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Capital Punishment 1995

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Sixteen States executed 56 prisoners during 1995. The number of persons executed was 25 greater than in 1994 and was the largest annual number since the 56 executed during 1960 and the 65 in 1957. The prisoners executed during 1995 had been under sentence of death an average of 11 years and 2 months, about 12 months more than the average for inmates executed the previous year.

At yearend 1995, 3,054 prisoners were under sentence of death. California held the largest number of death row inmates (420), followed by Texas (404), Florida (362), and Pennsylvania (196). Eight prisoners were in Federal custody under a death sentence on December 31, 1995.

Between January 1 and December 31, 1995, 26 State prison systems and the Federal prison system received 310 prisoners under sentence of death. Texas (40 admissions), California (36), North Carolina (34), and Florida (31) accounted for 45% of the inmates entering prison under a death sentence in 1995.

During 1995, 56 persons in 16 States were executed — 19 in Texas; 6 in Missouri; 5 each in Illinois and Virginia; 3 each in Florida and Oklahoma; 2 each in Alabama, Arkansas, Georgia, North Carolina, and Pennsylvania; and 1 each in Arizona, Delaware, Louisiana, Montana, and

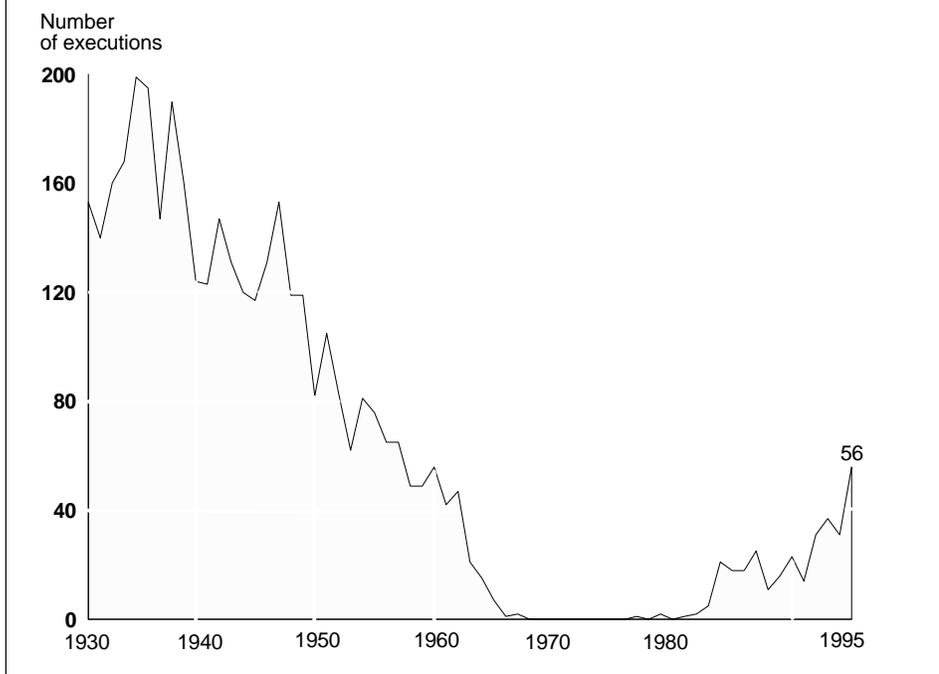
Highlights

Status of the death penalty, December 31, 1995

Executions during 1995		Number of prisoners under sentence of death		Jurisdictions without a death penalty
Texas	19	California	420	Alaska
Missouri	6	Texas	404	District of Columbia
Illinois	5	Florida	362	Hawaii
Virginia	5	Pennsylvania	196	Iowa
Florida	3	Ohio	155	Maine
Oklahoma	3	Illinois	154	Massachusetts
Alabama	2	Alabama	143	Michigan
Arkansas	2	North Carolina	139	Minnesota
Georgia	2	Oklahoma	129	North Dakota
North Carolina	2	Arizona	117	Rhode Island
Pennsylvania	2	Georgia	98	Vermont
Arizona	1	Tennessee	96	West Virginia
Delaware	1	Missouri	92	Wisconsin
Louisiana	1	22 other jurisdictions	549	
Montana	1			
South Carolina	1			
Total	56	Total	3,054	

- In 1995, 56 men were executed:
33 were white
22 were black
1 was Asian.
- The persons executed in 1995 were under sentence of death an average of 11 years and 2 months.
- At yearend 1995, 34 States and the Federal prison system held 3,054 prisoners under sentence of death, 5.1% more than at yearend 1994. All had committed murder.
- Of persons under sentence of death —
1,730 were white
1,275 were black
22 were Native American
19 were Asian
8 were classified as "other race."
- Forty-eight women were under a sentence of death.
- The 237 Hispanic inmates under sentence of death accounted for 8.5% of inmates with a known ethnicity.
- Among inmates under sentence of death and with available criminal histories, 2 in 3 had a prior felony conviction; 1 in 12 had a prior homicide conviction.
- Among persons for whom arrest information was available, the average age at time of arrest was 28; about 2% of inmates were age 17 or younger.
- At yearend, the youngest inmate was 18; the oldest was 80.

Persons executed, 1930-95



South Carolina. All were men. Thirty of the executed prisoners were non-Hispanic whites; 22 were non-Hispanic blacks; 2, white Hispanics; 1, Asian; and 1, white with unknown Hispanic origin. Forty-nine of the executions were carried out by lethal injection and 7 by electrocution.

From January 1, 1977, to December 31, 1995, a total of 4,857 persons entered State and Federal prisons under sentences of death, among whom 51% were white, 41% were black, 7% were Hispanic, and 1% were of other races.

During this 19-year period, a total of 313 executions took place in 26 States. Of the inmates executed, 171 were white, 120 were black, 19 were Hispanic, 2 were Native American, and 1 was Asian.

Also during 1977-95, 1,870 prisoners were removed from a death sentence as a result of dispositions other than execution (resentencing, retrial, commutation, or death while awaiting execution). Of all persons removed from under a death sentence, 52% were white, 41% were black, 1% were Native American, 0.5% were Asian, and 5% were Hispanic.

Statutory changes

During 1995, 19 States revised statutory provisions relating to the death penalty (table 1). Most of the changes involved additional aggravating circumstances, procedural amendments addressing the rights of victims and their families, and changes in methods of execution.

By State, these statutory changes were as follows:

Arkansas — Added to its definition of capital murder purposely discharging a firearm from a vehicle resulting in the death of another person (Ark. Code Ann. § 51-10-101(a)(10)), effective 7/27/95.

Colorado — Amended its code of criminal procedure establishing appellate review at the sentencing phase of a capital case. Upon conviction of a defendant, a sentencing hearing will be conducted by a three-judge panel; previously, a jury considered evidence and recommended punishment. The amendment also outlines the process by which panel members will be selected (CRS 16-11-103(1)(a)). These revisions became effective 7/1/95.

Connecticut — Revised its penal code to change the method of execution from electrocution to lethal injection; to remove the requirement that the State supreme court review the proportionality of a death sentence compared to penalties imposed in similar cases; and to add to its list of capital felonies murder of a person under age 16 (See P.A. 95-16). These changes became effective 10/1/95.

Delaware — Revised a statute limiting the number of witnesses at the execution to 10 and allowing one adult, either an immediate family member of the victim or the "victim's designee", to be present as one of those witnesses (11 Del. c. § 4209(f)), effective 5/15/95.

Delaware lawmakers also added as an aggravating circumstance murder committed to interfere with the victim's First Amendment rights or as a response to the victim's exercise of those rights or to the victim's race, religion, color, disability, national origin or ancestry (11 Del. c. § 4209(e)(1)(v)), effective 7/6/95.

Idaho — Revised and added sections to its penal code relating to the death penalty. These changes became effective 7/1/95.

Idaho amended its code of criminal procedure to require that, upon conviction of a defendant, the court hold a hearing to weigh aggravating and mitigating factors in the case to determine the appropriateness of a death sentence (19-2515, Idaho Code).

