

DEATH PENALTY INFORMATION CENTER

Facts about the Death Penalty

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www.deathpenaltyinfo.org

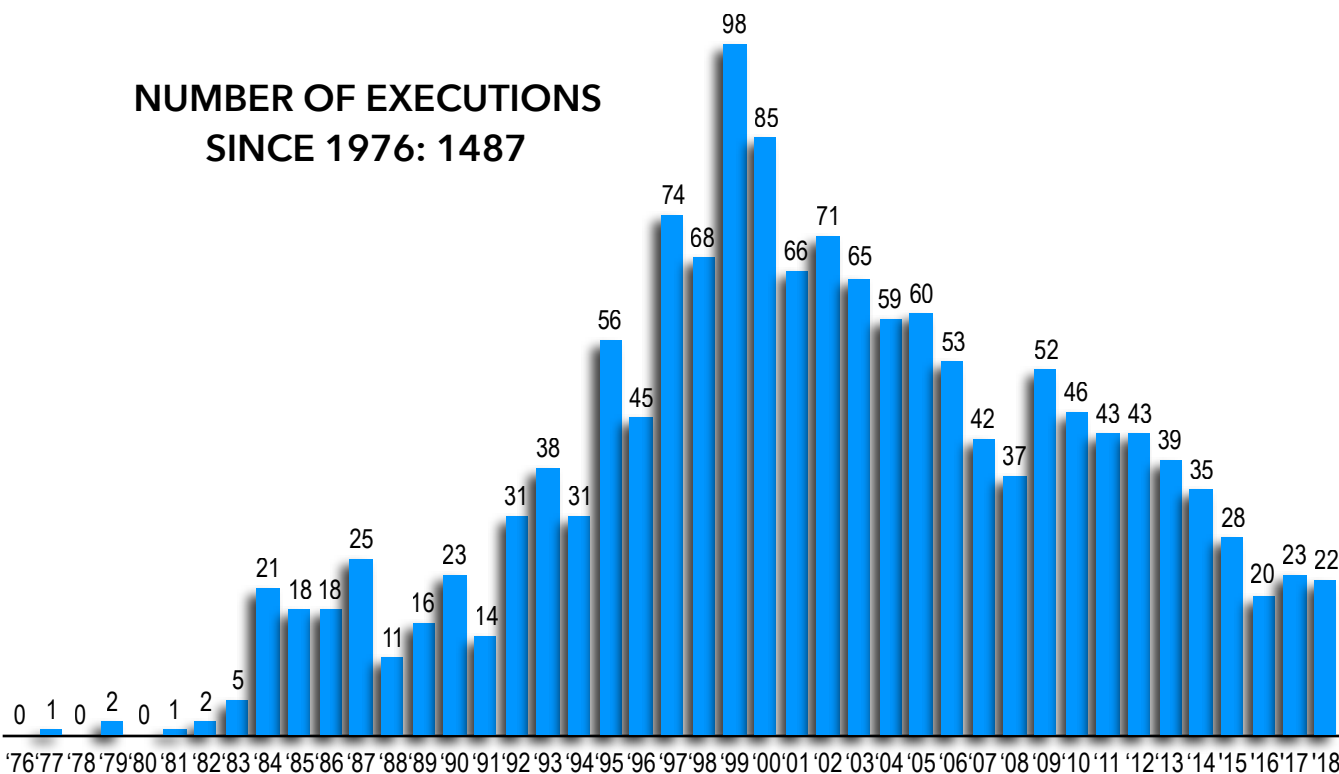
dpic@deathpenaltyinfo.org

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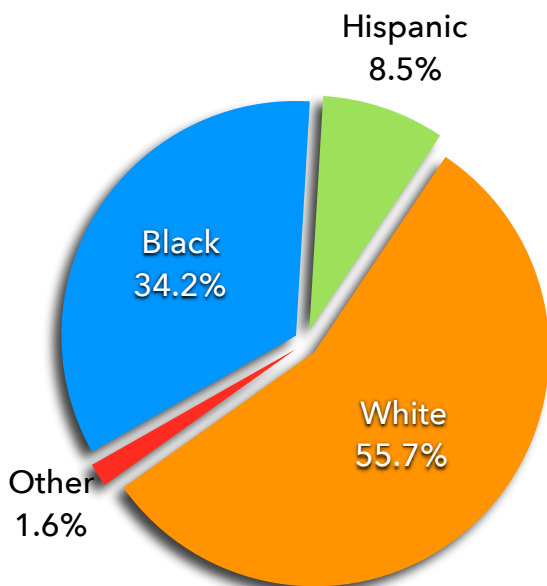
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Updated: December 5, 2018

