Facts about the Death Penalty

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RACE OF DEFENDANTS EXECUTED

Death

Penalty

Center

Information

RACE OF VICTIMS IN DEATH PENALTY



Latino/a 7% Black 15% White 76% Other 2%

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.

NON-DEATH PENALTY STATES (23)

U.S. Gov't U.S. Military

Alaska Colorado Connecticut Delaware Hawaii Illinois lowa 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).

Persons Executed for Interracial Murders



INNOCENCE



FL IL TX PA LA NC AZ OH OK CA AL GA MSMONMMA TN IN MD NV SC AR DE ID KY MT NE OR VA WA

DEATH ROW PRISONERS BY RACE



DEATH ROW PRISONERS BY STATE: April 1, 2025

California	585	Tennessee	46	Missouri	8
Florida	278	Georgia	37	Indiana	7
Texas	176	Mississippi	37	Utah	6
Alabama	161	Oklahoma	30	U.S. Military	4
North Carolina	124	South Carolina	29	U.S. Gov't	3*
Ohio	116	Arkansas	26	Montana	2
Arizona	113	Kentucky	25	New Hampshire	1
Pennsylvania	106	Nebraska	11	South Dakota	1
Louisiana	61	Idaho	9	Oregon	0
Nevada	59	Kansas	9	Wyoming	0
I		l			

TOTAL: 2,067

Race of Death Row Prisoners and Death Row Prisoners by State Source: The Legal Defense Fund, "Death Row USA" (April 1, 2025). 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. *** Federal Death Row** based on <u>continuous tracking</u> and is current to the issue date of the fact sheet.

EXECUTIONS BY STATE SINCE 1976

State	Tot	2025	2023	State	Tot	2025	2023	State	Tot	2025	2023
ТΧ	595	4	3	LA	29	1	0	WA	5	0	0
OK	128	1	4	MS	23	1	0	NE	4	0	0
FL	113	7	1	IN	22 1		1	PA	3	0	0
VA	113	0	0	DE	16	0	0	KY	3	0	0
MO	101	0	4	US GOVT	16	0	0	MT	3	0	0
AL	81	1	6	TN	14	1	0	ID	3	0	0
GA	77	0	1	CA	13	0	0	OR	2	0	0
OH	56	0	0	IL	12	0	0	NM	1	0	0
SC	48	3	2	NV	12	0	0	CO	1	0	0
NC	43	0	0	UT	8	0	1	WY	1	0	0
AZ	41	1	0	MD	5	0	0	СТ	1	0	0
AR	31	0	0	SD	5	0	0				

EXECUTIONS BY REGION*



which the crime occurred.

DEATH SENTENCING

316 death sentences were imposed in the U.S. in 1996. The number of death sentences per year has dropped dramatically since then.

Year	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Sentences	151	138	140	123	126	120	118	114	85	82	83	74	49	31	39	43	34	18	18	21	21	26
Source: Bureau	Source: Bureau of Justice Statistics: "Capital Punishment, 2013." 2014 - 2023 figure from DPIC																					

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 III, and the American Bar Association have endorsed resolutions calling for an exemption of the severely mentally ill.

DETERRENCE

What Interferes with Effective Law **Enforcement?**

Lack of law enforcement resource Drug/Alcohol abuse Family problems/child abuse Lack of programs for mentally ill Crowded courts Ineffective prosecution Too many guns Gangs



 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).

20 • 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

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 Northeast of taxpayers' money. Nat'l



6.5

Percent Ranking Item as One of Top Two or Three

EXECUTIONS SINCE 1976 BY METHOD USED

1444	Lethal Injection
163	Electrocution
17	Gas
4	Firing Squad
3	Hanging

All death penalty states plus the US government use lethal injection as their primary method. Many states utilizing lethal injection have other methods available as backups.

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 52 women on death row as of March 11, 2024. This constitutes 2.12% of the total death row population. 18 women have been executed since 1976.

executions. The Northeast, which has fewer than

South Midwest

Insufficient use of the death penalty

COSTS OF THE DEATH PENALTY

- Capital trials cost more than non-capital cases because of higher costs for prosecution and defense lawyers; time consuming pretrial 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

Gallup Drop in Death Penalty Support Led by Younger Generations

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

- <u>"The Death Penalty in 2024"</u> (December 2024)
- <u>"Fool's Gold: How the Federal Death Penalty Has Perpetuated Racially Discriminatory Practices Throughout History</u>" (November 2024)
- "Lethal Election: How the U.S. Electoral Process Increases the Arbitrariness of the Death Penalty" (July 2024)
- "Broken Promises: How a History of Racial Violence and Bias Shaped Ohio's Death Penalty" (May 2024)
- <u>"The Death Penalty in 2023: Year-End Report"</u> (December 2023)
- <u>"Compromised Justice: How A Legacy of Racial Violence Informs Missouri's Death Penalty Today"</u> (December 2023)
- "Doomed to Repeat: The Legacy of Race in Tennessee's Contemporary Death Penalty" (June 2023)
- <u>"Deeply Rooted: How Racial History Informs Oklahoma's Death Penalty"</u> (October 2022)
- <u>"DPIC Special Report: The Innocence Epidemic"</u> (February 2021)
- <u>"Enduring Injustice: the Persistence of Racial Discrimination in the U.S. Death Penalty"</u> (September 2020)