Another procedural amendment set guidelines regarding requests for stays of execution based on petitions to hear new evidence that was not known prior to the deadline for filing of an appeal on such grounds. The statute narrowed the availability of successive post-conviction proceedings (19-2719, Idaho Code).

The Idaho legislature also added new sections to its code of criminal procedure in capital cases: one providing for an inquiry into a convicted defendant's

need for a new attorney upon showing of ineffectiveness of the trial lawyer (19-2719A, Idaho Code); another providing for review of a case by the Idaho supreme court, upon remand from a Federal court, to decide whether legal or factual errors can be addressed without remanding the case back to the State district court (19-2818, Idaho Code).

Illinois — Added to its penal code as an aggravating factor murder by discharging a firearm from a motor vehicle when the victim was outside of the motor vehicle (720-ILCS 5/9-1(b)(15)), effective 1/1/95.

Indiana — Amended the code of criminal procedure to specify time limits within which the execution must be carried out, time limits and procedures for addressing petitions for post-conviction relief, and issues for consideration by Indiana's supreme court in conducting automatic review of death sentences (Indiana Code § 35-50-2-9(h), (i), and (j)). Indiana also changed the method of execution from electrocution to lethal injection (Indiana Code § 35-38-6-1). These changes became effective 7/1/95.

Maryland — Amended its code of criminal procedure to modify when an execution can be stayed by a trial judge; to change the time limit for filing an initial post-conviction appeal from 240 days to 180 days; to impose time limits on holding a hearing upon filing of a post-conviction petition; and to allow a convicted inmate to waive the statutory stay of execution imposed during the 180-day period set aside for filing of any post-conviction petitions (1995 Md. Laws ch. 110). These changes became effective 10/1/95.

Montana — Revised the code of criminal procedure to allow evidence to be presented during the sentencing hearing in regard to the harm the offense caused to the victim and his family (46-18-302 MCA), applicable to crimes committed on or after 10/1/95.

Nevada — Added to its penal code as aggravating factors murder of a department of prisons employee who doesn't exercise control over but comes into regular contact with the offender; murder of a person under age 14; and murder of a person because of their race, religion, national

origin, physical or mental disability, or sexual orientation (NRS 200.033), effective 10/1/95.

New Jersey — Amended its penal code to allow evidence during the sentencing proceeding pertaining to the victim's character and impact of the

Table 1. Capital offenses, by State, 1995

Alabama. Intentional murder with 18 aggravating factors (13A-5-40).

Arizona. First-degree murder accompanied by at least 1 of 10 aggravating factors.

Arkansas. Capital murder with a finding of at least 1 of 9 aggravating circumstances (Ark. Code Ann. 5-10-101); treason.

California. First-degree murder with special circumstances; train-wrecking; treason; perjury causing execution.

Colorado. First-degree murder with at least 1 of 13 aggravating factors; treason. Capital sentencing excludes persons determined to be mentally retarded.

Connecticut. Capital felony with 9 categories of aggravated homicide (C.G.S. 53a-54b).

Delaware. First-degree murder with aggravating circumstances.

Florida. First-degree murder; felony murder; capital drug-trafficking.

Georgia. Murder; kidnaping with bodily injury or ransom where the victim dies; aircraft hijacking; treason.

Idaho. First-degree murder; aggravated kidnaping.

Illinois. First-degree murder with 1 of 15 aggravating circumstances.

Indiana. Murder with 14 aggravating circumstances. Capital sentencing excludes persons determined to be mentally retarded.

Kansas. Capital murder with 7 aggravating circumstances. Capital sentencing excludes persons determined to be mentally retarded.

Kentucky. Murder with aggravating factors; kidnaping with aggravating factors.

Louisiana. First-degree murder; aggravated rape of victim under age 12; treason (La. R.S. 14:30, 14:42, and 14:113).

Maryland. First-degree murder, either premeditated or during the commission of a felony, provided that certain death eligibility requirements are satisfied.

Mississippi. Capital murder; capital rape; aircraft piracy.

Missouri. First-degree murder (565.020 RSMO).

Montana. Capital murder with aggravating circumstances.

Nebraska. First-degree murder.

Nevada. First-degree murder with 10 aggravating circumstances.

New Hampshire. Capital murder.

New Jersey. Purposeful or knowing murder; contract murder; murder or solicitation thereof by a leader of a narcotics trafficking network.

New Mexico. First-degree murder (Section 30-2-1 A, NMSA).

New York. First-degree murder with 1 of 10 aggravating factors. Capital sentencing excludes persons determined to be mentally retarded.

North Carolina. First-degree murder (N.C.G.S. 14-17).

Ohio. Aggravated murder with 1 of 8 aggravating circumstances. (O.R.C. secs. 2929.01, 2903.01, and 2929.04).

Oklahoma. First-degree murder in conjunction with a finding of at least 1 of 8 statutorily defined aggravating circumstances.

Oregon. Aggravated murder (ORS 163.095).

Pennsylvania. First-degree murder with 16 aggravating circumstances.

South Carolina. Murder with 1 of 10 aggravating circumstances.

South Dakota. First-degree murder with 1 of 10 aggravating circumstances.

Tennessee. First-degree murder.

Texas. Criminal homicide with 1 of 8 aggravating circumstances.

Utah. Aggravated murder; aggravated assault by a prisoner serving a life sentence if serious bodily injury is intentionally caused (76-5-202, Utah Code annotated).

Virginia. First-degree murder with 1 of 9 aggravating circumstances.

Washington. Aggravated first-degree murder.

Wyoming. First-degree murder.

crime on the victim's family (NJSA 2C:11-3c(6)), effective 6/19/95.

New York — Enacted a law creating the crime of capital murder and providing for a sentence of death for persons over age 18 if any of 10 aggravating circumstances exists. The new law prohibits sentencing mentally retarded persons to death (Ch. 1, 1995 session), effective 9/1/95.

Ohio — Amended its code of criminal procedure to establish responsibility of the Ohio supreme court for automatic review of all death sentences and guidelines to be followed in the course of such review. The review includes weighing of all facts and evidence submitted in the case, deciding if aggravating factors outweighed mitigating factors in the case, and consideration of the proportionality of the death sentence compared to similar cases (O.R.C. § 2929.05), effective 9/21/95.

Oregon — Amended its penal code to allow evidence regarding the victim's personal characteristics and the impact of the offense on the victim's family to be entered during the sentencing phase of capital proceedings (ORS 163.150), effective 7/7/95.

Pennsylvania — Added new sections to its capital statute relating to sentencing and execution procedures. One amendment permitted evidence concerning the victim and the effect of the crime on the victim's family to be heard and considered during the sentencing hearing (42 Pa.C.S. § 9711(a)(2), (b), and (c)(2)), effective 3/16/95.

Pennsylvania lawmakers also added provisions which specified time limits for transmission of court records to the governor and issuance of death warrants, terms of confinement upon receipt of the warrant, persons allowed to witness the execution, and certification and postmortem examination procedures following the execution (42 Pa.C.S. § 9711(i), (j), (k), (l), (m), (n), and (o)), effective 12/11/95.

South Carolina — Revised its penal code to allow persons sentenced to death to elect as their method of execution either electrocution or lethal injection. Election of method by the inmate must be made in writing 14 days before the date of execution; if this right is waived, persons will be executed by lethal injection (§ 24-3-540), effective 6/8/95.

South Dakota — Amended an aggravating circumstance allowing for prosecution as a capital offense, stipulating that a crime is considered to be "wantonly vile" if the victim is under age 13 (SDCL 23A-27A-1(6)), effective 7/1/95.

Tennessee — Revised an aggravating circumstance from simple involvement in the commission of certain felony offenses to participating "knowingly" (Tenn. Code Ann. § 39-13-204(i)(7)), effective 5/30/95; and added as an aggravating circumstance intentional mutilation of the victim's body after death (Tenn. Code Ann. § 39-13-204(i)(13)), effective 7/1/95.

