

# DEATH PENALTY INFORMATION CENTER

## Facts About the Death Penalty

April 2, 2009

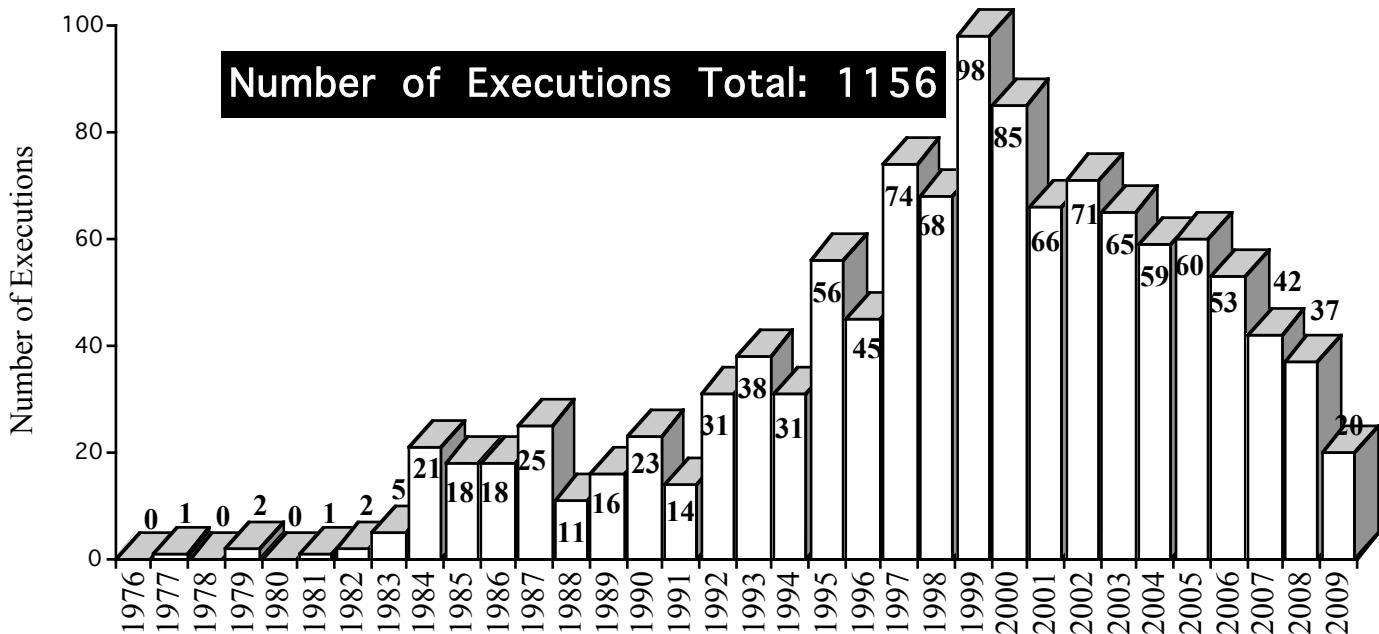
### STATES WITH THE DEATH PENALTY (35)

Alabama	Florida	Louisiana	New Hampshire*	South Carolina	Wyoming
Arizona	Georgia	Maryland	North Carolina	South Dakota	
Arkansas	Idaho	Mississippi	Ohio	Tennessee	
California	Illinois	Missouri	Oklahoma	Texas	- plus
Colorado	Indiana	Montana	Oregon	Utah	U.S. Gov't
Connecticut	Kansas*	Nebraska	Pennsylvania	Virginia	U.S. Military*
Delaware	Kentucky	Nevada	Pennsylvania	Washington	

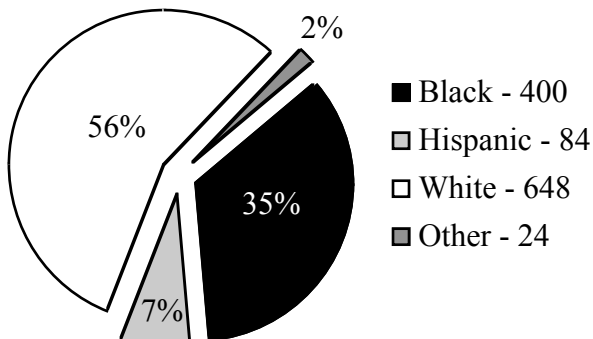
### STATES WITHOUT THE DEATH PENALTY (15)

