

DEATH PENALTY INFORMATION CENTER

Facts About the Death Penalty

May 29, 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	

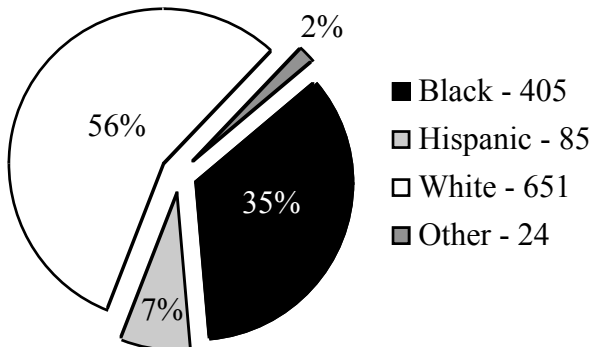
STATES WITHOUT THE DEATH PENALTY (15)

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		

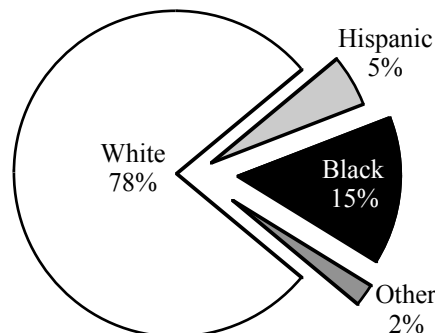
*Jurisdictions with no executions since 1976.
 **Two inmates remain on death row in NM.



Race of Defendants Executed



Race of Victim in Death Penalty Cases

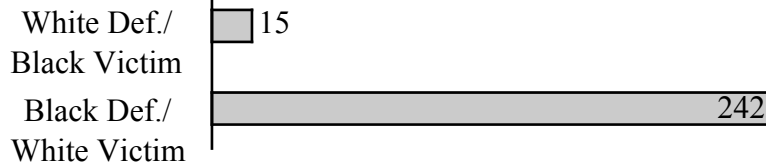


About 80% of the murder victims in cases resulting in an execution were white, even though nationally only 50% of murder victims generally are white.

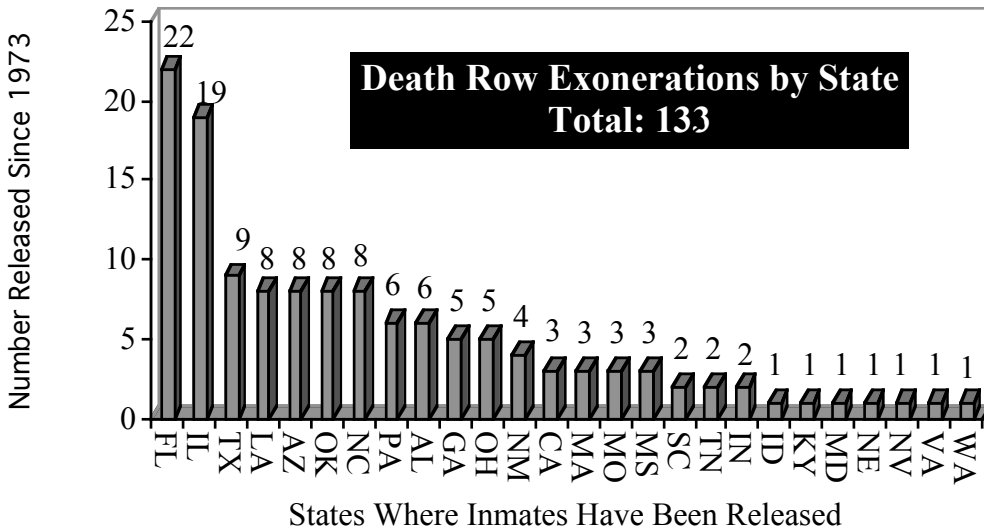
Recent Studies on Race

- 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



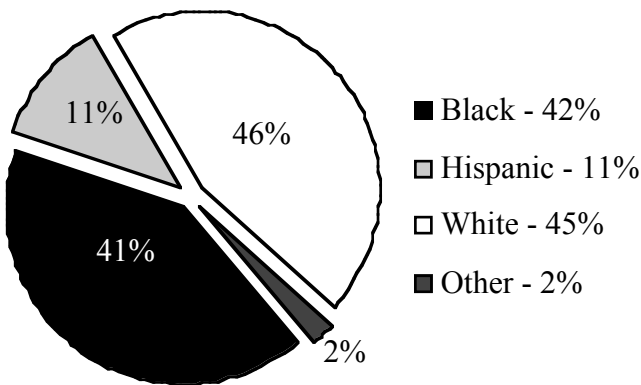
Innocence



Since 1973, over 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, 2009

California	678	S. Carolina	63	Connecticut	10
Florida	402	Mississippi	61	Kansas	10
Texas	358	U.S. Gov't	55	Utah	10
Pennsylvania	226	Missouri	52	Washington	9
Alabama	207	Arkansas	36	U.S. Military	9
Ohio	181	Kentucky	36	Maryland	5
N. Carolina	167	Oregon	35	S. Dakota	3
Arizona	129	Delaware	20	Colorado	3
Georgia	109	Virginia	19	Montana	2
Tennessee	92	Idaho	18	New Mexico	2
Oklahoma	86	Indiana	17	Wyoming	1
Louisiana	84	Illinois	15		
Nevada	79	Nebraska	10	TOTAL	3297

