

# DEATH PENALTY INFORMATION CENTER

## Facts about the Death Penalty

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[www.deathpenaltyinfo.org](http://www.deathpenaltyinfo.org)

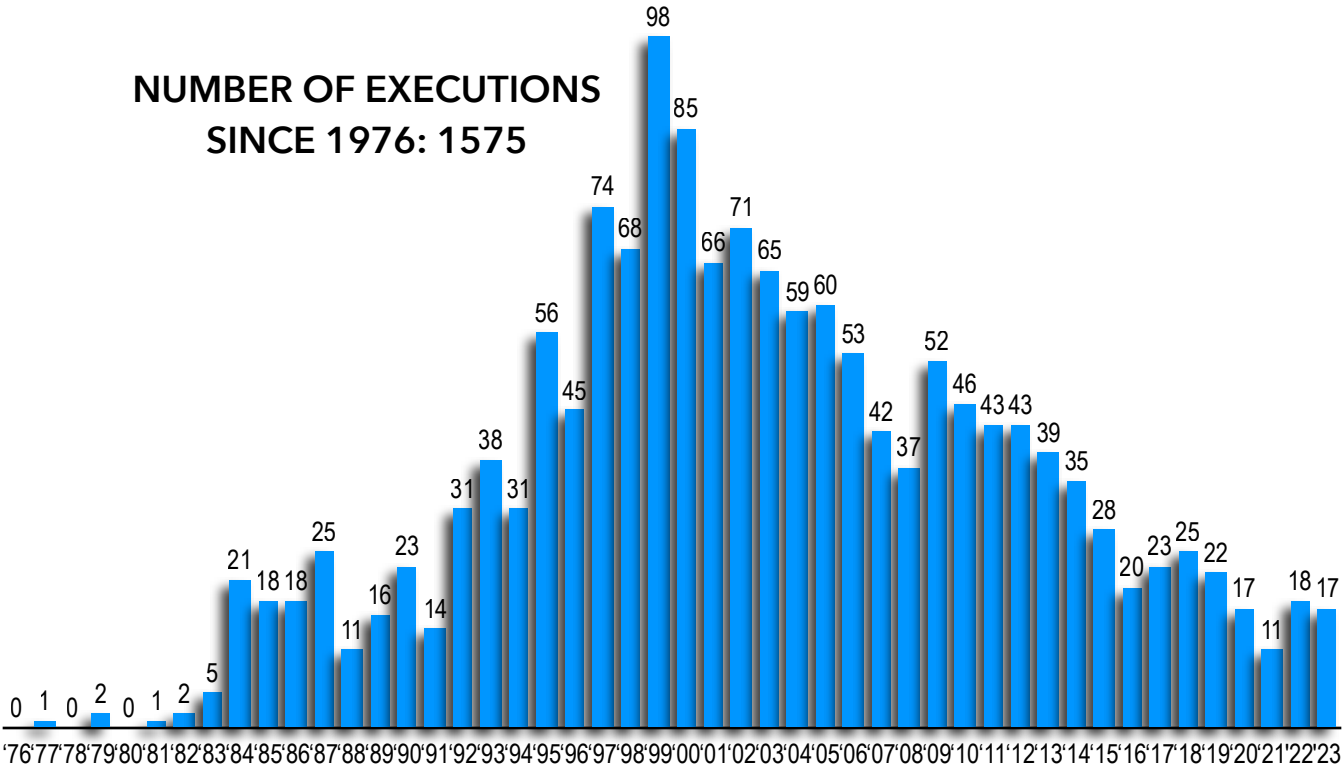
[dpic@deathpenaltyinfo.org](mailto:dpic@deathpenaltyinfo.org)

[@DPIInfoCtr](https://twitter.com/DPIInfoCtr)

