



# Bureau of Justice Statistics Bulletin

December 2000, NCJ 184795

## Capital Punishment 1999

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Twenty States executed 98 prisoners during 1999. The number executed was 30 greater than in 1998 and was the largest annual number since the 105 executed in 1951. The prisoners executed during 1999 had been under sentence of death an average of 11 years and 11 months, 13 months more than that for inmates executed in 1998.

At yearend 1999, 3,527 prisoners were under sentence of death. California held the largest number on death row (553), followed by Texas (460), Florida (365), and Pennsylvania (230). Twenty were under a Federal death sentence.

During 1999, 32 States and the Federal prison system received 272 prisoners under sentence of death. Texas (48 admissions), California (43), North Carolina (24) and Florida (20) accounted for half of those sentenced to death in 1999.

During 1999, 98 men were executed: 61 whites, 33 blacks, 2 American Indians, and 2 Asians. The executed inmates included 9 Hispanics (8 white and 1 American Indian). Ninety-four of the executions were carried out by lethal injection; 3, by electrocution; and 1, by lethal gas.

From January 1, 1977, to December 31, 1999, 598 executions took place in 30 States. Sixty-four percent of the executions occurred in 5 States: Texas (199), Virginia (73), Florida (44), Missouri (41), and Louisiana (25).

### Highlights

#### Status of the death penalty, December 31, 1999

Executions during 1999*	Number of prisoners under sentence of death	Jurisdictions without a death penalty
Texas 35	California 553	Alaska
Virginia 14	Texas 460	District of Columbia
Missouri 9	Florida 365	Hawaii
Arizona 7	Pennsylvania 230	Iowa
Oklahoma 6	North Carolina 202	Maine
Arkansas 4	Ohio 199	Massachusetts
North Carolina 4	Alabama 180	Michigan
South Carolina 4	Illinois 156	Minnesota
Alabama 2	Oklahoma 139	North Dakota
California 2	Georgia 116	Rhode Island
Delaware 2	Arizona 116	Vermont
Florida 1	Tennessee 100	West Virginia
Illinois 1	Nevada 86	Wisconsin
Indiana 1	Louisiana 85	
Kentucky 1	Missouri 83	
Louisiana 1	South Carolina 65	
Nevada 1	Mississippi 60	
Ohio 1		
Pennsylvania 1	21 other jurisdictions 332	
Utah 1		
<b>Total 98</b>	<b>Total 3,527</b>	

• At yearend 1999, 37 States and the Federal prison system held 3,527 prisoners under sentence of death, 2% more than in 1998.

Persons under sentence of death, by race

	1990	1999
White	1,379	1,948
Black	945	1,514
American Indian	25	28
Asian	15	24
Other	1	13

• The 325 Hispanic inmates under sentence of death accounted for 10% of inmates with a known ethnicity.

• Fifty women were under a death sentence in 1999, up from 35 in 1990.

• Among persons for whom arrest information was available, the average age at time of arrest was 28; 2% of inmates were age 17 or younger at arrest.

• At yearend the youngest inmate on death row was 18; the oldest was 84.

• Of the 6,365 people under sentence of death between 1977 and 1999, 9% were executed, 3% died by causes other than execution, and 32% received other dispositions.

• The number of States authorizing lethal injection increased from 20 in 1989 to 34 in 1999. In 1999, 96% of all executions were by lethal injection, compared to 44% in 1989.

\*For preliminary 2000 data on executions, see page 12.

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## Capital punishment laws

At yearend 1999 the death penalty was authorized by 38 States and the Federal Government (tables 1 and 2). During 1999 no State enacted new legislation authorizing capital punishment.

### *Statutory changes*

During 1999, 9 States revised statutory provisions relating to the death penalty. Most of the changes involved additional aggravating circumstances and procedural amendments.

By State, the changes were as follows:

**Alabama** — Added to the criminal code as aggravating circumstances murder of two or more persons in the course of one “scheme” and murder that was one of a series of intentional killings committed by the defendant (Ala. Code 13A-5-49(9),(10)), effective 9/1/99.