Tennessee lawmakers also added to its definition of first degree murder killing during the commission of aggravated child abuse as defined by § 39-15-402 (Tenn. Code Ann. § 39-13-202), effective 7/1/95.

Virginia — Revised its penal code to allow persons sentenced to death to elect as their method of execution either electrocution or lethal injection. The inmate must choose a method at least 15 days before the scheduled date of execution; if this option is waived, persons will be executed by lethal injection (Va. Code § 53.1-233, 234), effective 1/1/95.

Virginia legislators also amended the definition of capital murder to include among enumerated sexual offenses "object sexual penetration" (Va. Code § 18.2-31(5)), effective 7/1/95.

Method of execution

As of December 31, 1995, lethal injection was the predominant method of

execution (32 States) (table 2). Eleven States authorized electrocution; 7 States, lethal gas; 4 States, hanging; and 3 States, a firing squad.

Sixteen States authorized more than one method — lethal injection and an alternative method — generally at the election of the condemned prisoner; however, 5 of these 16 stipulated which method must be used, depending on the date of sentencing; 1 authorized hanging only if lethal injection could not be given; and, if lethal injection is ever ruled unconstitutional, 1 authorized lethal gas and 1 authorized electrocution.

Automatic review

Of the 38 States with capital punishment statutes at yearend 1995, 37 provided for review of all death sentences regardless of the defendant's wishes.

Arkansas had no specific provisions for automatic review. The Federal death penalty procedures did not provide for automatic review after a sentence of death had been imposed. While most of the 37 States authorized an automatic review of both the conviction and sentence, Idaho, Indiana, Oklahoma, and Tennessee required review of the sentence only. In Idaho, review of the conviction had to be filed through appeal or forfeited. In Indiana, a defendant could waive review of the conviction.

The review is usually conducted by the State's highest appellate court regardless of the defendant's wishes. In South Carolina, the defendant's right to waive appeal was in litigation; in Mississippi the question of whether a defendant could waive the right to automatic review of the sentence had not been addressed; and in Wyoming neither statute nor case law clearly precluded a waiver of appeal. If either the conviction or the sentence was vacated, the case could be remanded to the trial court for additional proceedings or for retrial. As a result of retrial or resentencing, the death sentence could be reimposed.

Table 2. Method of execution, by State, 1995

	Lethal injection	Electrocution	Lethal gas	Hanging	Firing squad
Arizona ^{a,b}	New Hampshire ^a	Alabama	Arizona ^{a,b}	Delaware ^{a,c}	Idaho ^a
Arkansas ^{a,d}	New Jersey	Arkansas ^{a,d}	California ^{a,e}	Montana ^a	Oklahoma ^f
California ^{a,e}	New Mexico	Florida	Maryland ^g	New Hampshire ^{a,h}	Utah ^a
Colorado	New York	Georgia	Mississippi ^{a,i}	Washington ^a	
Connecticut	North Carolina ^a	Kentucky	Missouri ^a		
Delaware ^{a,c}	Ohio ^a	Nebraska	North Carolina ^a		
Idaho ^a	Oklahoma	Ohio ^a	Wyoming ^{a,j}		
Illinois	Oregon	Oklahoma ^f			
Indiana	Pennsylvania	South Carolina ^a			
Kansas	South Carolina ^a	Tennessee			
Louisiana	South Dakota	Virginia			
Maryland ^g	Texas				
Mississippi ^{a,i}	Utah ^a				
Missouri ^a	Virginia ^a				
Montana	Washington ^a				
Nevada	Wyoming ^a				

Note: The method of execution of Federal prisoners is lethal injection, pursuant to 28 CFR, Part 26. For offenses under the Violent Crime Control and Law Enforcement Act of 1994, the method is that of the State in which the conviction took place, pursuant to 18 USC 3596.

^aAuthorizes 2 methods of execution.

^bArizona authorizes lethal injection for persons sentenced after 11/15/92; those sentenced before that date may select lethal injection or lethal gas.

^cDelaware authorizes lethal injection for those whose capital offense occurred after 6/13/86; those who committed the offense before that date may select lethal injection or hanging.

^dArkansas authorizes lethal injection for persons committing a capital offense after 7/4/83; those who committed the offense before that date may select lethal injection or electrocution.

^eUse of lethal gas is currently prohibited in California pending a legal challenge in Federal court.

^fOklahoma authorizes electrocution if lethal injection is ever held to be unconstitutional and firing squad if both lethal injection and electrocution are held unconstitutional.

^gMaryland authorizes lethal injection for all inmates, as of 3/25/94. One inmate, convicted prior to that date, has selected lethal gas for method of execution.

^hNew Hampshire authorizes hanging only if lethal injection cannot be given.

ⁱMississippi authorizes lethal injection for those convicted after 7/1/84 and lethal gas for those convicted earlier.

^jWyoming authorizes lethal gas if lethal injection is ever held to be unconstitutional.

Minimum age

In 1995 eight jurisdictions did not specify a minimum age for which the death penalty could be imposed (table 3). In some States the minimum age was set forth in the statutory provisions that determine the age at which a juvenile may be transferred to criminal court for trial as an adult. Thirteen States and the Federal system required a minimum age of 18; one State age 19. Sixteen States indicated an age of eligibility between 14 and 17.

Characteristics of prisoners under sentence of death at yearend 1995

Thirty-four States and the Federal prison system held a total of 3,054 prisoners under sentence of death on December 31, 1995, a gain of 149 or 5.1% more than at the end of 1994 (table 4). The Federal prison system count rose from 6 at yearend 1994 to 8

Table 3. Minimum age authorized for capital punishment, 1995

Age 16 or less	Age 17	Age 18	Age 19	None specified
Alabama (16)	Georgia	California	New York	Arizona
Arkansas (14) ^a	New Hampshire	Colorado		Idaho
Delaware (16)	North Carolina ^b	Connecticut ^c		Montana
Indiana (16)	Texas	Federal system		Louisiana
Kentucky (16)		Illinois		Pennsylvania
Mississippi (16) ^d		Kansas		South Carolina
Missouri (16)		Maryland		South Dakota ^e
Nevada (16)		Nebraska		Utah
Oklahoma (16)		New Jersey		
Virginia (14) ^f		New Mexico		
Wyoming (16)		Ohio		
Florida (16)		Oregon		
		Tennessee		
		Washington		

Note: Reporting by States reflects interpretations by State attorney general offices and may differ from previously reported ages.

^aSee Arkansas Code Ann.9-27-318(b)(1)(Repl. 1991).

^bThe age required is 17 unless the murderer was incarcerated for murder when a subsequent murder occurred; then the age may be 14.

^cSee Conn. Gen. Stat. 53a-46a(g)(1).

^dThe minimum age defined by statute is 13, but the effective age is 16 based on interpretation of a U.S. Supreme Court decision by the State attorney general's office.

^eJuveniles may be transferred to adult court. Age can be a mitigating factor.

^fThe minimum age for transfer to adult court is 14 by statute, but the effective age for a capital sentence is 16 based on interpretation of a U.S. Supreme Court decision by the State attorney general's office.