Alaska	Massachusetts	New Mexico**	Vermont	- plus
Hawaii	Michigan	New York	West Virginia	District of Columbia
Iowa	Minnesota	North Dakota	Wisconsin	
Maine	New Jersey	Rhode Island		

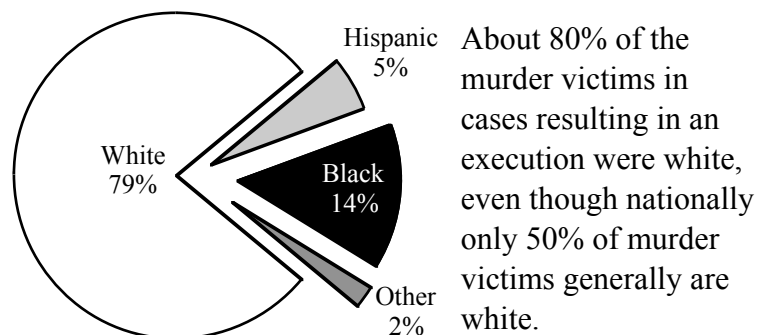
\*Jurisdictions with no executions since 1976.  
 \*\*Two inmates remain on death row in NM.



### Race of Defendants Executed



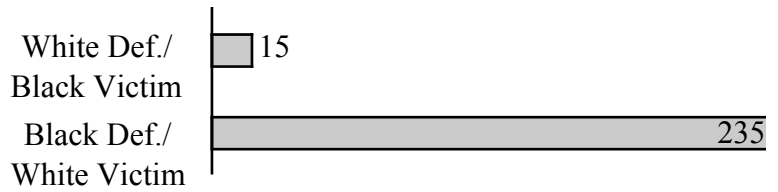
### Race of Victim in Death Penalty Cases



## Recent Studies on Race

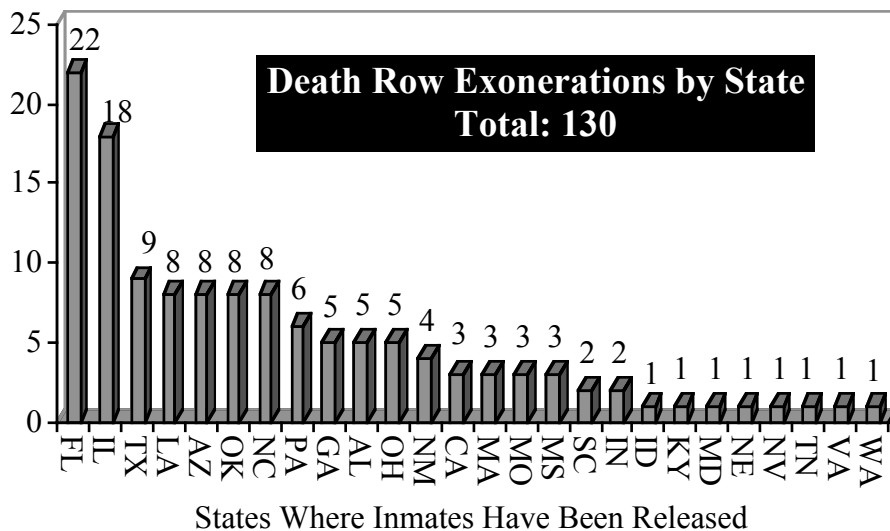
- In 96% of the states where there have been reviews of race and the death penalty, there was a pattern of either race-of-victim or race-of-defendant discrimination, or both. (Prof. David Baldus report to the ABA, 1998).
- 98% of the chief district attorneys in death penalty states are white; only 1% are black. (Prof. Jeffrey Pokorak, Cornell Law Review, 1998).
- A comprehensive study of the death penalty in North Carolina found that the odds of receiving a death sentence rose by 3.5 times among those defendants whose victims were white. (Prof. Jack Boger and Dr. Isaac Unah, University of North Carolina, 2001).
- A study in California found that those who killed whites were over 3 times more likely to be sentenced to death than those who killed blacks and over 4 times more likely than those who killed Latinos. (Pierce & Radelet, Santa Clara Law Review 2005).

