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DEATH PENALTY INFORMATION CENTER

Facts about the Death Penalty

Updated July 8, 2011

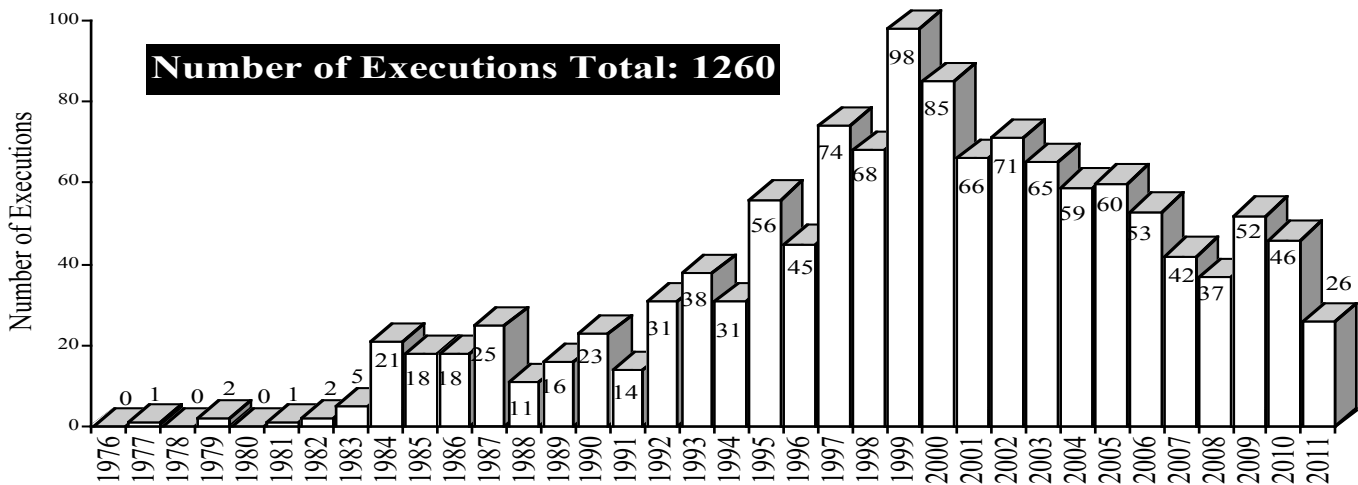
STATES WITH THE DEATH PENALTY (34)

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

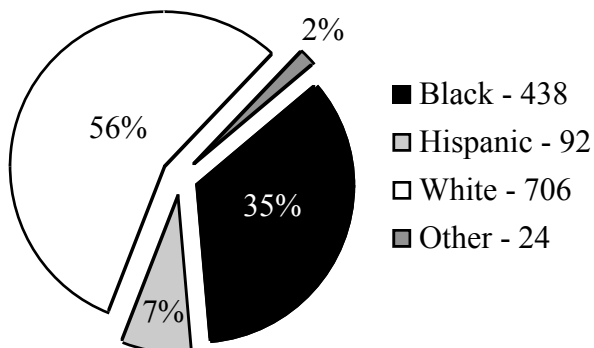
STATES WITHOUT THE DEATH PENALTY (16)

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

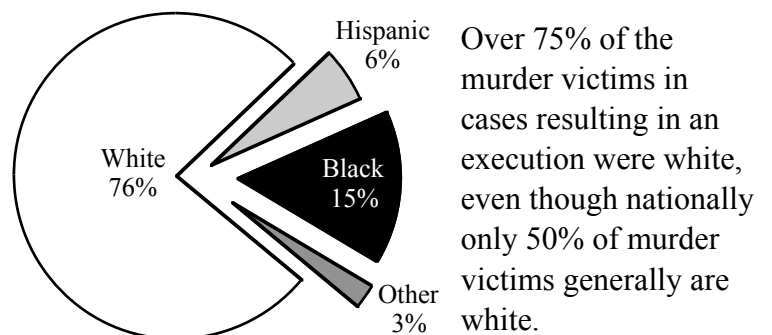
*Two inmates remain on death row in NM.