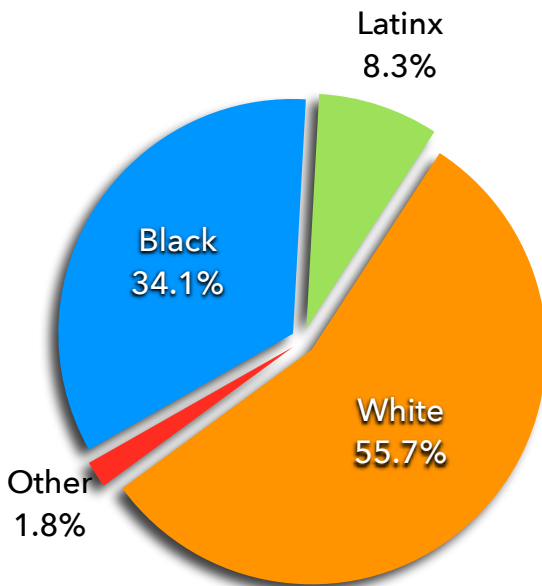
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Updated: September 20, 2023

### NUMBER OF EXECUTIONS SINCE 1976: 1575

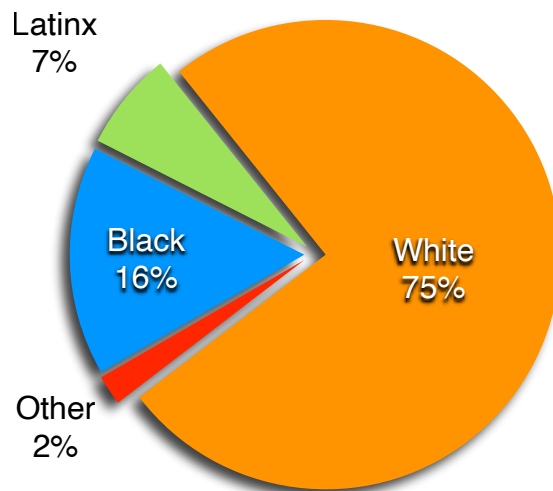


### RACE OF DEFENDANTS EXECUTED



- White: 878
- Black: 537
- Latinx: 131
- Other: 29

### RACE OF VICTIMS IN DEATH PENALTY CASES



More than 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 (27)

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

#### NON-DEATH PENALTY STATES (23)

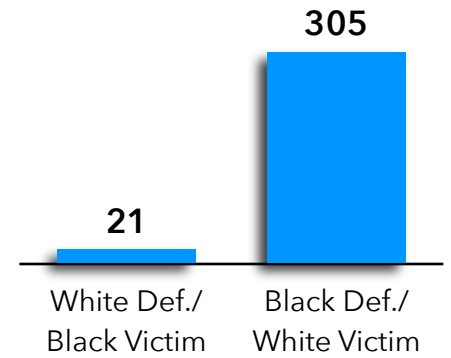
- Alaska
- Colorado
- Connecticut
- Delaware
- Hawaii
- Illinois
- Iowa
- Maine
- Maryland
- Massachusetts
- Michigan
- Minnesota
- New Hampshire†
- New Jersey
- New Mexico
- New York
- North Dakota
- Rhode Island
- Vermont
- Virginia
- Washington
- West Virginia
- Wisconsin
- District of Columbia

† 1 prisoner remains on death row.