Table 4. Prisoners under sentence of death, by region, State, and race, 1994 and 1995

Region and State	Prisoners under sentence of death, 12/31/94			Received under sentence of death			Removed from death row(excluding executions) ^a			Executed			Prisoners under sentence of death, 12/31/95		
	Total ^b	White ^c	Black ^c	Total ^b	White	Black	Total ^b	White	Black	Total ^b	White	Black	Total ^b	White	Black
U.S. total	2,905	1,653	1,203	310	168	138	105	58	44	56	33	22	3,054	1,730	1,275
Federal ^d	6	3	3	2	0	2	0	0	0	0	0	0	8	3	5
State	2,899	1,650	1,200	308	168	136	105	58	44	56	33	22	3,046	1,727	1,270
Northeast	194	71	116	23	6	17	4	2	2	2	2	0	211	73	131
Connecticut	4	2	2	1	0	1	0	0	0	0	0	0	5	2	3
New Hampshire	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
New Jersey	9	4	5	2	1	1	1	1	0	0	0	0	10	4	6
Pennsylvania	181	65	109	20	5	15	3	1	2	2	2	0	196	67	122
Midwest	443	217	224	43	21	22	16	9	7	11	6	5	459	223	234
Illinois	155	57	98	13	6	7	9	4	5	5	3	2	154	56	98
Indiana	47	31	16	3	3	0	4	3	1	0	0	0	46	31	15
Kansas	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Missouri	88	51	37	10	3	7	0	0	0	6	3	3	92	51	41
Nebraska	10	7	2	0	0	0	0	0	0	0	0	0	10	7	2
Ohio	141	69	71	17	9	8	3	2	1	0	0	0	155	76	78
South Dakota	2	2	0	0	0	0	0	0	0	0	0	0	2	2	0
South	1,621	926	672	184	105	78	71	37	33	41	23	17	1,693	971	700
Alabama	136	74	60	17	10	7	8	2	6	2	0	2	143	82	59
Arkansas	37	21	16	4	3	1	1	0	1	2	1	1	38	23	15
Delaware	14	7	7	1	1	0	0	0	0	1	1	0	14	7	7
Florida	353	223	130	31	19	12	19	12	7	3	2	1	362	228	134
Georgia	96	53	43	7	5	2	3	1	2	2	2	0	98	55	43
Kentucky	29	23	6	0	0	0	1	1	0	0	0	0	28	22	6
Louisiana	47	16	31	12	4	8	1	0	1	1	0	1	57	20	37
Maryland	13	2	11	0	0	0	0	0	0	0	0	0	13	2	11
Mississippi	50	20	30	3	0	3	4	0	4	0	0	0	49	20	29
North Carolina	111	55	54	34	19	15	4	4	0	2	2	0	139	68	69
Oklahoma	130	79	40	15	10	4	13	8	4	3	3	0	129	78	40
South Carolina	59	31	28	10	2	8	1	0	1	1	0	1	67	33	34
Tennessee	100	66	32	4	1	3	8	3	5	0	0	0	96	64	30
Texas	391	230	155	40	27	13	8	6	2	19	10	8	404	241	158
Virginia	55	26	29	6	4	2	0	0	0	5	2	3	56	28	28
West	641	436	188	58	36	19	14	10	2	2	2	0	683	460	205
Arizona	121	101	14	5	5	0	8	8	0	1	1	0	117	97	14
California ^e	386	230	148	36	22	13	2	1	1	0	0	0	420	251	160
Colorado	3	3	0	1	0	1	0	0	0	0	0	0	4	3	1
Idaho	20	20	0	0	0	0	1	1	0	0	0	0	19	19	0
Montana	8	6	0	0	0	0	1	0	0	1	1	0	6	5	0
Nevada ^e	65	44	21	11	4	5	1	0	0	0	0	0	75	48	26
New Mexico	1	1	0	2	2	0	0	0	0	0	0	0	3	3	0
Oregon	18	16	1	2	2	0	0	0	0	0	0	0	20	18	1
Utah	10	8	2	0	0	0	0	0	0	0	0	0	10	8	2
Washington	9	7	2	1	1	0	1	0	1	0	0	0	9	8	1
Wyoming	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Note: States not listed and the District of Columbia did not authorize the death penalty as of 12/31/94. New York enacted a death penalty statute during 1995 and reported no one under sentence of death as of 12/31/95. Some figures shown for yearend 1994 are revised from those reported in Capital Punishment 1994 NCJ-158023. The revised figures include 26 inmates who were either reported late to the National Prisoner Statistics Program or were not in custody of State correctional authorities on 12/31/94 (12 in California; 4 in Florida; 2 in Texas; and 1 each in Alabama, Arizona, Arkansas, Idaho,

Ohio, Oklahoma, Oregon, and Tennessee), and exclude 18 inmates who were relieved of the death sentence on or before 12/31/94 (8 in California; 5 in Texas; and 1 each in Arizona, New Mexico, Pennsylvania, Tennessee, and Washington). The data for 12/31/94 also include 7 inmates in Florida who were listed erroneously as being removed from death row.
^aIncludes 9 deaths from natural causes (3 in Alabama, and 1 each in Arizona, Illinois, Kentucky, North Carolina, Oklahoma, and Texas) 2 suicides (in California and Nevada), and 2 inmates

murdered by other inmates (in Florida and Texas).

^bTotals include persons of other races.

^cThe accounting of race and Hispanic origin differs from that presented in tables 8, 9, and 11. In this table white and black inmates include Hispanics.

^dExcludes persons held under Armed Forces jurisdiction with a military death sentence for murder.

^eOne inmate who was previously in the custody of Nevada has been transferred to California where he is being held under a separate sentence of death.

at yearend 1995. Three States reported 39% of the Nation's death row population: California (420), Texas (404), and Florida (362). Of the 38 jurisdictions with statutes authorizing the death penalty during 1995, New Hampshire, Kansas, and Wyoming had no one under a capital sentence, and South Dakota, New Mexico, and Colorado had 4 or fewer. New York enacted a new death penalty statute, effective September 1, 1995, and report no one under sentence of death as of December 1, 1995.

Among the 35 jurisdictions with prisoners under sentence of death at year-end 1995, 20 had more inmates than a year earlier, 9 had fewer inmates, and 6 had the same number. California had an increase of 34, followed by North Carolina (28), Pennsylvania (15), Ohio (14), Texas (13), and Louisiana and Nevada (10 each). Arizona and Tennessee had the largest decrease (4 each).

During 1995 the number of black inmates under sentence of death increased by 72; the number of whites increased by 77; and the number of persons of other races (American Indians, Alaska Natives, Asians, or Pacific Islanders) remained constant at 49.

The number of Hispanics sentenced to death rose from 224 to 237 during 1995 (table 5). Twenty-six Hispanics were received under sentence of death, 11 were removed from death row, and 2 were executed. Three-fourths of the Hispanics were incarcerated in 4 States: Texas (68), California (61), Florida (35), and Arizona (18).

During 1995 the number of women sentenced to be executed increased from 43 to 48. Six women were received under sentence of death, one was removed from death row, and none were executed. Women were under sentence of death in 14 States. Almost two-thirds of all women on death row at yearend were in California, Florida, Texas, Oklahoma, and Illinois.

Table 5. Hispanics and women under sentence of death, by State, 1994 and 1995

Region and State	Under sentence of death, 12/31/94		Received under sentence of death		Death sentence removed*	Under sentence of death, 12/31/95	
	Hispanics	Women	Hispanics	Women	Hispanics	Hispanics	Women
U.S. total	224	43	26	6	11	237	48
Alabama	0	5	0	0	0	0	4
Arizona	20	1	1	0	3	18	1
Arkansas	1	0	1	0	0	2	0
California	57	6	4	2	0	61	8
Colorado	1	0	0	0	0	1	0
Florida	33	6	4	0	2	35	6
Georgia	1	0	0	0	0	1	0
Idaho	2	1	0	0	1	1	1
Illinois	8	5	0	0	1	7	5
Indiana	2	0	0	0	0	2	0
Louisiana	0	0	1	0	0	1	0
Mississippi	1	1	0	1	0	1	2
Missouri	0	2	0	0	0	0	2
Nevada	8	1	2	0	0	10	1
New Jersey	1	0	0	0	1	0	0
New Mexico	1	0	1	0	0	2	0
North Carolina	0	2	1	0	0	1	2
Ohio	5	0	0	0	0	5	0
Oklahoma	6	4	0	1	2	4	5
Oregon	1	0	0	0	0	1	0
Pennsylvania	11	4	0	0	0	11	4
Tennessee	1	1	0	0	0	1	1
Texas	60	4	11	2	1	68	6
Utah	2	0	0	0	0	2	0
Virginia	2	0	0	0	0	2	0

*One woman was removed from under sentence of death in Alabama, and no women were executed during 1995. Two Hispanic men were executed in Texas in 1995.