Race of Defendants Executed



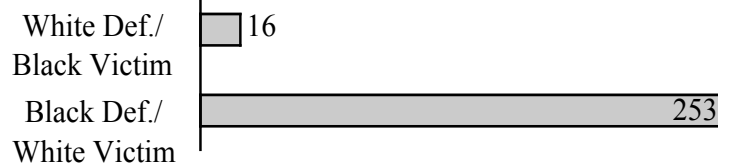
Race of Victim in Death Penalty Cases



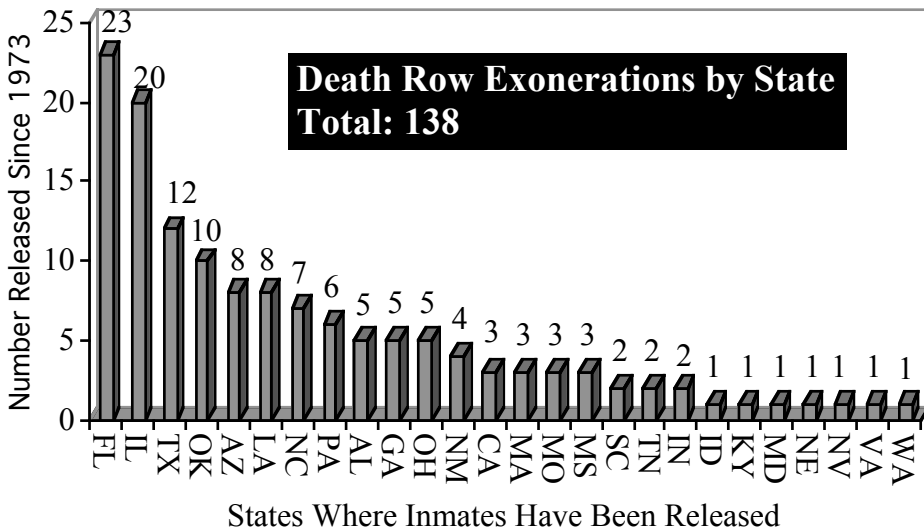
Recent Studies on Race

- 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



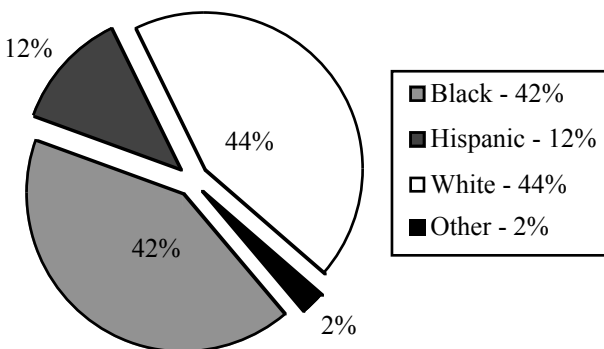
Innocence



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: October 1, 2010

California	714	S. Carolina	63	Connecticut	9
Florida	394	<i>U.S. Gov't</i>	62	Utah	9
Texas	322	Mississippi	59	Kansas	9
Pennsylvania	220	Missouri	50	Washington	9
Alabama	203	Arkansas	43	<i>U.S. Military</i>	6
N. Carolina	166	Kentucky	35	Maryland	5
Ohio	160	Oregon	34	Colorado	4
Arizona	137	Delaware	20	S. Dakota	3
Georgia	103	Idaho	16	Montana	2
Tennessee	88	Illinois	16	New Mexico	2
Louisiana	86	Indiana	14	Wyoming	1
Oklahoma	81	Nebraska	12	N. Hampshire	1
Nevada	80	Virginia	11	TOTAL	3249

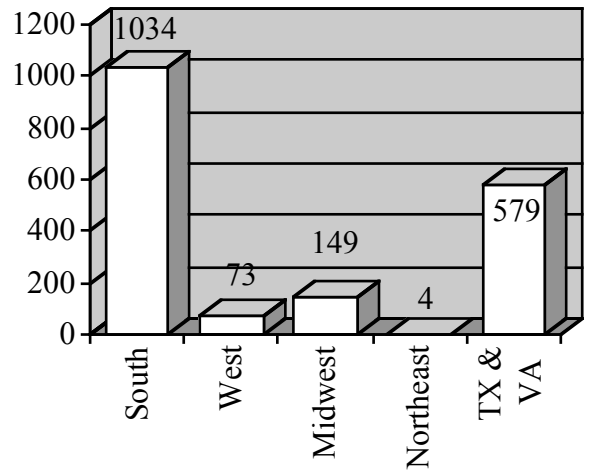
Race of Death Row Inmates and Death Row Inmates by State Source: NAACP LDF "Death Row, U.S.A." (October 1, 2010)

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

NUMBER OF EXECUTIONS BY STATE SINCE 1976

	Total	2010	2011		Total	2010	2011
Texas	471	17	7	Illinois	12	0	0
Virginia	108	3	0	Nevada	12	0	0
Oklahoma	96	3	2	Utah	7	1	0
Florida	69	1	0	Tennessee	6	0	0
Missouri	68	0	1	Maryland	5	0	0
Alabama	53	5	4	Washington	5	1	0
Georgia	50	2	2	Nebraska	3	0	0
Ohio	45	8	4	Pennsylvania	3	0	0
N. Carolina	43	0	0	Kentucky	3	0	0
S. Carolina	43	0	1	Montana	3	0	0
Louisiana	28	1	0	Oregon	2	0	0
Arkansas	27	0	0	Connecticut	1	0	0
Arizona	27	1	3	Idaho	1	0	0
Indiana	20	0	0	New Mexico	1	0	0
Mississippi	15	3	2	Colorado	1	0	0
Delaware	14	0	0	Wyoming	1	0	0
California	13	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	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Sentences	313	313	315	268	294	277	224	159	166	152	140	139	123	120	119	112	112*

Source: Bureau of Justice Statistics: "Capital Punishment 2009." *Projected, 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.

