

TABLE SET IV: THE ATTORNEY GENERAL

INTRODUCTION

The tables in this set generally provide information about the decisions made by the Attorney General. In each instance, the total number of cases considered by the Attorney General is reported for each district, along with a racial/ethnic breakdown of those totals. In addition, each of the tables in this set reports for each district the total number of decisions for and against seeking the death penalty, respectively, again with a racial/ethnic analysis of those totals.

With respect to the post-protocol period, the tables in set II, which reported statistics about the submissions and recommendations of the United States Attorneys, provided information about a universe of 682 defendants. However, the Attorney General did not complete the review of 94 of those defendants, either because submissions were withdrawn before the review was complete or because consideration was still pending at the close of the reporting period on July 20, 2000. Accordingly, there were 588 defendants as to whom the Attorney General completed her consideration during the reporting period, and these 588 comprise the universe of defendants about whom statistics are provided in Table Set IV. For a variety of reasons, such as the fact that the defendant was a fugitive, the Attorney General occasionally completed her review of a defendant without making a decision as to whether the death penalty should be sought. Specifically, in the post-protocol period, the Attorney General considered but did not make a death penalty decision with regard to 12 defendants: a White defendant from the Northern District of California; two Hispanic defendants from the Middle District of Florida; a Black defendant from the Southern District of Georgia; a White defendant and an Other defendant from the Western District of Kentucky; a Black defendant from the District of Minnesota; two Hispanic defendants from the District of Puerto Rico; a White defendant from the District of South Carolina, and two Black defendants from the Middle District of Tennessee. Similarly, there was one defendant in the pre-protocol period, a Black defendant from the Eastern District of Virginia who was a fugitive and who later died, as to whom the Attorney General completed her review without making a decision either for or against seeking the death penalty. As a result, in the tables that report total defendants considered as well as a breakdown of decisions, the figures in the "Total" columns do not always represent the sum of the corresponding figures in the two decision columns.

A. DEFENDANTS: EXPLANATORY NOTES FOR TABLE SET IV.A

Tables 18A and 18B report, on a district-by-district basis and with a racial/ethnic breakdown, information about the cases considered by the Attorney General, as well as the Attorney General's decisions about whether to seek the death penalty. Specifically, Table 18A reports on the 588 defendants considered in the post-protocol period, and Table 18B provides information about the 52 defendants considered in the pre-protocol period.

**TABLE 18A: ATTORNEY GENERAL DECISIONS
BY DISTRICT AND RACE/ETHNICITY OF DEFENDANT (1995-2000)**

DISTRICT	Total Defendants Considered by Attorney General					Attorney General Decisions to Seek the Death Penalty					Attorney General Decisions Not to Seek the Death Penalty				
	TOTAL	White	Black	Hispanic	Other	TOTAL	White	Black	Hispanic	Other	TOTAL	White	Black	Hispanic	Other
Alabama, Middle	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Alabama, Northern	2	2	0	0	0	2	2	0	0	0	0	0	0	0	0
Alabama, Southern	2	0	2	0	0	1	0	1	0	0	1	0	1	0	0
Alaska	1	1	0	0	0	1	1	0	0	0	0	0	0	0	0
Arizona	8	0	3	4	1	0	0	0	0	0	8	0	3	4	1
Arkansas, Eastern	3	2	1	0	0	2	2	0	0	0	1	0	1	0	0
Arkansas, Western	3	3	0	0	0	3	3	0	0	0	0	0	0	0	0
California, Central	10	3	4	3	0	5	1	3	1	0	5	2	1	2	0
California, Eastern	10	7	2	0	1	3	2	0	0	1	7	5	2	0	0
California, Northern	4	3	0	0	1	1	0	0	0	1	2	2	0	0	0
California, Southern	2	0	0	2	0	0	0	0	0	0	2	0	0	2	0
Colorado	4	3	0	0	1	2	2	0	0	0	2	1	0	0	1
Connecticut	11	0	2	9	0	0	0	0	0	0	11	0	2	9	0
Delaware	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
District of Columbia	20	1	19	0	0	3	0	3	0	0	17	1	16	0	0
Florida, Middle	3	0	0	3	0	1	0	0	1	0	0	0	0	0	0
Florida, Northern	5	2	3	0	0	2	2	0	0	0	3	0	3	0	0
Florida, Southern	6	0	6	0	0	1	0	1	0	0	5	0	5	0	0
Georgia, Middle	3	0	3	0	0	0	0	0	0	0	3	0	3	0	0
Georgia, Northern	2	1	1	0	0	1	0	1	0	0	1	1	0	0	0
Georgia, Southern	3	0	3	0	0	1	0	1	0	0	1	0	1	0	0
Guam	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hawaii	6	1	0	2	3	1	0	0	0	1	5	1	0	2	2
Idaho	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