State	Women under sentence of death, 12/31/95		
	Total	White	Black
Total	48	32	16
California	8	6	2
Florida	6	4	2
Texas	6	4	2
Oklahoma	5	4	1
Illinois	5	2	3
Alabama	4	3	1
Pennsylvania	4	1	3
Missouri	2	2	0
North Carolina	2	2	0
Mississippi	2	1	1
Arizona	1	1	0
Idaho	1	1	0
Tennessee	1	1	0
Nevada	1	0	1

Men were 98% (3,006) of all prisoners under sentence of death (table 6). Whites predominated (57%); blacks comprised 42%; and other races (1.6%) included 22 Native Americans, 19 Asians, and 8 persons of unknown race. Among those for whom ethnicity was known, 8% were Hispanic.

The sex, race, and Hispanic origin of those under sentence of death at year-end 1995 were as follows:

State	Persons under sentence of death, by sex, race, and Hispanic origin, 12/31/95		
	White	Black	Other
Male	1,698	1,259	49
Hispanic	215	12	7
Female	32	16	0
Hispanic	2	1	0

Among inmates under sentence of death on December 31, 1995, for whom information on education was available, three-fourths had either completed high school (38%) or finished 9th, 10th, or 11th grade (37%). The percentage who had not gone beyond eighth grade (15%) was over 40% larger than that of inmates who had attended some college (10%). The median level of education was the 11th grade.

Of inmates under a capital sentence and with reported marital status, half had never married; a fourth were married at the time of sentencing; and nearly a fourth were divorced, separated, or widowed.

Among all inmates under sentence of death for whom date of arrest information was available, more than half were age 20 to 29 at the time of arrest for their capital offense; 12% were age 19 or younger; and less than 1% were age 55 or older (table 7). The average age at time of arrest was 28 years. On December 31, 1995, 43% of these inmates were age 30 to 39 and 71% were age 25 to 44. The youngest offender under sentence of death was age 18; the oldest was 80.

Entries and removals of persons under sentence of death

Between January 1 and December 31, 1995, 27 State prison systems reported receiving 308 prisoners under sentence of death; the Federal Bureau of Prisons received 2 inmates. Forty-five percent of the inmates were received in 4 States: Texas (40), California (36), North Carolina (34), and Florida (31).

All 310 prisoners who had been received under sentence of death had been convicted of murder. By sex and race, 164 were white men, 136 were black men, 4 were Asian men, 4 were white women, and 2 were black women. Of the 310 new admissions, 26 were Hispanic men. No Hispanic women were admitted under sentence of death in 1995.

Table 6. Demographic characteristics of prisoners under sentence of death, 1995

Characteristic	Prisoners under sentence of death, 1995		
	Yearend	Admissions	Removals
Number of prisoners	3,054	310	161
Sex			
Male	98.4%	98.1%	99.4%
Female	1.6	1.9	.6
Race			
White	56.6%	54.2%	56.5%
Black	41.7	44.5	41
Other*	1.6	1.3	2.5
Hispanic origin			
Hispanic	8.5%	9.3%	8.6%
Non-Hispanic	91.5	90.7	91.4
Education			
8th grade or less	14.7%	12.1%	21.8%
9th-11th	37.2	41.5	42.3
High school graduate/GED	37.8	35.5	26.8
Any college	10.3	10.9	9.2
Median	11th grade	11th grade	11th grade
Marital status			
Married	25.6%	20.4%	31.5%
Divorced/separated	21.6	22.6	19.2
Widowed	2.5	2.6	2.1
Never married	50.3	54.4	47.3

Note: Calculations are based on those cases for which data were reported. Missing data by category were as follows:

	Yearend	Admissions	Removals
Hispanic origin	257	29	10
Education	422	62	19
Marital status	247	36	15

*At yearend 1994 "other" consisted of 24 Native Americans, 17 Asians, and 8 self-identified Hispanics. During 1995, 4 Asians were admitted; 2 Native Americans and 2 Asians were removed.

Table 7. Age at time of arrest for capital offense and age of prisoners under sentence of death at yearend 1995

Age	Prisoners under sentence of death			
	At time of arrest		On December 31, 1995	
	Number*	Percent	Number*	Percent
Number of prisoners	2,661	100.0%	2,661	100.0%
17 or younger	51	1.9	0	
18-19	262	9.8	20	.8
20-24	741	27.8	257	9.7
25-29	626	23.5	428	16.1
30-34	441	16.6	556	20.9
35-39	272	10.2	575	21.6
40-44	137	5.1	343	12.9
45-49	77	2.9	261	9.8
50-54	34	1.3	125	4.7
55-59	13	.5	56	2.1
60 or older	7	.3	40	1.5
Mean age	28 yrs		36 yrs	
Median age	27 yrs		35 yrs	

Note: The youngest person under sentence of death was a white male in Nevada, born in January 1977 and sentenced to death in November 1994. The oldest person under sentence of death was a

white male in Arizona, born in September 1915 and sentenced to death in June 1983. *Excludes 393 inmates for whom the date of arrest for the capital offense was not available.

Twenty-one States reported a total of 92 persons whose sentence of death was overturned or removed. Appeals courts vacated 55 sentences while upholding the convictions and vacated 30 sentences while overturning the convictions. Florida (18 exits) had the largest number of vacated capital sentences. Arizona reported three commutations of a death sentence; Idaho, Oklahoma, and Pennsylvania each reported one. Mississippi removed 1 inmate when an appellate court struck the capital sentence due to a violation of the inmate's constitutional right to a speedy trial.

As of December 31, 1995, 56 of the 92 persons who were formerly under sentence of death were serving a reduced sentence, 14 were awaiting a new trial, 17 were awaiting resentencing, 2 had all capital charges dropped, and 1 had no action taken after being removed from under sentence of death. No information was available on the current status of 2 inmates.

In addition, 13 persons died while under sentence of death in 1995. Nine of these deaths were from natural causes — three in Alabama, and one each in Arizona, Illinois, Kentucky, North Carolina, Oklahoma, and Texas. Two suicides occurred — one each in California and Nevada. Two inmates were killed by other inmates — one in Florida and one in Texas.

From 1977, the year after the Supreme Court upheld the constitutionality of revised State capital punishment laws, to 1995, a total of 4,857 persons entered prison under sentence of death. During these 19 years, 313 persons were executed, and 1,870 were removed from under a death sentence by appellate court decisions and reviews, commutations, or death.¹

Among individuals who received a death sentence between 1977 and 1995, 2,468 (51%) were white, 1,975 (41%) were black, 342 (7%) were Hispanic, and 72 (1%) were of other

racess. The distribution by race and Hispanic origin of the 1,870 inmates who were removed from death row between 1977 and 1995 was as follows: 969 whites (52%), 773 blacks (41%), 101 Hispanics (5%), and 27 persons of other races (2%). Of the 313 who were executed, 171 (55%) were white, 120 (38%) were black, 19 (6%) were Hispanic, and 3 (1%) were other races.

Criminal history of inmates under sentence of death in 1995

Among inmates under a death sentence on December 31, 1995, for whom criminal history information was available, 66% had past felony convictions, including 8% with at least one previous homicide conviction (table 8).

Among those for whom legal status at the time of the capital offense was reported, 42% had an active criminal

justice status. Nearly half of these were on parole and about a fourth were on probation. The others had charges pending, were in prison, had escaped from incarceration, or had some other criminal justice status.

Criminal history patterns differed by race and Hispanic origin. More blacks (70%) than whites (65%) or Hispanics (59%) had a prior felony conviction. About the same percentage of blacks (9%), whites (8%), or Hispanics (7%) had a prior homicide conviction. A slightly higher percentage of Hispanics (25%) or blacks (24%) than whites (17%) were on parole when arrested for their capital offense.

