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# DEATH PENALTY INFORMATION CENTER

## Facts about the Death Penalty

Updated September 10, 2010

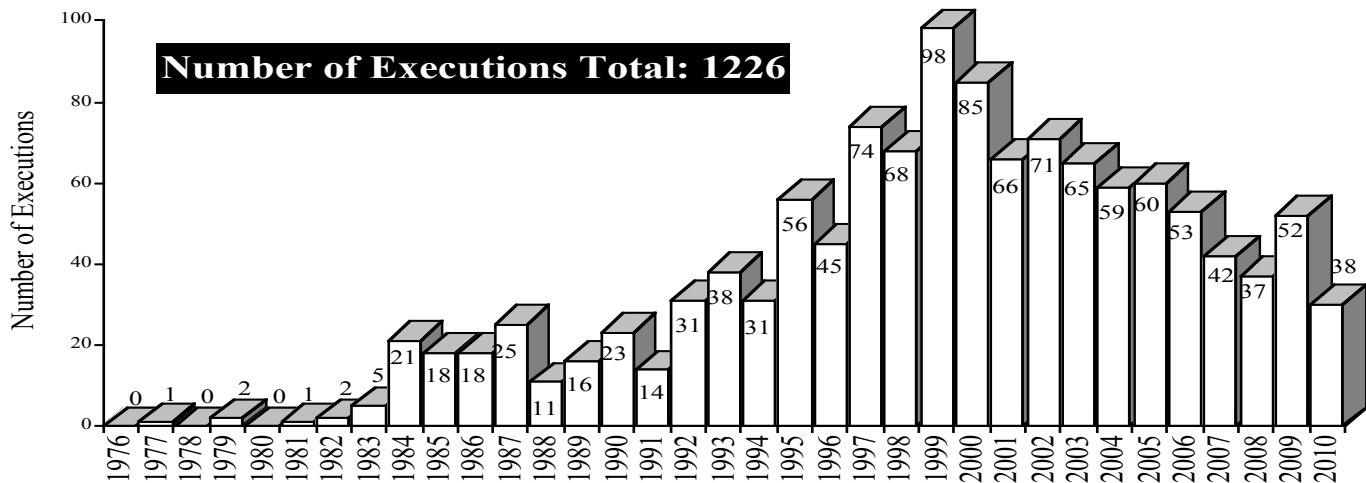
### STATES WITH THE DEATH PENALTY (35)

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

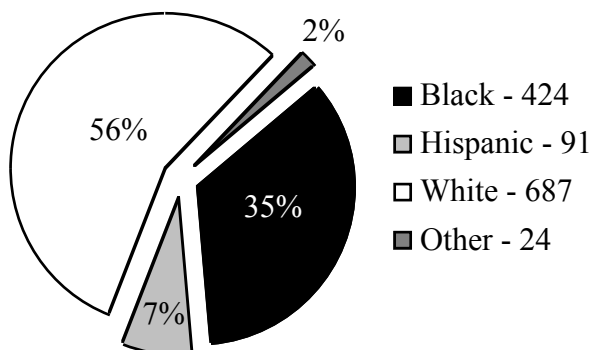
### STATES WITHOUT THE DEATH PENALTY (15)

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		

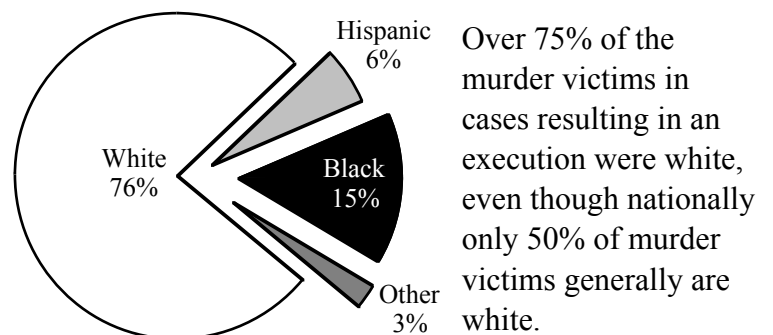
\*Two inmates remain on death row in NM.



### Race of Defendants Executed



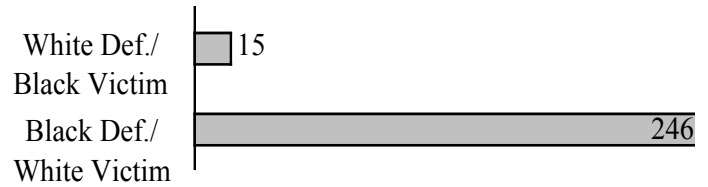
### Race of Victim in Death Penalty Cases