DISTRICT	Total Defendants Considered by Attorney General					Attorney General Decisions to Seek the Death Penalty					Attorney General Decisions Not to Seek the Death Penalty				
	TOTAL	White	Black	Hispanic	Other	TOTAL	White	Black	Hispanic	Other	TOTAL	White	Black	Hispanic	Other
Illinois, Central	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Illinois, Northern	7	0	2	5	0	2	0	2	0	0	5	0	0	5	0
Illinois, Southern	3	2	1	0	0	3	2	1	0	0	0	0	0	0	0
Indiana, Northern	3	0	3	0	0	0	0	0	0	0	3	0	3	0	0
Indiana, Southern	2	0	2	0	0	0	0	0	0	0	2	0	2	0	0
Iowa, Northern	3	1	0	2	0	0	0	0	0	0	3	1	0	2	0
Iowa, Southern	2	2	0	0	0	2	2	0	0	0	0	0	0	0	0
Kansas	12	2	8	0	2	4	1	1	0	2	8	1	7	0	0
Kentucky, Eastern	1	0	1	0	0	0	0	0	0	0	1	0	1	0	0
Kentucky, Western	6	3	1	0	2	1	1	0	0	0	3	1	1	0	1
Louisiana, Eastern	4	0	3	1	0	3	0	2	1	0	1	0	1	0	0
Louisiana, Middle	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Louisiana, Western	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Maine	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Maryland	38	4	33	0	1	6	0	5	0	1	32	4	28	0	0
Massachusetts	12	3	8	1	0	1	1	0	0	0	11	2	8	1	0
Michigan, Eastern	15	0	12	3	0	3	0	2	1	0	12	0	10	2	0
Michigan, Western	10	4	2	4	0	0	0	0	0	0	10	4	2	4	0
Minnesota	7	0	7	0	0	0	0	0	0	0	6	0	6	0	0
Mississippi, Northern	1	1	0	0	0	1	1	0	0	0	0	0	0	0	0
Mississippi, Southern	1	1	0	0	0	0	0	0	0	0	1	1	0	0	0
Missouri, Eastern	4	0	3	0	1	4	0	3	0	1	0	0	0	0	0
Missouri, Western	8	3	2	3	0	8	3	2	3	0	0	0	0	0	0
Montana	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Nebraska	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