Since 1988 data have been collected on the number of death sentences imposed on entering inmates. Among the 2,299 individuals received under

Table 8. Criminal history profile of prisoners under sentence of death, by race and Hispanic origin, 1995

	Prisoners under sentence of death							
	Number				Percent ^a			
	All ^b	White	Black	Hispanic	All ^b	White	Black	Hispanic
U.S. total	3,054	1,513	1,262	237	100.0%	100.0%	100.0%	100.0%
Prior felony convictions								
Yes	1,887	914	826	130	66.3%	64.9%	70.1%	58.6%
No	959	494	352	92	33.7	35.1	29.9	41.4
Not reported	208	105	84	15				
Prior homicide convictions								
Yes	254	125	110	17	8.5%	8.4%	8.9%	7.4%
No	2,728	1,357	1,120	212	91.5	91.6	91.1	92.6
Not reported	72	31	32	8				
Legal status at time of capital offense								
Charges pending	189	106	68	13	6.9%	7.8%	6.0%	6.1%
Probation	275	134	117	21	10	9.8	10.4	9.9
Parole	558	235	266	53	20.4	17.2	23.6	24.9
Prison escapee	44	26	14	3	1.6	1.9	1.2	1.4
Prison inmate	66	32	31	3	2.4	2.3	2.8	1.4
Other status	33	17	14	1	1.2	1.2	1.2	0.5
None	1,575	813	616	119	57.5	59.6	54.7	55.9
Not reported	314	150	136	24				

^aPercentages are based on those offenders for whom data were reported.

^bIncludes whites, blacks, Hispanics, and persons of other races.

¹An individual may have received and been removed from under a sentence of death more than once. Data are based on the most recent sentence.

sentence of death during that time, about 1 in every 7 entered with two or more death sentences.

Number of death sentences received	Inmates
Total	100 %
1	85.3
2	10.3
3 or more	4.4
Number admitted under sentence of death, 1988-95	2,299

The proportions of whites, blacks, and Hispanics with two or more death sentences were nearly identical.

Executions

According to data collected by the Federal Government, from 1930 to 1995, 4,172 persons were executed under civil authority (table 9).²

After the Supreme Court reinstated the death penalty in 1976, 26 States executed 313 prisoners:

1977	1
1979	2
1981	1
1982	2
1983	5
1984	21
1985	18
1986	18
1987	25
1988	11
1989	16
1990	23
1991	14
1992	31
1993	38
1994	31
1995	56

During this 19-year period, 5 States executed 211 prisoners: Texas (104), Florida (36), Virginia (29), Louisiana (22), and Georgia (20). These States accounted for two-thirds of all executions. Between 1977 and 1995, 170 white non-Hispanic men, 120 black non-Hispanic men, 19 Hispanic men, 2 Native American men, 1 Asian man, and 1 white non-Hispanic woman were executed.

During 1995 Texas carried out 19 executions; Missouri executed 6 persons; Illinois and Virginia, 5 each;

²Military authorities carried out an additional 160 executions, 1930-95.

Florida and Oklahoma, 3 each; Pennsylvania, Alabama, Arkansas, Georgia, and North Carolina, 2 each; and Delaware, Louisiana, South Carolina, Arizona, and Montana, 1 each. All persons executed in 1995 were male. Thirty-one were non-Hispanic whites; 22 were non-Hispanic blacks; 1 was Asian; and 2 were Hispanic.

Table 9. Number of persons executed, by jurisdiction, 1930-95

State	Number executed	
	Since 1930	Since 1977
U.S. total	4,172	313
Texas	401	104
Georgia	386	20
New York	329	
California	294	2
North Carolina	271	8
Florida	206	36
Ohio	172	
South Carolina	167	5
Mississippi	158	4
Louisiana	155	22
Pennsylvania	154	2
Alabama	147	12
Arkansas	129	11
Virginia	121	29
Kentucky	103	
Illinois	97	7
Tennessee	93	
Missouri	79	17
New Jersey	74	
Maryland	69	1
Oklahoma	66	6
Washington	49	2
Colorado	47	
Indiana	44	3
Arizona	42	4
District of Columbia	40	
West Virginia	40	
Nevada	34	5
Federal system	33	
Massachusetts	27	
Connecticut	21	
Oregon	19	
Iowa	18	
Utah	17	4
Delaware	17	5
Kansas	15	
New Mexico	8	
Wyoming	8	1
Montana	7	1
Nebraska	5	1
Idaho	4	1
Vermont	4	
New Hampshire	1	
South Dakota	1	
Minnesota	0	
Rhode Island	0	
North Dakota	0	
Hawaii	0	
Michigan	0	
Maine	0	
Alaska	0	
Wisconsin	0	

From 1977 to 1995, 5,237 prisoners were under death sentences for varying lengths of time (table 10). The 313 executions accounted for 6% of those at risk. A total of 1,870 prisoners (36% of those at risk) received other dispositions. About the same percentage of whites (6%), blacks (6%), and Hispanics (5%) were executed. Somewhat larger percentages of whites (36%) and blacks (36%) than Hispanics (28%) were removed from under a death sentence by means other than execution.

Among prisoners executed between 1977 and 1995, the average time spent between the imposition of the most recent sentence received and execution was more than 8 years (table 11). White prisoners had spent an average of 8 years and 2 months, and black prisoners, 9 years and 5 months. The 56 prisoners executed in 1995 were under sentence of death an average of 11 years and 2 months.

For the 313 prisoners executed between 1977 and 1995, the most common method of execution was lethal injection (180). Other methods were electrocution (121), lethal gas (9), hanging (2), and firing squad (1).

Method of execution	Executions, 1977-95				
	White	Black	Hispanic	American Indian	Asian
Total	171	120	19	2	1
Lethal injection	100	59	18	2	1
Electrocution	62	58	1	0	0
Lethal gas	6	3	0	0	0
Hanging	2	0	0	0	0
Firing squad	1	0	0	0	0

Among prisoners under sentence of death at yearend 1995, the average time spent in prison was 6 years and 6 months.

The median time between the imposition of a death sentence and yearend 1995 was 69 months. Overall, the average time for women was 4.8 years — about three-fourths as long as for men (6.5 years). On average,

whites, blacks, and Hispanics had spent from 75 to 80 months under a sentence of death.

	Elapsed time since sentencing	
	Mean	Median
Total	78 mos	69 mos
Male	78	70
Female	58	46
White	80	73
Black	75	64
Hispanic	76	69

Appendix. Federal laws providing for the death penalty

8 U.S.C. 1342 - Murder related to the smuggling of aliens.

18 U.S.C. 32-34 - Destruction of aircraft, motor vehicles, or related facilities resulting in death.

18 U.S.C. 36 - Murder committed during a drug-related drive-by shooting.

18 U.S.C. 37 - Murder committed at an airport serving international civil aviation.

18 U.S.C. 115(b)(3)[by cross-reference to 18 U.S.C. 1111] - Retaliatory murder of a member of the immediate family of law enforcement officials.

18 U.S.C. 241, 242, 245, 247 - Civil rights offenses resulting in death.

18 U.S.C. 351 [by cross-reference to 18 U.S.C. 1111] - Murder of a member of Congress, an important executive official, or a Supreme Court Justice.

18 U.S.C. 794 - Espionage

18 U.S.C. 844(d), (f), (i) - Death resulting from offenses involving transportation of explosives, destruction of government property, or destruction of property related to foreign or interstate commerce.

18 U.S.C. 924(i) - Murder committed by the use of a firearm during a crime of violence or a drug trafficking crime.

18 U.S.C. 930 - Murder committed in a Federal Government facility.

18 U.S.C. 1091 - Genocide.

18 U.S.C. 1111 - First-degree murder.

18 U.S.C. 1114 - Murder of a Federal judge or law enforcement official.

18 U.S.C. 1116 - Murder of a foreign official.

18 U.S.C. 1118 - Murder by a Federal prisoner.

18 U.S.C. 1119 - Murder of a U.S. national in a foreign country.

18 U.S.C. 1120 - Murder by an escaped Federal prisoner already sentenced to life imprisonment.

18 U.S.C. 1121 - Murder of a State or local law enforcement official or other person aiding in a Federal investigation; murder of a State correctional officer.