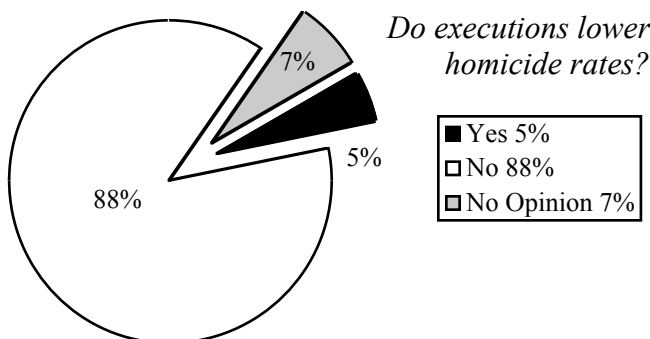
WOMEN

• There were 62 women on death row as of April 1, 2010. This constitutes 1.9% of the total death row population. 12 women have been executed since 1976. (NAACP Legal Defense Fund, April 1, 2010)

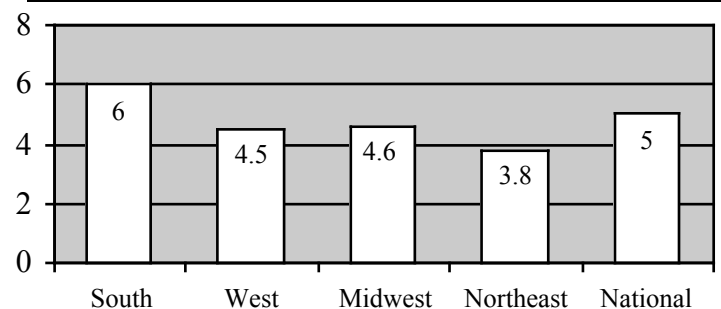
DETERRENCE

- 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 2009 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 - 2009



EXECUTIONS SINCE 1976 BY METHOD USED

1086	Lethal Injection	35 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	

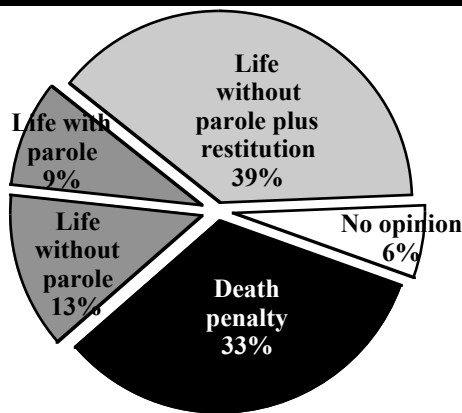
FINANCIAL FACTS ABOUT THE DEATH PENALTY

- 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).

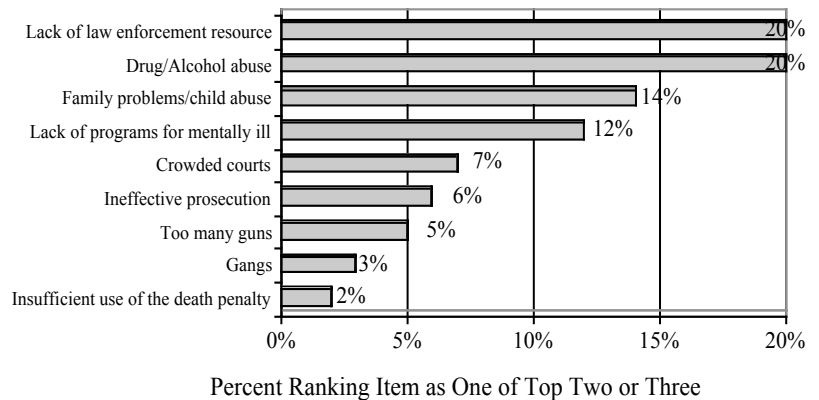
PUBLIC OPINION

- A 2010 poll by Lake Research Partners found that a clear majority of voters (61%) would choose a punishment other than the death penalty for murder, including life with no possibility of parole with restitution to the victim's family (39%), life with no possibility of parole (13%), or life with the possibility of parole (9%).
- 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 Alternative Sentences



What Interferes with Effective Law Enforcement?



The **Death Penalty Information Center** has available more extensive reports on a variety of issues, including:
 "Struck By Lightning: The Continuing Arbitrariness of the Death Penalty 35 Years After Its Reinstatement in 1976" (June 2011)

- "The Death Penalty in 2010: A Year End Report" (December 2010)
- "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)
- "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)