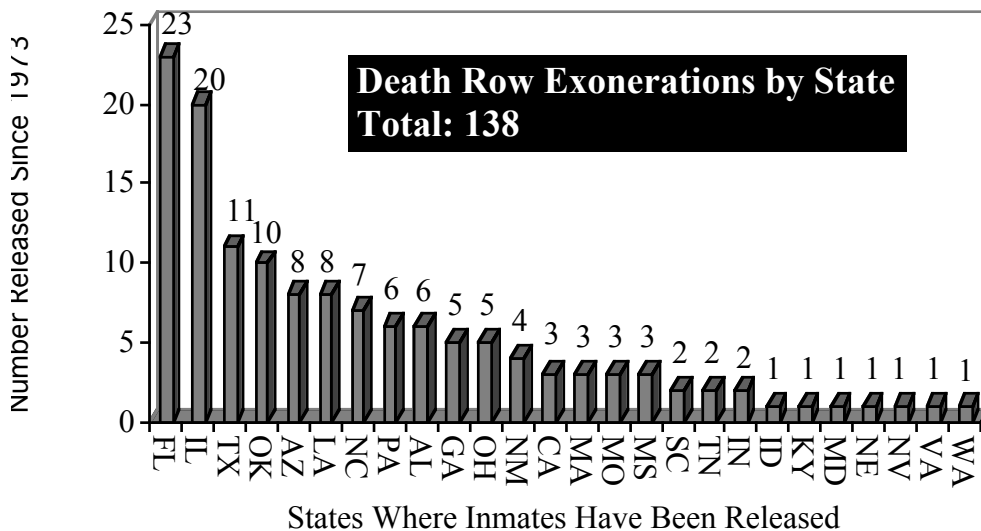
## Recent Studies on Race

- 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



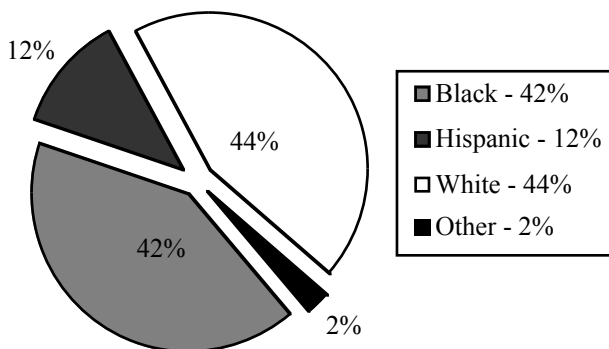
## Innocence



Since 1973, over 130 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, 2010

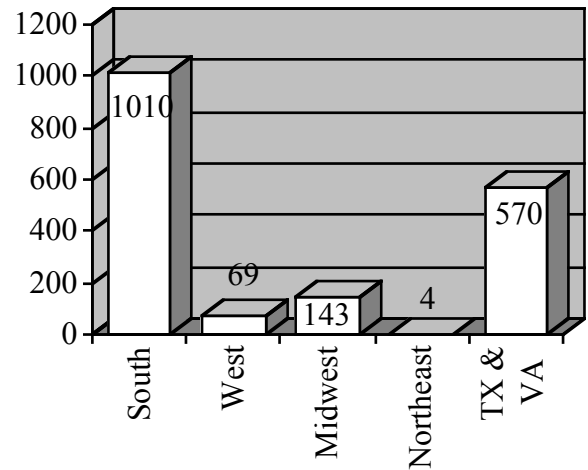
California	697	S. Carolina	63	Connecticut	10
Florida	398	Mississippi	61	Kansas	10
Texas	337	Missouri	61	Utah	10
Pennsylvania	222	U.S. Gov't	59	Washington	9
Alabama	201	Arkansas	42	U.S. Military	8
Ohio	168	Kentucky	35	Maryland	5
N. Carolina	167	Oregon	32	S. Dakota	3
Arizona	135	Delaware	19	Colorado	3
Georgia	106	Idaho	17	Montana	2
Tennessee	90	Indiana	15	New Mexico	2
Louisiana	85	Virginia	15	Wyoming	1
Oklahoma	84	Illinois	15	N. Hampshire	1
Nevada	77	Nebraska	11	<b>TOTAL</b>	<b>3261</b>

**Race of Death Row Inmates and Death Row Inmates by State Source:** NAACP LDF "Death Row, U.S.A." (January 1, 2010)  
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	2010	2009		Total	2010	2009
Texas	463	16	24	Nevada	12	0	0
Virginia	107	2	3	Mississippi	13	3	0
Oklahoma	92	1	3	Utah	7	1	0
Florida	69	1	2	Tennessee	6	0	2
Missouri	67	0	1	Maryland	5	0	0
Georgia	47	1	3	Washington	5	1	0
Alabama	48	4	6	Nebraska	3	0	0
N. Carolina	43	0	0	Pennsylvania	3	0	0
S. Carolina	42	0	2	Kentucky	3	0	0
Ohio	40	7	5	Montana	3	0	0
Louisiana	28	1	0	Oregon	2	0	0
Arkansas	27	0	0	Connecticut	1	0	0
Arizona	23	0	0	Idaho	1	0	0
Indiana	20	0	1	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	2009
Sentences	295	328	326	323	281	306	284	235	167	169	154	140	138	122	119	111	106*

Source: Bureau of Justice Statistics: "Capital Punishment 2008." \*Estimate 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 DISABILITIES

• *Intellectual Disabilities*: 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.