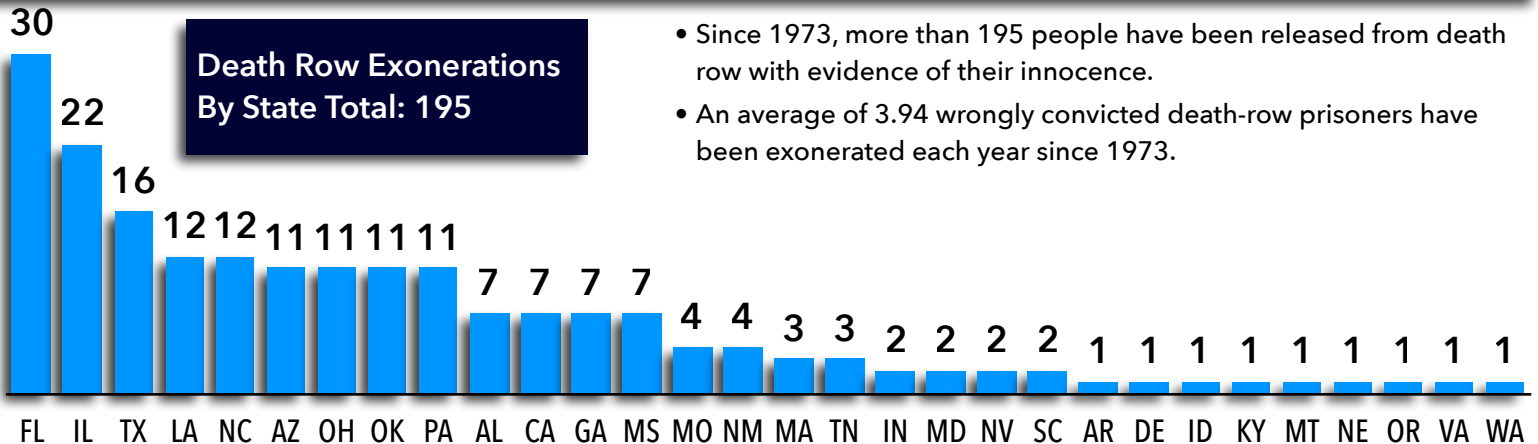
## RECENT STUDIES ON RACE

- 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

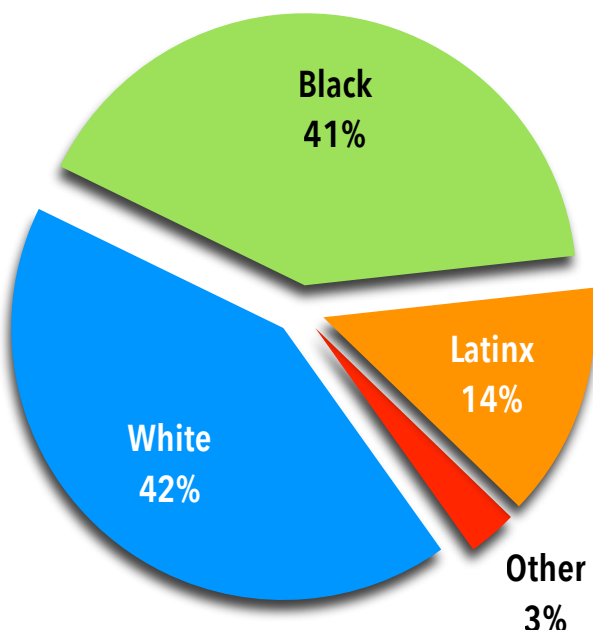


## INNOCENCE



- Since 1973, more than 195 people have been released from death row with evidence of their innocence.
- An average of 3.94 wrongly convicted death-row prisoners have been exonerated each year since 1973.

## DEATH ROW PRISONERS BY RACE



## DEATH ROW PRISONERS BY STATE: October 1, 2022

California	668	Tennessee	47	Nebraska	11
Florida	316	U.S. Gov't	44	Kansas	9
Texas	194	Oklahoma	42	Idaho	8
Alabama	167	Georgia	41	Indiana	8
North Carolina	140	South Carolina	37	Utah	7
Ohio	130	Mississippi	36	U.S. Military	4
Pennsylvania	125	Arkansas	28	Montana	2
Arizona	115	Kentucky	26	New Hampshire	1
Louisiana	62	Oregon	18	South Dakota	1
Nevada	62	Missouri	18	Wyoming	0