DISTRICT	Total Defendants Considered by Attorney General					Attorney General Decisions to Seek the Death Penalty					Attorney General Decisions Not to Seek the Death Penalty				
	TOTAL	White	Black	Hispanic	Other	TOTAL	White	Black	Hispanic	Other	TOTAL	White	Black	Hispanic	Other
Nevada	9	7	0	0	2	0	0	0	0	0	9	7	0	0	2
New Hampshire	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
New Jersey	3	1	1	1	0	2	1	1	0	0	1	0	0	1	0
New Mexico	11	2	0	8	1	6	2	0	4	0	5	0	0	4	1
New York, Eastern	48	12	19	10	7	4	0	0	0	4	44	12	19	10	3
New York, Northern	6	0	5	1	0	2	0	2	0	0	4	0	3	1	0
New York, Southern	45	4	17	23	1	8	1	6	1	0	37	3	11	22	1
New York, Western	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
North Carolina, Eastern	8	2	6	0	0	4	2	2	0	0	4	0	4	0	0
North Carolina, Middle	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
North Carolina, Western	4	1	2	0	1	3	1	1	0	1	1	0	1	0	0
North Dakota	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Northern Mariana Islands	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Ohio, Northern	3	0	3	0	0	0	0	0	0	0	3	0	3	0	0
Ohio, Southern	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Oklahoma, Eastern	1	1	0	0	0	0	0	0	0	0	1	1	0	0	0
Oklahoma, Northern	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Oklahoma, Western	2	2	0	0	0	2	2	0	0	0	0	0	0	0	0
Oregon	1	1	0	0	0	0	0	0	0	0	1	1	0	0	0
Pennsylvania, Eastern	6	0	3	3	0	4	0	1	3	0	2	0	2	0	0
Pennsylvania, Middle	4	2	0	2	0	3	1	0	2	0	1	1	0	0	0
Pennsylvania, Western	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Puerto Rico	60	0	0	60	0	13	0	0	13	0	45	0	0	45	0
Rhode Island	4	0	3	1	0	0	0	0	0	0	4	0	3	1	0
South Carolina	7	1	5	0	1	0	0	0	0	0	6	0	5	0	1

DISTRICT	Total Defendants Considered by Attorney General					Attorney General Decisions to Seek the Death Penalty					Attorney General Decisions Not to Seek the Death Penalty				
	TOTAL	White	Black	Hispanic	Other	TOTAL	White	Black	Hispanic	Other	TOTAL	White	Black	Hispanic	Other
South Dakota	3	3	0	0	0	0	0	0	0	0	3	3	0	0	0
Tennessee, Eastern	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Tennessee, Middle	6	3	3	0	0	2	2	0	0	0	2	1	1	0	0
Tennessee, Western	11	1	10	0	0	3	1	2	0	0	8	0	8	0	0
Texas, Eastern	5	0	5	0	0	4	0	4	0	0	1	0	1	0	0
Texas, Northern	10	4	4	2	0	6	1	3	2	0	4	3	1	0	0
Texas, Southern	5	0	0	5	0	0	0	0	0	0	5	0	0	5	0
Texas, Western	5	2	3	0	0	2	0	2	0	0	3	2	1	0	0
Utah	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Vermont	1	1	0	0	0	1	1	0	0	0	0	0	0	0	0
Virgin Islands	3	0	2	1	0	0	0	0	0	0	3	0	2	1	0
Virginia, Eastern	57	5	52	0	0	18	0	18	0	0	39	5	34	0	0
Virginia, Western	5	1	4	0	0	1	0	1	0	0	4	1	3	0	0
Washington, Eastern	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Washington, Western	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
West Virginia, Northern	8	4	3	1	0	3	3	0	0	0	5	1	3	1	0
West Virginia, Southern	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Wisconsin, Eastern	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Wisconsin, Western	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Wyoming	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	588	115	287	160	26	159	44	71	32	12	417	68	212	124	13

**TABLE 18B: ATTORNEY GENERAL DECISIONS
BY DISTRICT AND RACE/ETHNICITY OF DEFENDANT (1988-1994)**

DISTRICT	Total Defendants Considered by Attorney General					Attorney General Decisions to Seek the Death Penalty					Attorney General Decisions Not to Seek the Death Penalty				
	TOTAL	White	Black	Hispanic	Other	TOTAL	White	Black	Hispanic	Other	TOTAL	White	Black	Hispanic	Other
Alabama, Middle	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Alabama, Northern	1	1	0	0	0	1	1	0	0	0	0	0	0	0	0
Alabama, Southern	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Alaska	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arizona	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arkansas, Eastern	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arkansas, Western	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
California, Central	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
California, Eastern	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
California, Northern	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
California, Southern	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Colorado	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Connecticut	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Delaware	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
District of Columbia	5	0	5	0	0	5	0	5	0	0	0	0	0	0	0
Florida, Middle	1	0	1	0	0	1	0	1	0	0	0	0	0	0	0
Florida, Northern	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Florida, Southern	3	0	3	0	0	3	0	3	0	0	0	0	0	0	0
Georgia, Middle	4	0	4	0	0	4	0	4	0	0	0	0	0	0	0
Georgia, Northern	1	0	1	0	0	1	0	1	0	0	0	0	0	0	0
Georgia, Southern	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Guam	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hawaii	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