18 U.S.C. 1201 - Murder during a kidnaping.

18 U.S.C. 1203 - Murder during a hostage-taking.

18 U.S.C. 1503 - Murder of a court officer or juror.

Table 10. Prisoners under sentence of death who were executed or received other dispositions, by race and Hispanic origin, 1977-95

Race/Hispanic origin ^b	Total under sentence of death, 1977-95 ^c	Prisoners executed		Prisoners who received other dispositions ^a	
		Number	Percent of total	Number	Percent of total
Total	5,237	313	6.0%	1,870	35.7%
White	2,653	171	6.4%	969	36.5%
Black	2,155	120	5.6	773	35.9
Hispanic	357	19	5.3	101	28.3
Other	72	3	4.2	27	37.5

^aIncludes persons removed from a sentence of death because of statutes struck down on appeal, sentences or convictions vacated, commutations, or death other than by execution.

^bWhite, black, and other categories exclude Hispanics.

^cIncludes persons sentenced to death prior to 1977 who were still under sentence of death 12/31/95 (14), persons sentenced to death prior to 1977 whose death sentence was removed between 1977 and 12/31/95 (366), and persons sentenced to death between 1977 and 12/31/95 (4,857).

Table 11. Time under sentence of death sentence and execution, by race, 1977-95

Year of execution	Number executed			Average elapsed time from sentence to execution for:		
	All*	White	Black	All*	White	Black
Total	313	189	121	104 mos	98 mos	113 mos
1977-83	11	9	2	51 mos	49 mos	58 mos
1984	21	13	8	74	76	71
1985	18	11	7	71	65	80
1986	18	11	7	87	78	102
1987	25	13	12	86	78	96
1988	11	6	5	80	72	89
1989	16	8	8	95	78	112
1990	23	16	7	95	97	91
1991	14	7	7	116	124	107
1992	31	19	11	114	104	135
1993	38	23	14	113	112	121
1994	31	20	11	122	117	132
1995	56	33	22	134	128	144

Note: Average time was calculated from the most recent sentencing date. Some

numbers have been revised from those previously reported.

*Includes Native Americans and Asians.

18 U.S.C. 1512 - Murder with the intent of preventing testimony by a witness, victim, or informant.

18 U.S.C. 1513 - Retaliatory murder of a witness, victim or informant.

18 U.S.C. 1716 - Mailing of injurious articles with intent to kill or resulting in death.

18 U.S.C. 1751 [by cross-reference to 18 U.S.C. 1111] - Assassination or kidnaping resulting in the death of the President or Vice President.

18 U.S.C. 1958 - Murder for hire.

18 U.S.C. 1959 - Murder involved in a racketeering offense.

18 U.S.C. 1992 - Willful wrecking of a train resulting in death.

18 U.S.C. 2113 - Bank-robbery-related murder or kidnaping.

18 U.S.C. 2119 - Murder related to a carjacking.

18 U.S.C. 2245 - Murder related to rape or child molestation.

18 U.S.C. 2251 - Murder related to sexual exploitation of children.

18 U.S.C. 2280 - Murder committed during an offense against maritime navigation.

18 U.S.C. 2281 - Murder committed during an offense against a maritime fixed platform.

18 U.S.C. 2332 - Terrorist murder of a U.S. national in another country.

18 U.S.C. 2332a - Murder by the use of a weapon of mass destruction.

18 U.S.C. 2340 - Murder involving torture.

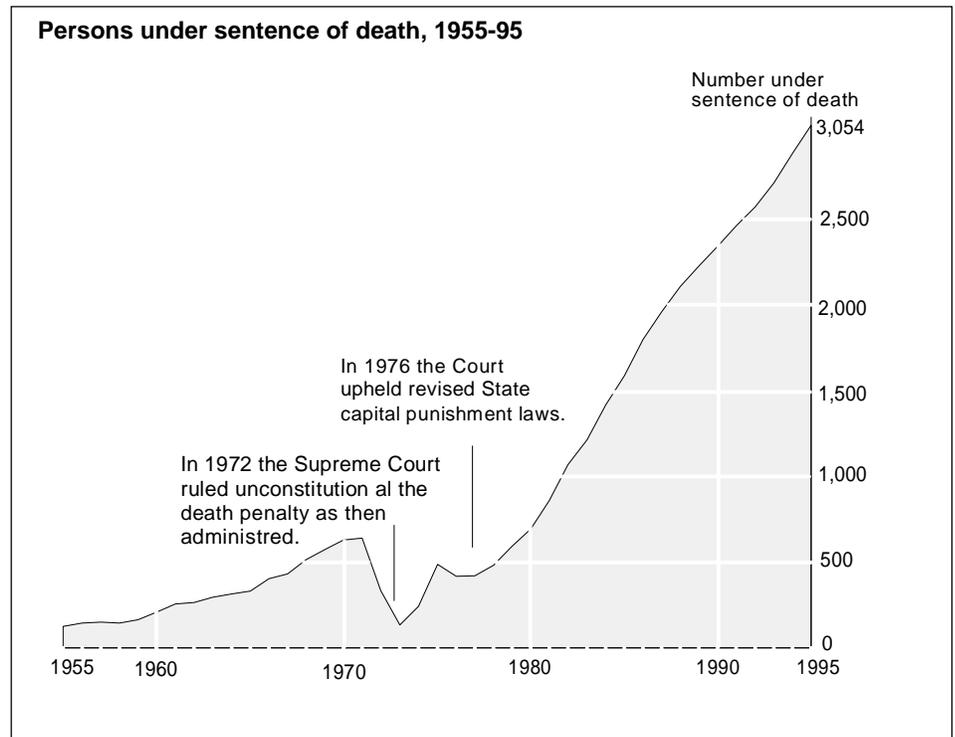
18 U.S.C. 2381 - Treason.

21 U.S.C. 848(e) - Murder related to a continuing criminal enterprise or related murder of a Federal, State, or local law enforcement officer.

49 U.S.C. 1472-1473 - Death resulting from aircraft hijacking.

Methodological note

The statistics reported in this Bulletin may differ from data collected by other organizations for a variety of reasons: (1) National Prisoner Statistics (NPS) adds inmates to the number under sentence of death not at sentencing but at the time they are admitted to a State or Federal correctional facility. (2) If in one year inmates entered prison under a death sentence or were reported as being relieved of a death sentence but the court had acted in the previous year, the counts are adjusted to reflect the dates of court decisions. (See the note on table 4 for the affected jurisdictions.) (3) NPS counts for capital punishment are always for the last day of the calendar year and will differ from counts for more recent periods.



Appendix table 1. Prisoners sentenced to death, and the outcome of their sentence, by year of sentencing, 1973-95

Year of sentence	Number sentenced to death	Number of prisoners removed from under sentence of death						Other or unknown reasons	Under sentence of death, 12/31/95
		Execution	Other death	Appeal or higher courts overturned			Sentence commuted		
				Death penalty statute	Conviction	Sentence			
1973	42	2	0	14	9	8	9	0	0
1974	149	9	4	65	15	30	22	1	3
1975	298	6	4	171	24	66	21	2	4
1976	234	11	5	137	16	43	15	0	7
1977	138	16	2	40	26	33	7	0	14
1978	186	31	4	21	34	60	8	0	28
1979	154	19	9	2	28	58	6	1	31
1980	175	27	11	3	27	46	7	0	54
1981	229	37	12	0	39	71	4	1	65
1982	269	39	13	0	29	63	6	0	119
1983	254	31	12	1	22	54	4	2	128
1984	287	25	10	2	33	57	6	8	146
1985	271	10	3	1	37	63	3	3	151
1986	305	12	13	0	39	49	4	5	183
1987	290	8	8	3	33	54	1	6	177
1988	295	10	6	0	28	44	2	0	205
1989	264	3	6	0	25	47	3	0	180
1990	252	4	4	0	28	27	0	0	189
1991	271	2	5	0	22	16	3	0	223
1992	293	5	1	0	14	19	2	0	252
1993	295	4	4	0	4	8	1	0	274
1994	319	2	1	0	0	3	1	0	312
1995	310	0	1	0	0	0	0	0	309
Total, 1973-95	5,580	313	138	460	532	919	135	29	3,054

Note: Table based upon most recent death sentence received.