**Colorado** — Added as an aggravating factor any Class 1 felony committed “because of the victim’s race, color, ancestry, religion, or national origin” (CRS 16-11-103(5)(n)), effective 7/1/99.

**Kansas** — Revised the code of criminal procedure. Changes became effective 7/1/99.

Kansas added language to keep confidential the identity of persons carrying out the execution and providing for certification that substances used in the execution will “result in death in a swift and humane manner” (K.S.A. 22-4001).

Kansas legislators revised the statute designating witnesses to the execution: witnesses must be at least 18 years old; the Secretary of Corrections may select 10 witnesses, including family members of the victim; the identity of a witness cannot be divulged by anyone other than the witness himself; any witness may be barred from attending for security reasons (K.S.A. 22-4003).

Kansas also amended its procedural code for issuance of orders by the courts regarding implementation of the execution (K.S.A. 22-4006, 22-4009, and 22-4011 through 22-4014).

**Nevada** — Added to both the definition of first degree murder and the list of aggravating factors murder committed on school property or in any venue related to a school-sponsored activity when the perpetrator “intended to cause death or substantial bodily harm to more than one person by means of a weapon, device or course of action that would normally be hazardous to the lives of more than one person” (NRS 200.030(1)(d) and NRS 200.033(14)). These changes became effective 10/1/99.

**New Jersey** — Amended an aggravating factor, felony murder, to include any murder where the victim had a domestic violence restraining order filed against the defendant (NJSA 2C:11-3(c)(4)(g)), effective 9/17/99.

**Oregon** — Amended its procedural code. The changes became effective 10/23/99.

Oregon revised the procedures for issuing and carrying out a death warrant. The revisions established guidelines for a death warrant hearing, which will include a review of the offender’s mental competency (ORS 137.463).

Another procedural amendment set forth circumstances under which a person other than the defendant may file for post-conviction relief on behalf of the defendant (ORS 138.510).

Oregon amended its procedural guidelines pertaining to appointment of counsel for indigent defendants and a defendant’s right to waive counsel (ORS 183.590). The amendment also added a provision insulating licensed health care professionals from disciplinary action stemming from their participation in an execution.

Lawmakers added a provision requiring that any documents filed on behalf of the defendant are to be served personally to the defendant by providing a copy to the defendant’s current custodian. (ORS 144.126).

**Pennsylvania** — Revised provisions of the capital statute to clarify the exact time period in which the Pennsylvania Supreme Court is required to provide the Governor with a complete record of court proceedings and its opinion and order in death penalty cases (42 Pa.C.S. §9711(i)), effective 12/12/99.

**Texas** — Amended the Texas Code of Criminal Procedure to allow during the sentencing phase of a capital trial, upon written request of the defendant’s attorney, a court instruction to the jury that any person not sentenced to death will be sentenced to life imprisonment and will not be eligible for parole until the actual time served by the offender equals 40 years (TCCP Art. 37.071 Subsection 2(e)(2)), effective 9/1/99.

**Wyoming** — Amended an aggravating factor to include among capital felonies murder in the commission of abuse of a child under 16 years of age (W.S. § 6-2-102(h)(xii)), effective 7/1/99.

## Automatic review

Of the 38 States with capital punishment statutes at yearend 1999, 36 provided for review of all death sentences regardless of the defendant's wishes. The Federal death penalty procedures did not provide for automatic review after a sentence of death had been imposed.

In Arkansas, case law held that the supreme court review the trial court record for error in capital cases (*State v. Robbins*, 339 Ark. 379, 5 S.W.3d 51 (1999)). Such review is independent of a defendant's right to waive appeals.

In South Carolina the defendant had the right to waive sentence review if the defendant was deemed competent by the court (*State v. Torrence*, 473 S.E.2d. 703 (S.C. 1996)). In Mississippi the question of whether a defendant could waive the right to automatic review of the sentence had not been addressed. In Wyoming neither statute nor case law clearly precluded a waiver of appeal.