NUMBER OF EXECUTIONS SINCE 1976: 1487

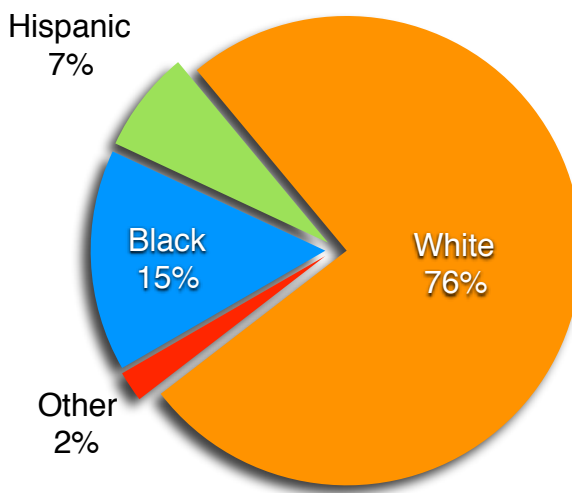


RACE OF DEFENDANTS EXECUTED



- White: 829
- Black: 508
- Hispanic: 126
- Other: 24

RACE OF VICTIMS IN DEATH PENALTY CASES



Over 75% of the murder victims in cases resulting in an execution were white, even though nationally only 50% of murder victims generally are white.

DEATH PENALTY STATES (30)

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

NON-DEATH PENALTY STATES (20)

Alaska
Connecticut
Delaware
Hawaii
Illinois
Iowa
Maine
Maryland
Massachusetts
Michigan
Minnesota
New Jersey
New Mexico*
New York
North Dakota
Rhode Island
Vermont
Washington
West Virginia
Wisconsin