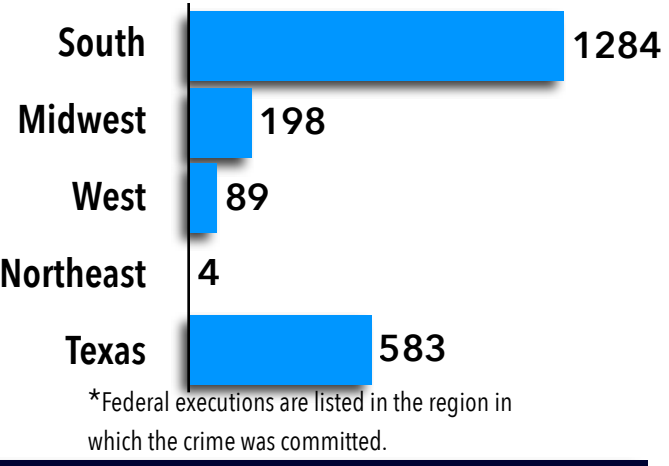
**TOTAL: 2,363**

**Race of Death Row Prisoners and Death Row Prisoners by State** Source: The Legal Defense Fund, "Death Row USA" (October 1, 2022). 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	2023	2022	State	Tot	2023	2022	State	Tot	2023	2022
TX	583	5	5	LA	28	0	0	WA	5	0	0
OK	121	2	5	MS	22	0	1	NE	4	0	0
VA	113	0	0	IN	20	0	0	PA	3	0	0
FL	104	5	0	DE	16	0	0	KY	3	0	0
MO	97	4	2	US GOVT	16	0	0	MT	3	0	0
GA	76	0	0	CA	13	0	0	ID	3	0	0
AL	71	1	2	TN	13	0	0	OR	2	0	0
OH	56	0	0	IL	12	0	0	NM	1	0	0
NC	43	0	0	NV	12	0	0	CO	1	0	0
SC	43	0	0	UT	7	0	0	WY	1	0	0
AZ	40	0	3	MD	5	0	0	CT	1	0	0
AR	31	0	0	SD	5	0	0				

## EXECUTIONS BY REGION\*



## DEATH SENTENCING

295 death sentences were imposed in the U.S. in 1998. The number of death sentences per year has dropped dramatically since then.

Year	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Sentences	153	166	151	138	140	123	126	120	118	114	85	82	83	74	49	31	39	43	34	18	18	21

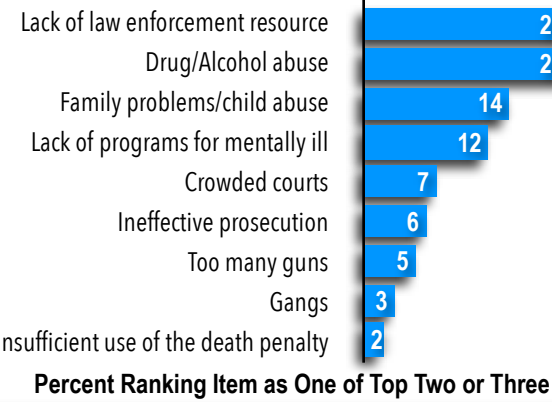
Source: Bureau of Justice Statistics: "Capital Punishment, 2013." 2014 - 2018 figure from DPIC research.

## MENTAL DISABILITIES

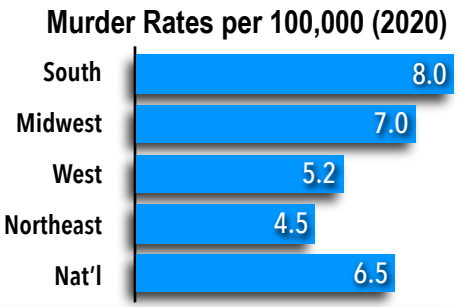
- **Intellectual Disabilities:** In 2002, the Supreme Court held in *Atkins v. Virginia* that it is unconstitutional to execute defendants with 'mental retardation.'
- **Mental Illness:** The American Psychiatric Association, the American Psychological Association, the National Alliance for the Mentally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

## DETERRENCE

### What Interferes with Effective Law Enforcement?



- 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).
- A DPIC study of 30 years of FBI Uniform Crime Report homicide data found that **the South has consistently had by far the highest murder rate. The South accounts for more than 80% of executions.** The Northeast, which has fewer than 0.5% of all executions, has consistently had the lowest murder rate.
- 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.



## EXECUTIONS SINCE 1976 BY METHOD USED

1395	Lethal Injection	28 states plus the US government use lethal injection as their primary method. Some states utilizing lethal injection have other methods available as backups. New Hampshire abolished the death penalty in 2019, but the law was not retroactive, leaving one prisoner on death row and the lethal injection protocol intact.
163	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. Since 1976, 22 defendants had been executed for offenses committed as juveniles.

## WOMEN

- There were 50 women on death row as of October 1, 2022. This constitutes 2.12% of the total death row population. (The Legal Defense Fund, October 1, 2022). 18 women have been executed since 1976.