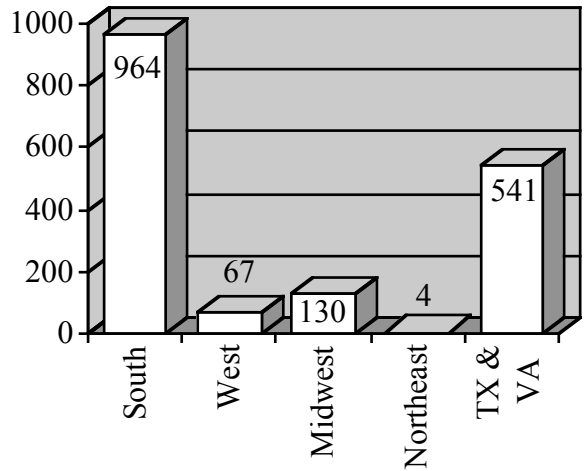
Race of Death Row Inmates and Death Row Inmates by State Source: NAACP LDF "Death Row, U.S.A." (January 1, 2009)

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	438	15	18	Nevada	12	0	0
Virginia	103	1	4	Mississippi	10	0	2
Oklahoma	90	2	2	Utah	6	0	0
Missouri	67	1	0	Maryland	5	0	0
Florida	67	1	2	Washington	4	0	0
N. Carolina	43	0	0	Nebraska	3	0	0
Georgia	45	2	3	Pennsylvania	3	0	0
S. Carolina	42	2	3	Kentucky	3	0	1
Alabama	42	4	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.

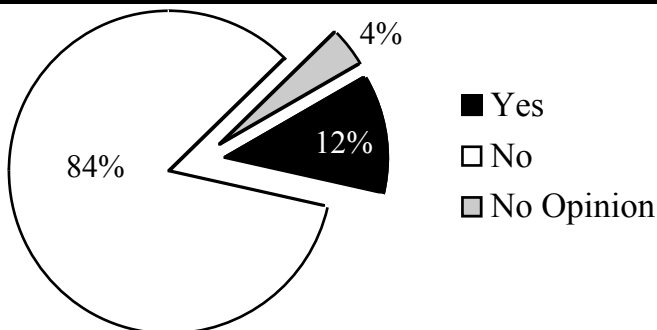
WOMEN

• 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)

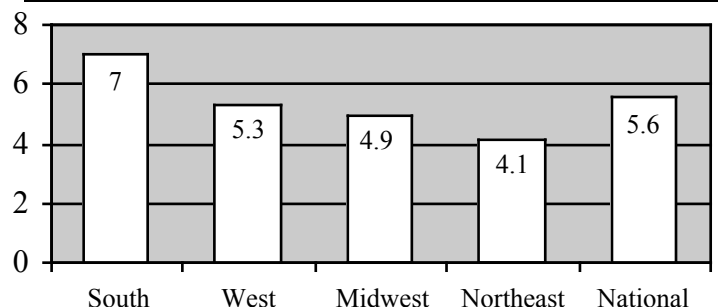
DETERRENCE

- 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

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

FINANCIAL FACTS ABOUT THE DEATH PENALTY

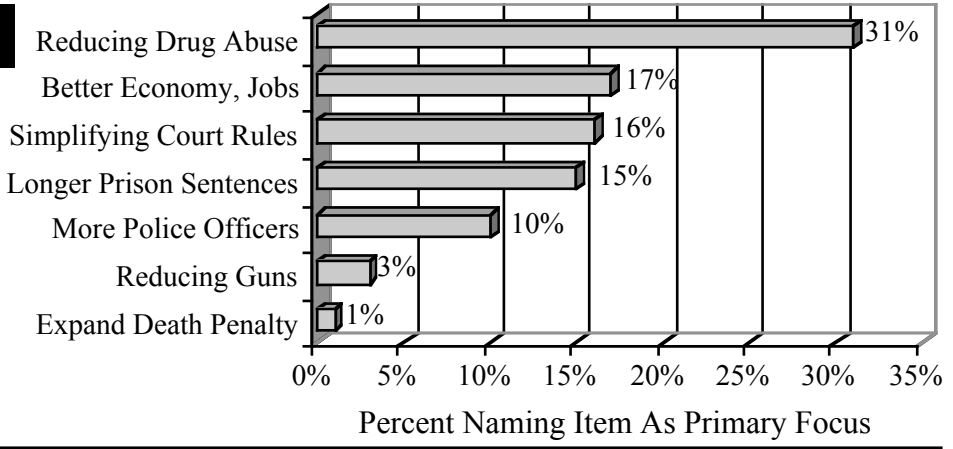
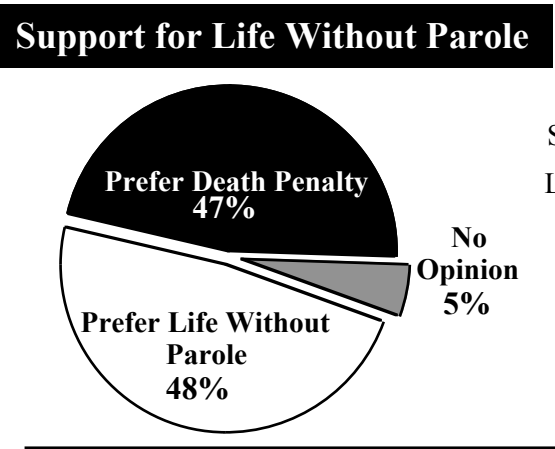
- The California death penalty system costs taxpayers \$114 million per year beyond the costs of keeping convicts locked up for life. Taxpayers have paid more than \$250 million for each of the state’s executions. (L.A. Times, March 6, 2005)
- In Kansas, the costs of capital cases are 70% more expensive 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)