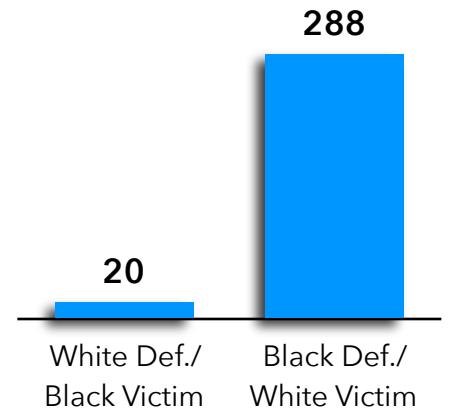
District of Columbia

**2 prisoners remain on death row.*

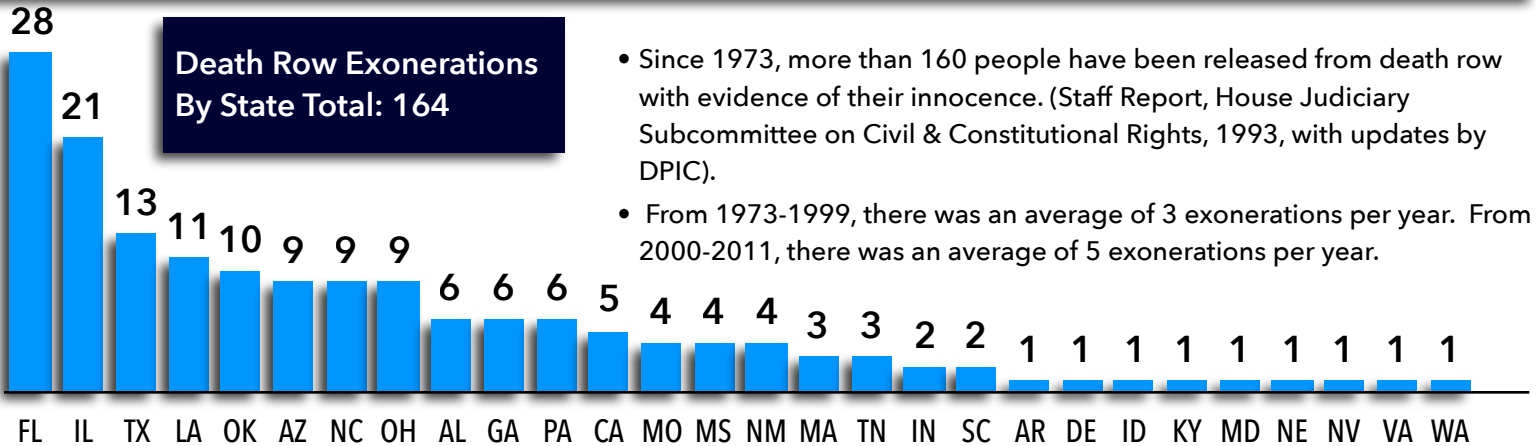
RECENT STUDIES ON RACE

- Jurors in Washington state are three times more likely to recommend a death sentence for a black defendant than for a white defendant in a similar case. (Prof. K. Beckett, Univ. of Washington, 2014).
- In Louisiana, the odds of a death sentence were 97% higher for those whose victim was white than for those whose victim was black. (Pierce & Radelet, Louisiana Law Review, 2011).
- A study in California found that those convicted of killing whites were more than 3 times as likely to be sentenced to death as those convicted of killing blacks and more than 4 times more likely as those convicted of killing Latinos. (Pierce & Radelet, Santa Clara Law Review, 2005).
- 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).
- In 96% of 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. Baldus report to the ABA, 1998).

Persons Executed for Interracial Murders

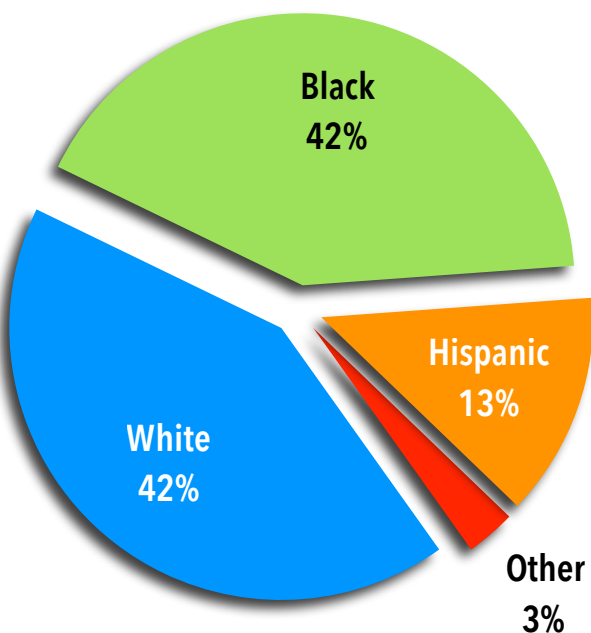


INNOCENCE



- Since 1973, more than 160 people have been released from death row with evidence of their innocence. (Staff Report, House Judiciary Subcommittee on Civil & Constitutional Rights, 1993, with updates by DPIC).
- From 1973-1999, there was an average of 3 exonerations per year. From 2000-2011, there was an average of 5 exonerations per year.

DEATH ROW PRISONERS BY RACE



DEATH ROW PRISONERS BY STATE: April 1, 2018

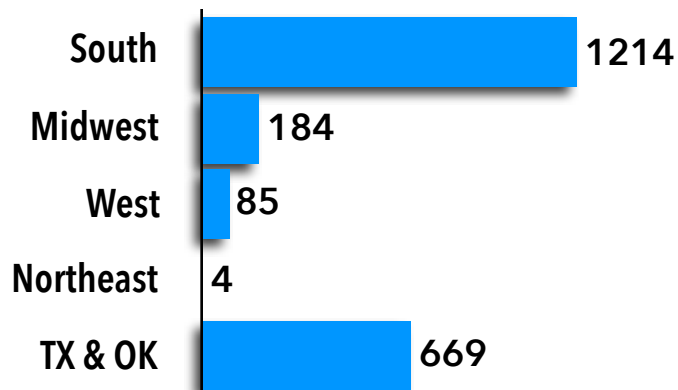
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|----------------|-----|----------------|----|---------------|--------------|
| California | 740 | Georgia | 58 | Utah | 9 |
| Florida | 354 | Oklahoma | 49 | Washington | 8 |
| Texas | 235 | Mississippi | 47 | U.S. Military | 5 |
| Alabama | 188 | South Carolina | 39 | Colorado | 3 |
| Pennsylvania | 160 | Kentucky | 33 | South Dakota | 3 |
| North Carolina | 144 | Oregon | 33 | Virginia | 3 |
| Ohio | 141 | Arkansas | 31 | Montana | 2 |
| Arizona | 121 | Missouri | 25 | New Mexico | 2 |
| Nevada | 77 | Indiana | 12 | New Hampshire | 1 |
| Louisiana | 70 | Nebraska | 11 | Wyoming | 1 |
| Tennessee | 62 | Kansas | 10 | | |
| U.S. Gov't | 61 | Idaho | 9 | TOTAL: | 2,743 |

Race of Death Row Prisoners and Death Row Prisoners by State Source: NAACP Legal Defense Fund, "Death Row USA" (April 1, 2018). The combined state totals are slightly higher than the reported national total. That is because a few prisoners are sentenced to death in more than one state. Those prisoners are included in each state's totals, but only once in the national total.