While most of the 36 States authorized an automatic review of both the conviction and sentence, Idaho, Indiana, Kentucky, 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 and Kentucky, 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. 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, a death sentence could be reimposed.

### Table 1. Capital offenses, by State, 1999

**Alabama.** Capital murder with a finding of at least 1 of 10 aggravating circumstances (Ala. Code § 13A-5-40 and § 13A-5-49).

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

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

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

**Colorado.** First-degree murder with at least 1 of 14 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 16 aggravating circumstances (IC 35-50-2-9). Capital sentencing excludes persons determined to be mentally retarded.

**Kansas.** Capital murder with 7 aggravating circumstances (KSA 21-3439). 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 (97-3-19(2) MCA); aircraft piracy (97-25-55(1) MCA).

**Missouri.** First-degree murder (565.020 RSMO).

**Montana.** Capital murder with 1 of 9 aggravating circumstances (46-18-303 MCA); capital sexual assault (45-5-503 MCA).

**Nebraska.** First-degree murder with a finding of at least 1 statutorily-defined aggravating circumstance.

**Nevada.** First-degree murder with 14 aggravating circumstances.

**New Hampshire.** Six categories of capital murder (RSA 630:1 and RSA 630:5).

**New Jersey.** Purposeful or knowing murder by one's own conduct; contract murder; solicitation by command or threat in furtherance of a narcotics conspiracy (NJSA 2C:11-3C).

**New Mexico.** First-degree murder in conjunction with a finding of at least 1 of 7 aggravating circumstances (Section 30-2-1 A, NMSA).

**New York.** First-degree murder with 1 of 12 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 at least 1 of 8 aggravating circumstances. (O.R.C. secs. 2903.01, 2929.01, 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 18 aggravating circumstances.

**South Carolina.** Murder with 1 of 10 aggravating circumstances (§ 16-3-20(C)(a)). Mental retardation is a mitigating factor.

**South Dakota.** First-degree murder with 1 of 10 aggravating circumstances; aggravated kidnaping.

**Tennessee.** First-degree murder.

**Texas.** Criminal homicide with 1 of 8 aggravating circumstances (TX Penal Code 19.03).

**Utah.** Aggravated murder (76-5-202, Utah Code annotated).

**Virginia.** First-degree murder with 1 of 12 aggravating circumstances (VA Code § 18.2-31).

**Washington.** Aggravated first-degree murder.

**Wyoming.** First-degree murder.

**Table 2. Federal laws providing for the death penalty, 1999**

8 U.S.C. 1342 — Murder related to the smuggling of aliens.	18 U.S.C. 1114 — Murder of a Federal judge or law enforcement official.	18 U.S.C. 1958 — Murder for hire.
18 U.S.C. 32-34 — Destruction of aircraft, motor vehicles, or related facilities resulting in death.	18 U.S.C. 1116 — Murder of a foreign official.	18 U.S.C. 1959 — Murder involved in a racketeering offense.
18 U.S.C. 36 — Murder committed during a drug-related drive-by shooting.	18 U.S.C. 1118 — Murder by a Federal prisoner.	18 U.S.C. 1992 — Willful wrecking of a train resulting in death.
18 U.S.C. 37 — Murder committed at an airport serving international civil aviation.	18 U.S.C. 1119 — Murder of a U.S. national in a foreign country.	18 U.S.C. 2113 — Bank-robbery-related murder or kidnaping.
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. 1120 — Murder by an escaped Federal prisoner already sentenced to life imprisonment.	18 U.S.C. 2119 — Murder related to a carjacking.
18 U.S.C. 241, 242, 245, 247 — Civil rights offenses resulting in death.	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. 2245 — Murder related to rape or child molestation.
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. 1201 — Murder during a kidnaping.	18 U.S.C. 2251 — Murder related to sexual exploitation of children.
18 U.S.C. 794 — Espionage.	18 U.S.C. 1203 — Murder during a hostage taking.	18 U.S.C. 2280 — Murder committed during an offense against maritime navigation.
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. 1503 — Murder of a court officer or juror.	18 U.S.C. 2281 — Murder committed during an offense against a maritime fixed platform.
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. 1512 — Murder with the intent of preventing testimony by a witness, victim, or informant.	18 U.S.C. 2332 — Terrorist murder of a U.S. national in another country.
18 U.S.C. 930 — Murder committed in a Federal Government facility.	18 U.S.C. 1513 — Retaliatory murder of a witness, victim, or informant.	18 U.S.C. 2332a — Murder by the use of a weapon of mass destruction.
18 U.S.C. 1091 — Genocide.	18 U.S.C. 1716 — Mailing of injurious articles with intent to kill or resulting in death.	18 U.S.C. 2340 — Murder involving torture.
18 U.S.C. 1111 — First-degree murder.	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. 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.