### Persons Executed for Interracial Murders



## Innocence

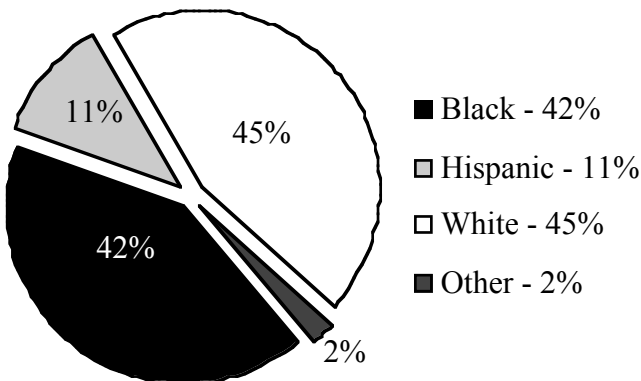
Number Released Since 1973



Since 1973, over 120 people have been released from death row with evidence of their innocence. (Staff Report, House Judiciary Subcommittee on Civil & Constitutional Rights, Oct. 1993, with updates from DPIC).

From 1973-1999, there was an average of 3.1 exonerations per year. From 2000-2007, there has been an average of 5 exonerations per year.

## Race of Death Row Inmates



### DEATH ROW INMATES BY STATE: January 1, 2008

California	667	Mississippi	64	Connecticut	9
Florida	397	S. Carolina	63	Kansas	9
Texas	373	U.S. Gov't	51	Utah	9
Pennsylvania	228	Missouri	48	Washington	9
Alabama	203	Arkansas	40	U.S. Military	9
Ohio	188	Kentucky	39	Maryland	6
N. Carolina	173	Oregon	35	S. Dakota	3
Arizona	126	Virginia	21	Colorado	2
Georgia	107	Delaware	19	Montana	2
Tennessee	102	Idaho	19	New Mexico	2
Louisiana	88	Indiana	19	Wyoming	2
Oklahoma	84	Illinois	13		
Nevada	77	Nebraska	10	<b>TOTAL</b>	<b>3309</b>

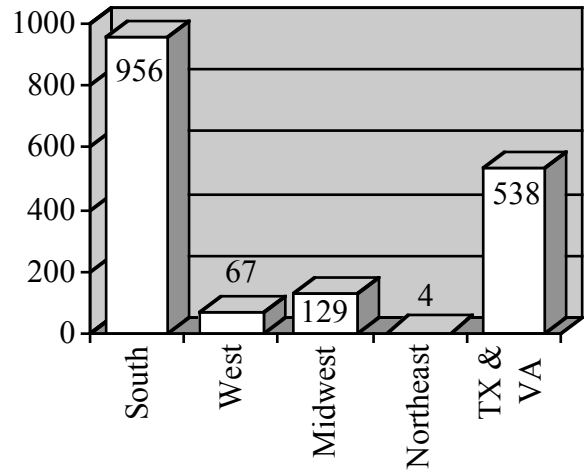
**Race of Death Row Inmates and Death Row Inmates by State Source:** NAACP LDF "Death Row, U.S.A." (January 1, 2008)

When added, the total number of death row inmates by state is slightly higher because some prisoners are sentenced to death in more than one state.

**NUMBER OF EXECUTIONS BY STATE SINCE 1976**

	Total	2009	2008		Total	2009	2008
Texas	435	12	18	Nevada	12	0	0
Virginia	103	1	4	Mississippi	10	0	2
Oklahoma	89	1	2	Utah	6	0	0
Missouri	66	0	0	Maryland	5	0	0
Florida	67	1	2	Washington	4	0	0
N. Carolina	43	0	0	Nebraska	3	0	0
Georgia	44	1	3	Pennsylvania	3	0	0
S. Carolina	41	1	3	Kentucky	3	0	1
Alabama	40	2	0	Montana	3	0	0
Louisiana	27	0	0	Oregon	2	0	0
Arkansas	27	0	0	Tennessee	5	1	0
Arizona	23	0	0	Connecticut	1	0	0
Ohio	28	0	2	Idaho	1	0	0
Indiana	19	0	0	New Mexico	1	0	0
Delaware	14	0	0	Colorado	1	0	0
California	13	0	0	Wyoming	1	0	0
Illinois	12	0	0	South Dakota	1	0	0
				US Gov't	3	0	0

**Execution By Region\***



\*Federal executions are listed in the region in which the crime was committed.