EXECUTIONS BY STATE SINCE 1976

| State | Tot | 2018 | 2017 | State | Tot | 2018 | 2017 | State | Tot | 2018 | 2017 |
|-------|-----|------|------|-------|-----|------|------|---------|-----|------|------|
| TX | 557 | 12 | 7 | LA | 28 | 0 | 0 | SD | 4 | 1 | 0 |
| VA | 113 | 0 | 2 | MS | 21 | 0 | 0 | PA | 3 | 0 | 0 |
| OK | 112 | 0 | 0 | IN | 20 | 0 | 0 | KY | 3 | 0 | 0 |
| FL | 96 | 1 | 3 | DE | 16 | 0 | 0 | MT | 3 | 0 | 0 |
| MO | 88 | 0 | 1 | CA | 13 | 0 | 0 | US GOVT | 3 | 0 | 0 |
| GA | 72 | 2 | 1 | IL | 12 | 0 | 0 | ID | 3 | 0 | 0 |
| AL | 63 | 2 | 3 | NV | 12 | 0 | 0 | OR | 2 | 0 | 0 |
| OH | 56 | 1 | 2 | TN | 8 | 2 | 0 | NM | 1 | 0 | 0 |
| NC | 43 | 0 | 0 | UT | 7 | 0 | 0 | CO | 1 | 0 | 0 |
| SC | 43 | 0 | 0 | MD | 5 | 0 | 0 | WY | 1 | 0 | 0 |
| AZ | 37 | 0 | 0 | WA | 5 | 0 | 0 | CT | 1 | 0 | 0 |
| AR | 31 | 0 | 4 | NE | 4 | 1 | 0 | | | | |

EXECUTIONS 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 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 |
|-----------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|
| Sentences | 295 | 279 | 223 | 153 | 166 | 151 | 138 | 140 | 123 | 126 | 120 | 118 | 114 | 85 | 82 | 83 | 73 | 49 | 31 | 39 |

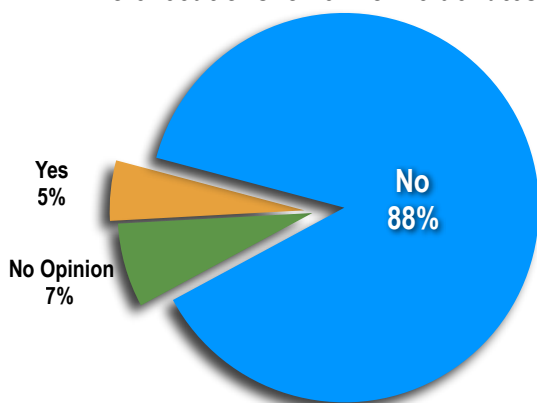
Source: Bureau of Justice Statistics: "Capital Punishment, 2013." 2014 - 2017 figure from DPIC research.

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.

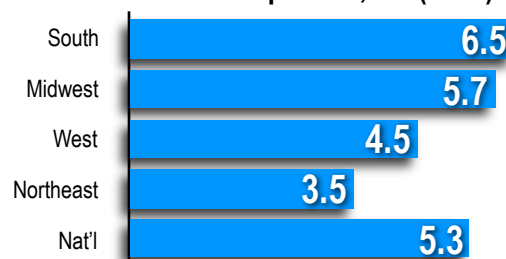
DETERRENCE

Do executions lower homicide rates?



- A report by the National Research Council, titled *Deterrence and the Death Penalty*, stated that studies claiming that the death penalty has a deterrent effect on murder rates are "fundamentally flawed" and should not be used when making policy decisions (2012).
- Consistent with previous years, the 2016 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, had lowest murder rate.
- 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 & Loeck, 2009)

Murder Rates per 100,000 (2016)



EXECUTIONS SINCE 1976 BY METHOD USED

| | | |
|------|------------------|---|
| 1311 | Lethal Injection | 32 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 has abolished the death penalty, its law was not retroactive, leaving 2 prisoners on its death row and its lethal-injection protocol intact. |
| 159 | Electrocution | |
| 11 | Gas Chamber | |
| 3 | Hanging | |
| 3 | Firing Squad | |

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.