*Method of execution*

As of December 31, 1999, lethal injection was the predominant method of execution (34 States) (table 3).

Eleven States authorized electrocution; 4 States, lethal gas; 3 States, hanging; and 3 States, a firing squad.

Sixteen States authorized more than 1 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.

The Federal Government authorizes the method of execution under two different laws. Offenses prosecuted under 28 CFR, Part 26, mandate lethal injection, while those prosecuted under the Violent Crime Control Act of 1994 (18 U.S.C. 3596) call for the method of the State in which the conviction took place.

*Minimum age*

In 1999 seven jurisdictions did not specify a minimum age for which the death penalty could be imposed (table 4).

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. Fourteen States and the Federal system required a minimum age of 18. Seventeen States indicated an age of eligibility between 14 and 17.

**Table 3. Method of execution, by State, 1999**

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

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 U.S.C. 3596.

<sup>a</sup>Authorizes 2 methods of execution.

<sup>b</sup>Arizona authorizes lethal injection for persons whose capital sentence was received after 11/15/92; for those sentenced before that date, the condemned may select lethal injection or lethal gas.

<sup>c</sup>Delaware authorizes lethal injection for those whose capital offense occurred after 6/13/86; for those whose offense occurred before that date, the condemned may select lethal injection or hanging.

<sup>d</sup>Arkansas authorizes lethal injection for those whose capital offense occurred on or after 7/4/83; for those whose offense occurred before that date, the condemned may select lethal injection or electrocution.

<sup>e</sup>New Hampshire authorizes hanging only if lethal injection cannot be given.

<sup>f</sup>Oklahoma authorizes electrocution if lethal injection is ever held to be unconstitutional, and firing squad if both lethal injection and electrocution are held unconstitutional.

<sup>g</sup>Wyoming authorizes lethal gas if lethal injection is ever held to be unconstitutional.

<sup>h</sup>Kentucky authorizes lethal injection for persons whose capital sentence was received on or after 3/31/98; for those sentenced before that date, the condemned may select lethal injection or electrocution.

<sup>i</sup>Tennessee authorizes lethal injection for those whose capital offense occurred after 12/31/98; those whose offense occurred before that date may select lethal injection or electrocution.

**Table 4. Minimum age authorized for capital punishment, 1999**

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

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

<sup>a</sup>See Ark. Code Ann. 9-27-318(c)(2)(Supp. 1999).

<sup>b</sup>Age required is 17 unless the murderer was incarcerated for murder when a subsequent murder occurred; then the age may be 14.

<sup>c</sup>See Conn. Gen. Stat. 53a-46a(g)(1).

<sup>d</sup>Montana law specifies that offenders tried under the capital sexual assault statute be 18 or older. Age may be a mitigating factor for other capital crimes.

<sup>e</sup>The minimum age defined by statute is 13, but the effective age is 16 based on interpretation of U.S. Supreme Court decisions by the Mississippi Supreme Court.

<sup>f</sup>Juveniles may be transferred to adult court. Age can be a mitigating factor.