**DEATH SENTENCING**

The number of death sentences per year has dropped dramatically since 1999.

Year	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
Sentences	295	328	326	323	281	306	284	235	167	169	153	140	138	121	115	111*

Source: Bureau of Justice Statistics: "Capital Punishment 2007." \*111 is the projected number based on DPIC's research.

**JUVENILES**

In 2005, the Supreme Court in *Roper v. Simmons* struck down the death penalty for juveniles. 22 defendants had been executed for crimes committed as juveniles since 1976.

**MENTAL HEALTH ISSUES**

- Mental Retardation*: In 2002, the Supreme Court held in *Atkins v. Virginia* that it is unconstitutional to execute defendants with mental retardation.
- Mental Illness*: The American Psychiatric Association, the American Psychological Association, the National Alliance for the Mentally Ill, and the American Bar Association have endorsed resolutions calling for an exemption of the severely mentally ill.

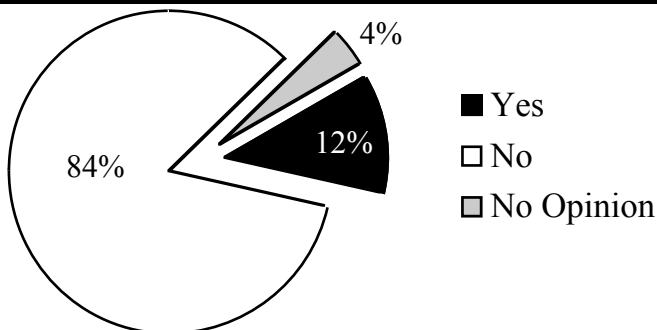
**WOMEN**

There were 51 women on death row as of December 31, 2007. This constitutes 1.5% of the total death row population. 11 women have been executed since 1976. "Death Penalty For Female Offenders" by Victor L. Streib, (January 18, 2008)

**DETERRENCE**

- According to a survey of the former and present presidents of the country's top academic criminological societies, **84% of these experts rejected the notion that the death penalty acts as a deterrent to murder.** (Radelet & Akers, 1996)
- Consistent with previous years, the 2006 FBI Uniform Crime Report showed that **the South had the highest murder rate. The South accounts for over 80% of executions.** The Northeast, which has less than 1% of all executions, again had the lowest murder rate.

**Criminologists View of Deterrence**



**Murder Rates per 100,000 - 2007**



**EXECUTIONS SINCE 1976 BY METHOD USED**

985	Lethal Injection	35 of 36 states plus the US government use lethal injection as their primary method.
155	Electrocution	In February 2008, the Nebraska Supreme Court ruled electrocution, the state's sole method, unconstitutional. Some states utilizing lethal injection have other methods available as backups.
11	Gas Chamber	
3	Hanging	
2	Firing Squad	