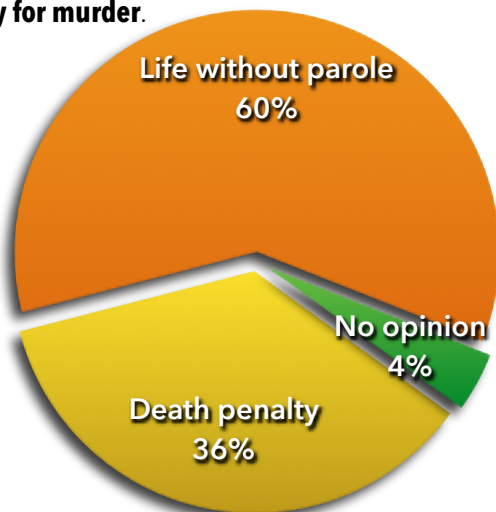
## COSTS OF THE DEATH PENALTY

- Capital trials cost more than non-capital cases because of higher costs for prosecution and defense lawyers; time consuming pre-trial investigation; lengthy jury selection process for death-qualification; enhanced security requirements; longer trials because of bifurcated proceedings; solitary confinement incarceration; and necessary appeals to ensure fairness.
- An economic analysis of independent research studies completed in 15 death penalty states from 2001 – 2017 found that the average difference in case-level costs for seeking the death penalty was just over \$700,000. Report of the Oklahoma Death Penalty Review Commission, Table 1 at p.233 (2017).
- 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).
- A report by the Administrative Office of the U.S. Courts in 2010 found that seeking a federal death sentence costs 8 times more than seeking a life sentence. Jon B. Gould and Lisa Greenman, Update on the Cost and Quality of Defense Representation in Federal Death Penalty Cases (2010) at <https://www.uscourts.gov/sites/default/files/fdpc2010.pdf>

## PUBLIC OPINION AND THE DEATH PENALTY

### Support for Alternatives to the Death Penalty

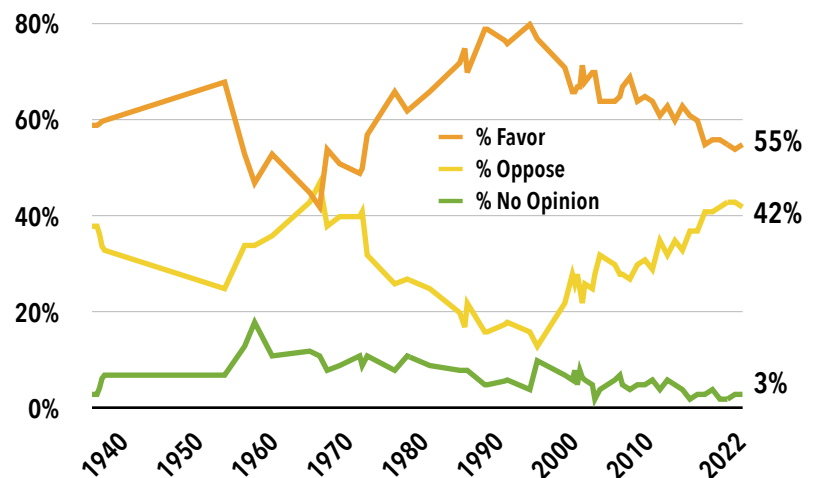
- A 2019 poll by *Gallup* found that **a clear majority of voters (60%) would choose a punishment other than the death penalty for murder.**



- Gallup *Americans Now Support Life in Prison Over Death Penalty*

### Americans' Support for Death Penalty

Are you in favor of the death penalty for a person convicted of murder?



- Gallup *Steady 55% of Americans Support Death Penalty for Murderers*

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

- ["Doomed to Repeat: The Legacy of Race in Tennessee's Contemporary Death Penalty"](#) (June 2023)
- ["The Death Penalty in 2022: Year-End Report"](#) (December 2022)
- ["Deeply Rooted: How Racial History Informs Oklahoma's Death Penalty"](#) (October 2022)
- ["DPIC Special Report: The Innocence Epidemic"](#) (February 2021)
- ["Enduring Injustice: the Persistence of Racial Discrimination in the U.S. Death Penalty"](#) (September 2020)
- ["Behind the Curtain: Secrecy and the Death Penalty in the United States"](#) (November 2018)
- ["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)