<sup>g</sup>The minimum age for transfer to adult court by statute is 14, but the effective age is 16 based on interpretation of U.S. Supreme Court decisions by the State attorney general's office.

**Table 5. Prisoners under sentence of death, by region, State, and race, 1998 and 1999**

Region and State <sup>b</sup>	Prisoners under sentence of death, 12/31/98			Received under sentence of death			Removed from death row (excluding executions) <sup>a</sup>			Executed			Prisoners under sentence of death, 12/31/99		
	Total <sup>c</sup>	White <sup>d</sup>	Black <sup>d</sup>	Total <sup>c</sup>	White	Black	Total <sup>c</sup>	White	Black	Total <sup>c</sup>	White	Black	Total <sup>c</sup>	White	Black
<b>U.S. total</b>	3,465	1,917	1,489	272	157	104	112	65	46	98	61	33	3,527	1,948	1,514
Federal <sup>e,f</sup>	19	5	13	1	0	1	0	0	0	0	0	0	20	5	14
State	3,446	1,912	1,476	271	157	103	112	65	46	98	61	33	3,507	1,943	1,500
<b>Northeast</b>	247	86	150	21	12	8	12	8	4	1	1	0	255	89	154
Connecticut	5	2	3	1	1	0	0	0	0	0	0	0	6	3	3
New Hampshire	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
New Jersey	14	8	6	1	1	0	1	1	0	0	0	0	14	8	6
New York	1	0	1	4	4	0	0	0	0	0	0	0	5	4	1
Pennsylvania	227	76	140	15	6	8	11	7	4	1	1	0	230	74	144
<b>Midwest</b>	498	242	254	29	21	8	19	10	9	12	7	5	496	246	248
Illinois	158	59	99	8	3	5	9	5	4	1	1	0	156	56	100
Indiana	45	30	15	2	2	0	3	1	2	1	1	0	43	30	13
Kansas	2	2	0	1	1	0	0	0	0	0	0	0	3	3	0
Missouri <sup>g</sup>	89	47	42	7	6	1	4	2	2	9	4	5	83	47	36
Nebraska	11	9	1	0	0	0	2	1	1	0	0	0	9	8	0
Ohio	191	93	97	10	8	2	1	1	0	1	1	0	199	99	99
South Dakota	2	2	0	1	1	0	0	0	0	0	0	0	3	3	0
<b>South</b>	1,902	1,050	830	162	87	72	74	42	31	74	46	27	1,916	1,049	844
Alabama	178	95	82	12	6	6	8	7	1	2	0	2	180	94	85
Arkansas	40	20	20	5	1	4	1	1	0	4	4	0	40	16	24
Delaware	17	7	10	2	2	0	0	0	0	2	1	1	17	8	9
Florida	375	242	132	20	11	9	29	17	12	1	1	0	365	235	129
Georgia <sup>h</sup>	109	57	52	8	4	3	1	1	0	0	0	0	116	60	55
Kentucky	37	29	8	4	4	0	1	0	1	1	1	0	39	32	7
Louisiana	77	24	53	10	3	6	1	0	1	1	0	1	85	27	57
Maryland	17	5	12	1	0	1	1	1	0	0	0	0	17	4	13
Mississippi	63	28	35	4	1	3	7	3	4	0	0	0	60	26	34
North Carolina	187	79	102	24	8	15	5	3	2	4	2	2	202	82	113
Oklahoma <sup>i</sup>	144	88	48	6	2	4	5	2	2	6	3	2	139	85	48
South Carolina	68	33	35	5	2	3	4	0	4	4	2	2	65	33	32
Tennessee	99	63	34	6	5	1	5	5	0	0	0	0	100	63	35
Texas <sup>j</sup>	452	258	190	48	34	14	5	2	3	35	24	11	460	266	190
Virginia	39	22	17	7	4	3	1	0	1	14	8	6	31	18	13
<b>West</b>	799	534	242	59	37	15	7	5	2	11	7	1	840	559	254
Arizona <sup>g,h</sup>	121	105	11	6	4	2	4	3	1	7	6	0	116	100	12
California	512	310	188	43	25	13	0	0	0	2	0	1	553	335	200
Colorado	3	1	2	1	1	0	0	0	0	0	0	0	4	2	2
Idaho	20	20	0	1	1	0	0	0	0	0	0	0	21	21	0
Montana	6	5	0	0	0	0	0	0	0	0	0	0	6	5	0
Nevada	84	48	35	5	4	0	2	1	1	1	0	0	86	51	34
New Mexico	4	4	0	0	0	0	0	0	0	0	0	0	4	4	0
Oregon	23	22	0	2	2	0	0	0	0	0	0	0	25	24	0
Utah	10	7	2	1	0	0	0	0	0	1	1	0	10	6	2
Washington	14	10	4	0	0	0	1	1	0	0	0	0	13	9	4
Wyoming	2	2	0	0	0	0	0	0	0	0	0	0	2	2	0