**FINANCIAL FACTS ABOUT THE DEATH PENALTY**

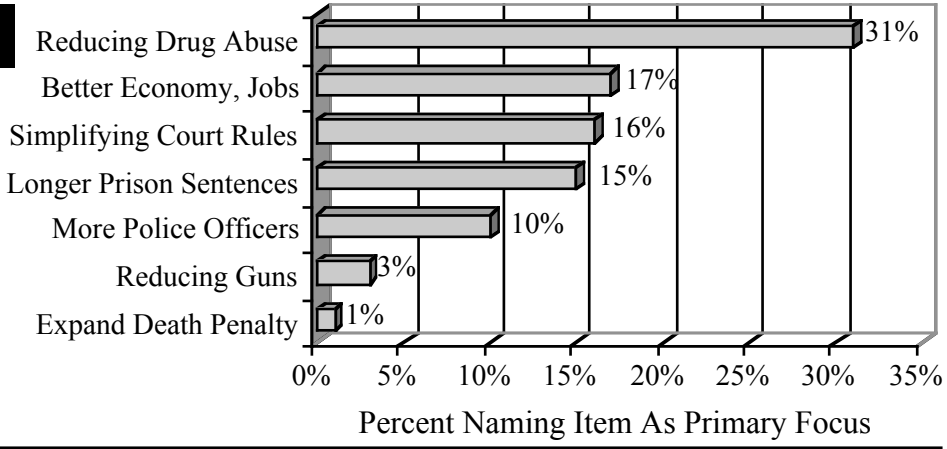
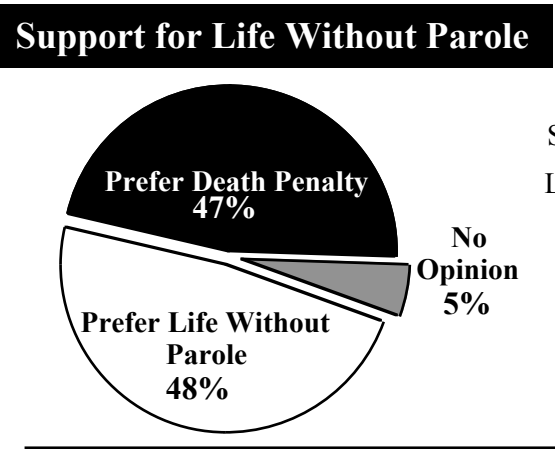
- The California death penalty system costs taxpayers \$114 million per year beyond the costs of keeping convicts locked up for life. Taxpayers have paid more than \$250 million for each of the state's executions. (L.A. Times, March 6, 2005)
- In Kansas, the costs of capital cases are 70% more expensive than comparable non-capital cases, including the costs of incarceration. (Kansas Performance Audit Report, December 2003).
- In Indiana, the total costs of the death penalty exceed the complete costs of life without parole sentences by about 38%, assuming that 20% of death sentences are overturned and reduced to life. (Indiana Criminal Law Study Commission, January 10, 2002).
- The most comprehensive study in the country found that the death penalty costs North Carolina \$2.16 million per execution *over* the costs of sentencing murderers to life imprisonment. The majority of those costs occur at the trial level. (Duke University, May 1993).
- Enforcing the death penalty costs Florida \$51 million a year above what it would cost to punish all first-degree murderers with life in prison without parole. Based on the 44 executions Florida had carried out since 1976, that amounts to a cost of \$24 million for each execution. (Palm Beach Post, January 4, 2000).
- In Texas, a death penalty case costs an average of \$2.3 million, about three times the cost of imprisoning someone in a single cell at the highest security level for 40 years. (Dallas Morning News, March 8, 1992).

**PUBLIC OPINION**

- The May 2006 Gallup Poll found that overall support of the death penalty was 65% (down from 80% in 1994). The same poll revealed that when respondents are given the choice of life without parole as an alternate sentencing option, more choose life without parole (48%) than the death penalty (47%).

- A 1995 Hart Research Poll of police chiefs in the US found that the majority of the chiefs do not believe that the death penalty is an effective law enforcement tool.

**Police Chiefs Place Death Penalty Last in Reducing Violent Crime**



The **Death Penalty Information Center** has available more extensive reports on a variety of issues, including:

- "The Death Penalty in 2008: A Year End Report" (December 2008)
- "A Crisis of Confidence: Americans' Doubts About the Death Penalty" (2007)
- "Blind Justice: Juries Deciding Life and Death with Only Half the Truth" (2005)
- "Innocence and the Crisis in the American Death Penalty" (2004)
- "International Perspectives on the Death Penalty: A Costly Isolation for the U.S." (1999)
- "The Death Penalty in Black & White: Who Lives, Who Dies, Who Decides" (1998)
- "Innocence and the Death Penalty: The Increasing Danger of Executing the Innocent" (1997)
- "Killing for Votes: The Dangers of Politicizing the Death Penalty Process" (1996)
- "Twenty Years of Capital Punishment: A Re-evaluation" (1996)
- "With Justice for Few: The Growing Crisis in Death Penalty Representation" (1995)
- "On the Front Line: Law Enforcement Views on the Death Penalty" (1995)