WOMEN

- There were 53 women on death row as of July 1, 2017. This constitutes less than 2% of the total death row population. (NAACP Legal Defense Fund, July 1, 2017). 16 women have been executed since 1976.

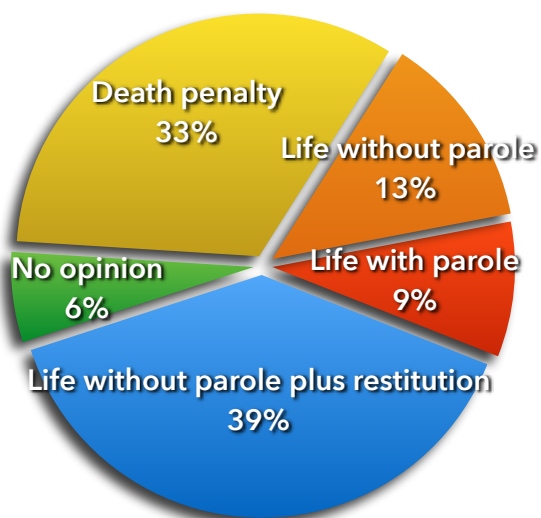
FINANCIAL FACTS ABOUT THE DEATH PENALTY

- Oklahoma capital cases cost, on average, 3.2 times more than non-capital cases. (Study prepared by Peter A. Collins, Matthew J. Hickman, and Robert C. Boruchowitz, with research support by Alexa D. O'Brien, for the Oklahoma Death Penalty Review Commission, 2017.)
- Defense costs for death penalty trials in Kansas averaged about \$400,000 per case, compared to \$100,000 per case when the death penalty was not sought. (Kansas Judicial Council, 2014).
- A study in California revealed that the cost of the death penalty in the state has been over \$4 billion since 1978. Study considered pre-trial and trial costs, costs of automatic appeals and state habeas corpus petitions, costs of federal habeas corpus appeals, and costs of incarceration on death row. (Alarcon & Mitchell, 2011).
- 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).
- 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).
- 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).

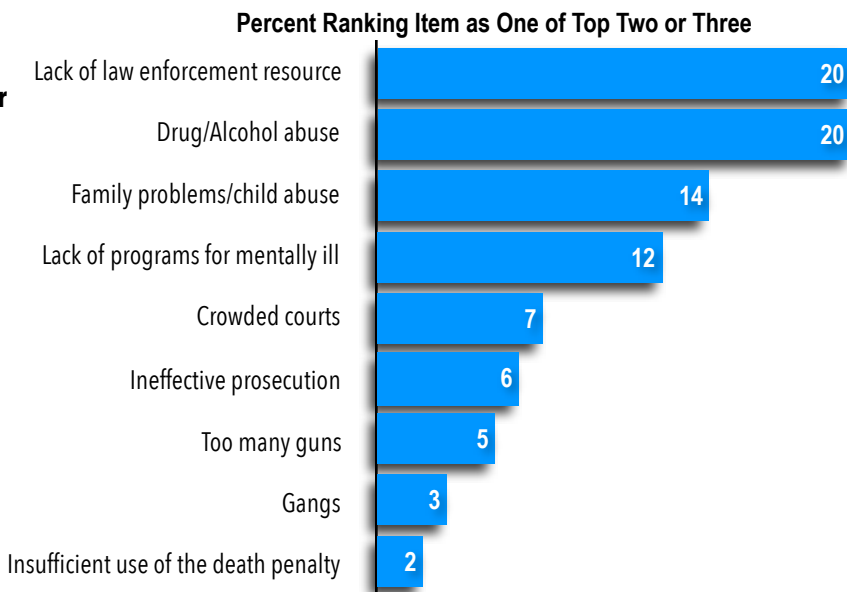
PUBLIC OPINION AND THE DEATH PENALTY

Support for Alternatives to the Death Penalty

- 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.**



What Interferes with Effective Law Enforcement?



- 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.

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

- "The Death Penalty in 2017: Year-End Report" (December 2017)
- "Battle Scars: Military Veterans and the Death Penalty" (November 2015)
- "The 2% Death Penalty: How a Minority of Counties Produce Most Death Cases at Enormous Costs to All" (October 2013)
- "Struck By Lightning: The Continuing Arbitrariness of the Death Penalty 35 Years After Its Reinstatement in 1976" (June 2011)
- "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)