Note: Some figures shown for yearend 1998 are revised from those reported in *Capital Punishment 1998*, NCJ 179012. The revised figures include 20 inmates who were either reported late to BJS's National Prisoner Statistics program or were not in custody of State correctional authorities on 12/31/98 (5 in Pennsylvania; 2 each in Illinois, Florida, Louisiana, Tennessee, and Texas; and 1 each in Kansas, Kentucky, Arizona, California, and Idaho) and exclude 8 inmates who were relieved of the death sentence on or before 12/31/98 (2 each in Pennsylvania and Mississippi; and 1 each in Illinois, Missouri, Texas, and California. Data for 12/31/98 also includes 1 inmate in Florida who previously was

erroneously reported as being removed from under sentence of death.  
<sup>a</sup>Includes 19 deaths from natural causes (5 in Florida; 4 in Tennessee; 3 in Texas; 2 in Pennsylvania; and 1 each in Ohio, Alabama, Georgia, North Carolina, and Arizona); 2 suicides (in Alabama and Florida); 2 inmates murdered by another inmate (in New Jersey and Mississippi); and 1 inmate who died following an altercation with correctional officers (in Florida).  
<sup>b</sup>Alaska, the District of Columbia, Hawaii, Iowa, Maine, Massachusetts, Michigan, Minnesota, North Dakota, Rhode Island, Vermont, West Virginia, and Wisconsin did not authorize the death penalty as of 12/31/98.  
<sup>c</sup>Totals include persons of other races.

<sup>d</sup>The reporting of race and Hispanic origin differs from that presented in tables 9 and 11. In this table white and black inmates include Hispanics.  
<sup>e</sup>Excludes persons held under Armed Forces jurisdiction with a military death sentence for murder.  
<sup>f</sup>Race has been changed from white to Asian for 1 inmate in 1998 statistics.  
<sup>g</sup>Race has been changed from black to white for 1 inmate.  
<sup>h</sup>Race has been changed from American Indian to white for 1 inmate.  
<sup>i</sup>Race has been changed from white to black for 1 inmate.  
<sup>j</sup>Race has been changed from "other" to white for 1 inmate.

## Characteristics of prisoners under sentence of death at yearend 1999

Thirty-seven States and the Federal prison system held a total of 3,527 prisoners under sentence of death on December 31, 1999, an increase of 62, or 1.8% more than at the end of 1998 (table 5).

The Federal prison system count rose from 19 at yearend 1998 to 20 at yearend 1999. Three States reported 39% of the Nation's death row population: California (553), Texas (460), and Florida (365). Of the 39 jurisdictions with statutes authorizing the death penalty during 1999, New Hampshire had no one under a capital sentence, and Kansas, South Dakota, Colorado, New Mexico, and Wyoming had 4 or fewer.

Among the 38 jurisdictions with prisoners under sentence of death at yearend 1999, 19 had more inmates than a year earlier, 11 had fewer inmates, and 8 had the same number. California had an increase of 41, followed by North Carolina (15). Florida had the largest decrease (10).