Appendix table 2. Prisoners under sentence of death on December 31, 1995, by State and year of sentencing

State	Year of sentence for prisoners sentenced to and remaining on death row, 12/31/95													Under sentence of death 12/31/95	Average number of years under sentence of death as of 12/31/95
	1974-79	1980-81	1982-83	1984-85	1986-87	1988	1989	1990	1991	1992	1993	1994	1995		
Florida	26	14	24	34	34	25	17	19	36	31	30	41	31	362	6.9
Texas	16	16	20	34	58	28	28	24	27	37	31	45	40	404	6.5
California	10	18	50	38	48	34	33	32	24	41	33	23	36	420	7.0
Georgia	9	3	6	6	18	4	8	9	6	7	7	8	7	98	7.6
Arizona	6	8	12	11	7	10	4	10	10	9	14	11	5	117	7.2
Tennessee	6	7	9	14	17	6	3	7	9	7	2	5	4	96	8.5
Nebraska	3	2		2	1	1						1		10	12.2
Arkansas	2	1	1		4	1	4	3		4	7	7	4	38	5.1
Nevada	2	4	10	9	5	5	8	7	4	1	2	8	10	75	7.1
South Carolina	2	3	7	7	7	2	4	2	7	2	7	7	10	67	6.6
Alabama	1	4	18	14	16	7	13	7	4	9	8	25	17	143	6.3
Illinois	1	14	16	14	18	11	8	16	7	14	12	10	13	154	7.1
Kentucky	1	2	8	2	4	1			2	3	2	3		28	8.8
North Carolina	1	3	5	5	1	1		6	10	16	31	26	34	139	3.3
Oklahoma	1	1	8	17	24	10	11	7	11	4	8	12	15	129	6.4
Indiana		5	6	10	6	4		3	2	3	2	2	3	46	8.4
Mississippi		4	4	1	3	3		7	5	2	12	5	3	49	5.7
Pennsylvania		4	16	20	26	20	15	6	17	16	15	21	20	196	6.1
Delaware		2	1			1				4	5		1	14	5.6
Missouri		2	4	12	14	12	2	4	11	6	6	9	10	92	6.1
Idaho		1	3	4	1	3	2	1	1	1	1	1		19	8.5
Maryland		1	1	2	1	1	3	1	1	1	1			13	8.0
Ohio			11	30	21	9	9	9	12	14	10	13	17	155	6.3
Louisiana			4	8	8	1		1	4	6	7	6	12	57	5.0
Montana			1		1	1	1			2				6	*
Utah			1	2	1	2	2		1		1			10	7.6
Washington			1		1			1	1	1	1	2	1	9	*
Virginia				1	12	2	3	5	5	6	6	10	6	56	4.5
Colorado					2				1				1	4	*
New Jersey					1			2			2	3	2	10	3.0
Connecticut							1		2		1		1	5	*
Oregon							1		2	4	4	7	2	20	2.5
Federal									1		5		2	8	*
South Dakota										1	1			2	*
New Mexico												1	2	3	*
Total	87	119	247	297	360	205	180	189	223	252	274	312	309	3,054	6.5

Note: For those persons sentenced to death more than once, the numbers are based on the most recent sentence to death.

*Averages not calculated for fewer than 10 inmates.

Appendix table 3. Number sentenced to death and number of removals, by jurisdiction and reason for removal, 1973-95

State	Total sentenced to death, 1973-95	Number of removals, 1973-95					Under sentence of death, 12/31/95
		Executed	Died	Sentence or conviction overturned	Sentence commuted	Other removals	
U.S. total	5,580	313	138	1,911	135	30	3,054
Federal	9	0	0	1	0	0	8
Alabama	245	12	7	82	1	0	143
Arizona	196	4	6	63	5	1	117
Arkansas	77	11	1	27	0	0	38
California	573	2	22	113	15	1	420
Colorado	15	0	1	9	1	0	4
Connecticut	6	0	0	1	0	0	5
Delaware	32	5	0	13	0	0	14
Florida	734	36	19	297	18	2	362
Georgia	252	20	7	121	5	1	98
Idaho	33	1	1	11	1	0	19
Illinois	234	7	7	59	0	7	154
Indiana	83	3	1	31	0	2	46
Kentucky	58	0	2	27	1	0	28
Louisiana	153	22	3	64	6	1	57
Maryland	37	1	1	20	2	0	13
Massachusetts	4	0	0	2	2	0	0
Mississippi	135	4	1	78	0	3	49
Missouri	126	17	4	12	1	0	92
Montana	13	1	0	5	1	0	6
Nebraska	21	1	2	6	2	0	10
Nevada	105	5	4	18	3	0	75
New Jersey	40	0	1	21	0	8	10
New Mexico	25	0	0	17	5	0	3
New York	3	0	0	3	0	0	0
North Carolina	389	8	5	233	4	0	139
Ohio	298	0	5	129	9	0	155
Oklahoma	251	6	5	110	1	0	129
Oregon	37	0	0	17	0	0	20
Pennsylvania	262	2	7	55	2	0	196
Rhode Island	2	0	0	2	0	0	0
South Carolina	138	5	3	63	0	0	67
South Dakota	2	0	0	0	0	0	2
Tennessee	167	0	4	65	0	2	96
Texas	665	104	14	100	43	0	404
Utah	23	4	0	8	1	0	10
Virginia	102	29	3	7	6	1	56
Washington	26	2	1	14	0	0	9
Wyoming	9	1	1	7	0	0	0
Percent	100%	5.6	2.5	34.2	2.4	0.5	54.7

Note: For those persons sentenced to death more than once, the numbers are based on the most recent sentence to death.

Appendix table 4. Executions, by State and method, 1977-95

State	Number executed	Lethal injection	Electro-cution	Lethal gas	Firing squad	Hanging
Total	313	180	121	9	1	2
Texas	104	104	0	0	0	0
Florida	36	0	36	0	0	0
Virginia	29	5	24	0	0	0
Louisiana	22	2	20	0	0	0
Georgia	20	0	20	0	0	0
Missouri	17	17	0	0	0	0
Alabama	12	0	12	0	0	0
Arkansas	11	10	1	0	0	0
North Carolina	8	7	0	1	0	0
Illinois	7	7	0	0	0	0
Oklahoma	6	6	0	0	0	0
Delaware	5	5	0	0	0	0
Nevada	5	4	0	1	0	0
South Carolina	5	1	4	0	0	0
Arizona	4	3	0	1	0	0
Mississippi	4	0	0	4	0	0
Utah	4	3	0	0	1	0
Indiana	3	0	3	0	0	0
California	2	0	0	2	0	0
Pennsylvania	2	2	0	0	0	0
Washington	2	0	0	0	0	2
Idaho	1	1	0	0	0	0
Maryland	1	1	0	0	0	0
Montana	1	1	0	0	0	0
Nebraska	1	0	1	0	0	0
Wyoming	1	1	0	0	0	0

Note: Data are based on execution methods used since 1977. Lethal injection was used in 58% of the executions carried out.

Eight States — Arizona, Arkansas, Louisiana, Nevada, North Carolina, South Carolina, Virginia, and Utah — have employed two methods.

The Bureau of Justice Statistics is the statistical agency of the U.S. Department of Justice. Jan M. Chaiken, Ph.D., is director. BJS Bulletins present the first release of findings from permanent data collection programs.

This Bulletin was written by Tracy L. Snell under the supervision of Allen J. Beck. James J. Stephan and Jodi M. Brown provided statistical review. Tom Hester and Tina Dorsey edited the report. Marilyn Marbrook administered production. At the Bureau of the Census, Patricia A. Clark collected the data under the supervision of Gertrude Odom.

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Data may be obtained from the National Archive of Criminal Justice Data at the University of Michigan, 1-800-999-0960. The data sets are archived as Capital Punishment, 1973-95.

The data and the report, as well as others from the Bureau of Justice Statistics, are also available through the Internet:

<http://www.ojp.usdoj.gov/bjs/>