DISTRICT	Total Defendants Considered by Attorney General					Attorney General Decisions to Seek the Death Penalty					Attorney General Decisions Not to Seek the Death Penalty				
	TOTAL	White	Black	Hispanic	Other	TOTAL	White	Black	Hispanic	Other	TOTAL	White	Black	Hispanic	Other
Idaho	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Illinois, Central	2	0	2	0	0	0	0	0	0	0	2	0	2	0	0
Illinois, Northern	2	0	1	0	1	2	0	1	0	1	0	0	0	0	0
Illinois, Southern	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Indiana, Northern	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Indiana, Southern	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Iowa, Northern	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Iowa, Southern	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Kansas	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Kentucky, Eastern	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Kentucky, Western	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Louisiana, Eastern	2	0	2	0	0	2	0	2	0	0	0	0	0	0	0
Louisiana, Middle	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Louisiana, Western	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Maine	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Maryland	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Massachusetts	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Michigan, Eastern	6	0	6	0	0	6	0	6	0	0	0	0	0	0	0
Michigan, Western	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Minnesota	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Mississippi, Northern	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Mississippi, Southern	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Missouri, Eastern	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Missouri, Western	3	3	0	0	0	3	3	0	0	0	0	0	0	0	0
Montana	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

DISTRICT	Total Defendants Considered by Attorney General					Attorney General Decisions to Seek the Death Penalty					Attorney General Decisions Not to Seek the Death Penalty				
	TOTAL	White	Black	Hispanic	Other	TOTAL	White	Black	Hispanic	Other	TOTAL	White	Black	Hispanic	Other
Nebraska	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Nevada	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
New Hampshire	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
New Jersey	1	0	1	0	0	1	0	1	0	0	0	0	0	0	0
New Mexico	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
New York, Eastern	1	1	0	0	0	1	1	0	0	0	0	0	0	0	0
New York, Northern	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
New York, Southern	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
New York, Western	1	0	1	0	0	1	0	1	0	0	0	0	0	0	0
North Carolina, Eastern	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
North Carolina, Middle	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
North Carolina, Western	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
North Dakota	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Northern Mariana Islands	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Ohio, Northern	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Ohio, Southern	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Oklahoma, Eastern	3	2	0	1	0	3	2	0	1	0	0	0	0	0	0
Oklahoma, Northern	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Oklahoma, Western	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Oregon	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Pennsylvania, Eastern	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Pennsylvania, Middle	3	0	3	0	0	1	0	1	0	0	2	0	2	0	0
Pennsylvania, Western	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Puerto Rico	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rhode Island	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

DISTRICT	Total Defendants Considered by Attorney General					Attorney General Decisions to Seek the Death Penalty					Attorney General Decisions Not to Seek the Death Penalty				
	TOTAL	White	Black	Hispanic	Other	TOTAL	White	Black	Hispanic	Other	TOTAL	White	Black	Hispanic	Other
South Carolina	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
South Dakota	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Tennessee, Eastern	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Tennessee, Middle	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Tennessee, Western	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Texas, Eastern	3	0	0	3	0	3	0	0	3	0	0	0	0	0	0
Texas, Northern	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Texas, Southern	1	0	0	1	0	1	0	0	1	0	0	0	0	0	0
Texas, Western	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Utah	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Vermont	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Virgin Islands	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Virginia, Eastern	9	0	9	0	0	8	0	8	0	0	0	0	0	0	0
Virginia, Western	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Washington, Eastern	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Washington, Western	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
West Virginia, Northern	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
West Virginia, Southern	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Wisconsin, Eastern	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Wisconsin, Western	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Wyoming	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	52	7	39	5	1	47	7	34	5	1	4	0	4	0	0