During 1999 the number of black inmates under sentence of death rose by 25; the number of whites increased by 31; and the number of persons of other races rose from 59 to 65.

The number of Hispanics sentenced to death rose from 315 to 325 during 1999 (table 6). Thirty-three Hispanics were received under sentence of death, 14 were removed from death row, and 9 were executed. Three-quarters of the Hispanics were held in 3 States: California (107), Texas (100), and Florida (34).

During 1999 the number of women sentenced to be executed increased from 49 to 50. Three women were received under sentence of death and two were removed from death row.

Persons under sentence of death, 1953-99

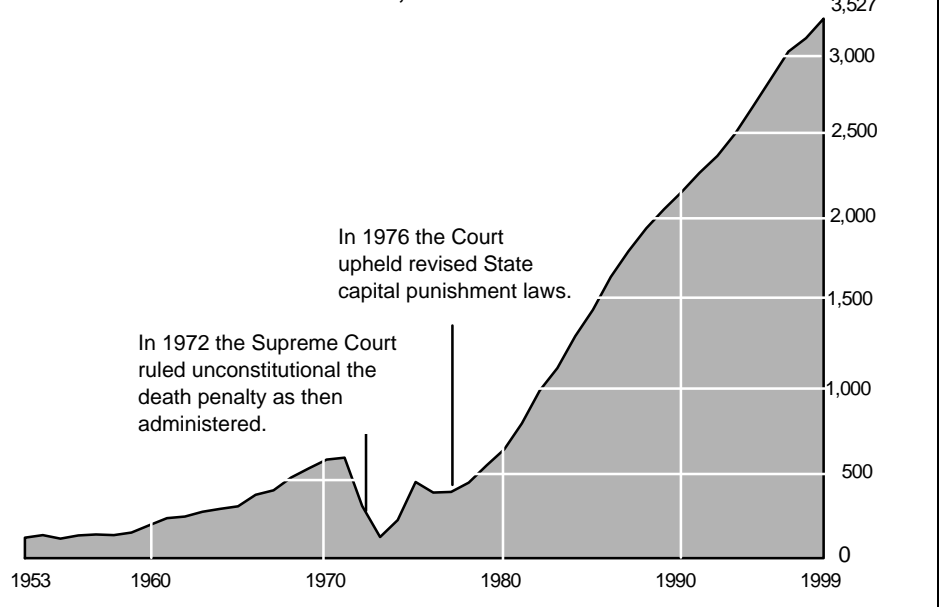


Figure 1

Table 6. Hispanics and women under sentence of death, by State, 1998 and 1999

Region and State	Under sentence of death, 12/31/98 <sup>a</sup>		Received under sentence of death		Death sentence removed <sup>b</sup>		Under sentence of death, 12/31/99	
	Hispanics	Women	Hispanics	Women	Hispanics	Women	Hispanics	Women
U.S. total <sup>c</sup>	315	49	33	3	23	2	325	50
Alabama	0	3	0	0	0	1	0	2
Arizona	20	1	1	0	2	0	19	1
Arkansas	1	1	0	0	0	0	1	1
California	97	10	10	1	0	0	107	11
Colorado	1	0	1	0	0	0	2	0
Florida	43	4	1	0	10	0	34	4
Georgia	1	1	1	0	0	0	2	1
Idaho	0	1	0	0	0	0	0	1
Illinois	8	3	0	0	1	0	7	3
Indiana	2	1	0	0	0	0	2	1
Louisiana	1	1	0	0	0	0	1	1
Mississippi	1	1	0	0	0	0	1	1
Missouri	0	1	0	0	0	0	0	1
Nevada	8	1	1	0	0	0	9	1
New Mexico	1	0	0	0	0	0	1	0
New York	0	0	1	0	0	0	1	0
North Carolina	3	3	0	1	1	0	2	4
Ohio	5	0	0	0	0	0	5	0
Oklahoma	7	3	0	0	1	0	6	3
Oregon	2	0	0	0	0	0	2	0
Pennsylvania	17	4	1	0	0	1	18	3
Tennessee	1	2	1	0	0	0	2	2
Texas	93	8	15	1	8	0	100	9
Utah	2	0	0	0	0	0	2	0

<sup>a</sup>The count of Hispanics and women under sentence of death at yearend 1998 has been revised: an inmate in Texas was erroneously reported as Hispanic in previous years, and a female inmate in Louisiana was previously unreported.