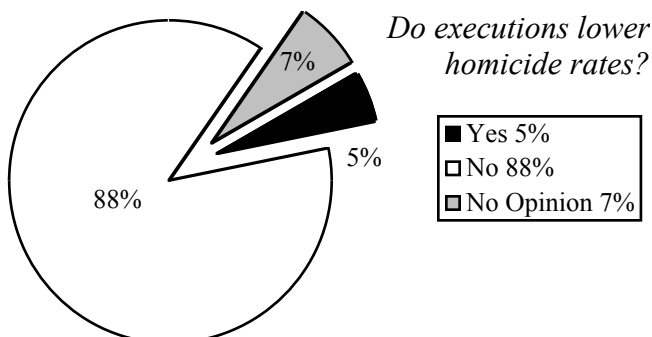
## WOMEN

• There were 61 women on death row as of January 1, 2010. This constitutes 1.9% of the total death row population. 11 women have been executed since 1976.

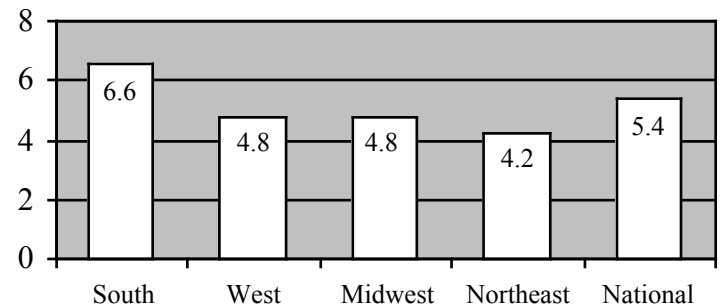
## DETERRENCE

- According to a survey of the former and present presidents of the country's top academic criminological societies, **88% of these experts rejected the notion that the death penalty acts as a deterrent to murder.** (Radelet & Lacock, 2009)
- Consistent with previous years, the 2008 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 - 2008



## EXECUTIONS SINCE 1976 BY METHOD USED

1052	Lethal Injection	36 states plus the US government use lethal injection as their primary method. Some states utilizing lethal injection have other methods available as backups. Though New Mexico abolished the death penalty in 2009, the act was not retroactive, leaving two prisoners on death row and its lethal injection protocol intact.
157	Electrocution	
11	Gas Chamber	
3	Hanging	
3	Firing Squad	

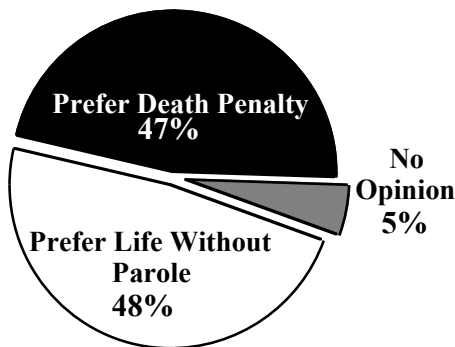
## FINANCIAL FACTS ABOUT THE DEATH PENALTY

- 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 Maryland, an average death penalty case resulting in a death sentence costs approximately \$3 million. The eventual costs to Maryland taxpayers for cases pursued 1978-1999 will be \$186 million. Five executions have resulted. (Urban Institute 2008).
- 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).

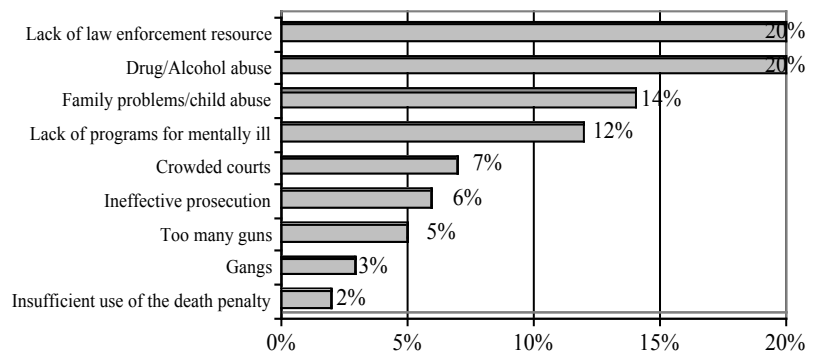
## PUBLIC OPINION

- 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 2009 poll commissioned by DPIC found police chiefs ranked the death penalty **last** among ways to reduce violent crime. The police chiefs also considered the death penalty the **least efficient** use of taxpayers' money.

### Support for Life Without Parole



### What Interferes with Effective Law Enforcement?



Percent Ranking Item as One of Top Two or Three

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

- "The Death Penalty in 2009: Year-End Report" (December 2009)
- "Smart on Crime: Reconsidering the Death Penalty in a Time of Economic Crisis" (October 2009)
- "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)
- "The Future of the Death Penalty in the United States: A Texas-Sized Crisis" (1994)