individual reaches their mid-20s, noting that the areas of the brain responsible for judgement, risk assessment, impulse control, and long-term planning are usually the last to develop.
- The American Bar Association has advocated for extending the protections of the Roper decision to juveniles between the ages of 18 and 21. Other experts have suggested age 25 is a more appropriate cut-off in recognition of the growing scientific consensus around brain development.

VETERANS AND THE DEATH PENALTY

- In 2025, ten veterans were executed in the United States, seven of them in Florida. In many of these cases, jurors were never informed about how the defendants' military service had impacted their lives or ability to function, or evidence of Post-Traumatic Stress Disorder.
- More than 130 U.S. veterans signed a letter to Governor Ron DeSantis of Florida in 2025 asking him to stop executing veterans. The letter read, "To execute a veteran who was broken by war and left without adequate care is not justice. It is a failure of duty. It is the final abandonment."

The death penalty is frequently used to punish the most vulnerable among us. Learn more at enddeathpenalty.org.