<sup>b</sup>Includes nine Hispanic men who were executed in 1999 (7 in Texas and 1 each in Oklahoma and Arizona).

<sup>c</sup>Yearend totals include one Hispanic male under Federal jurisdiction.

Women were under sentence of death in 18 States. More than half of all women on death row at yearend were in California, Texas, Florida, and North Carolina.

State	Women under sentence of death, 12/31/99		
	Total*	White	Black
Total	50	29	19
California	11	7	2
Texas	9	6	3
Florida	4	2	2
North Carolina	4	3	1
Oklahoma	3	2	1
Pennsylvania	3	0	3
Illinois	3	0	3
Tennessee	2	2	0
Alabama	2	1	1
Missouri	1	1	0
Arkansas	1	1	0
Georgia	1	1	0
Mississippi	1	1	0
Arizona	1	1	0
Idaho	1	1	0
Indiana	1	0	1
Louisiana	1	0	1
Nevada	1	0	1

\*Total includes other races.

Men were 99% (3,477) of all prisoners under sentence of death (table 7). Whites comprised 55%; blacks comprised 43%; and other races (1.8%) included 28 American Indians, 24 Asians, and 13 persons of unknown race. Among those for whom ethnicity was known, 10% were Hispanic.

The gender, race, and Hispanic origin of those under sentence of death at yearend 1999 were as follows:

	Persons under sentence of death, by gender, race, and Hispanic origin, 12/31/99		
	White	Black	Other
Male	1,919	1,495	63
Hispanic	296	13	12
Female	29	19	2
Hispanic	1	1	2

Among inmates under sentence of death on December 31, 1999, for whom information on education was available, three-fourths had either completed high school (38%) or finished 9th, 10th, or 11th grade (38%). The percentage who had not gone beyond eighth grade (14%) was larger than that of inmates who had attended some college (10%). The median level of education was the 11th grade.

**Table 7. Demographic characteristics of prisoners under sentence of death, 1999**

Characteristic	Prisoners under sentence of death, 1999		
	Yearend	Admissions	Removals
<b>Total number under sentence of death</b>	3,527	272	210
<b>Gender</b>			
Male	98.6%	98.9%	99.0%
Female	1.4	1.1	1.0
<b>Race</b>			
White	55.2%	57.7%	60.0%
Black	42.9	38.2	37.6
Other*	1.8	4.0	2.4
<b>Hispanic origin</b>			
Hispanic	10.2%	14.9%	11.6%
Non-Hispanic	89.8	85.1	88.4
<b>Education</b>			
8th grade or less	13.9%	14.2%	20.3%
9th-11th grade	37.7	38.6	38.5
High school graduate/GED	38.2	38.6	33.5
Any college	10.1	8.6	7.7
Median	11th	11th	11th
<b>Marital status</b>			
Married	22.9%	16.5%	31.7%
Divorced/separated	21.2	24.5	19.6
Widowed	2.8	3.8	2.6
Never married	53.0	55.3	46.0

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

	Yearend	Admissions	Removals
Hispanic origin	332	51	11
Education	499	39	28
Marital status	341	35	21

\*At yearend 1998, "other" consisted of 27 American Indians, 20 Asians, and 12 self-identified Hispanics. During 1999, 4 American Indians, 6 Asians, and 1 self-identified Hispanic were admitted; 3 American Indians and 2 Asians were removed.

**Persons under sentence of death, by race, 1968-99**

Number under sentence of death on December 31

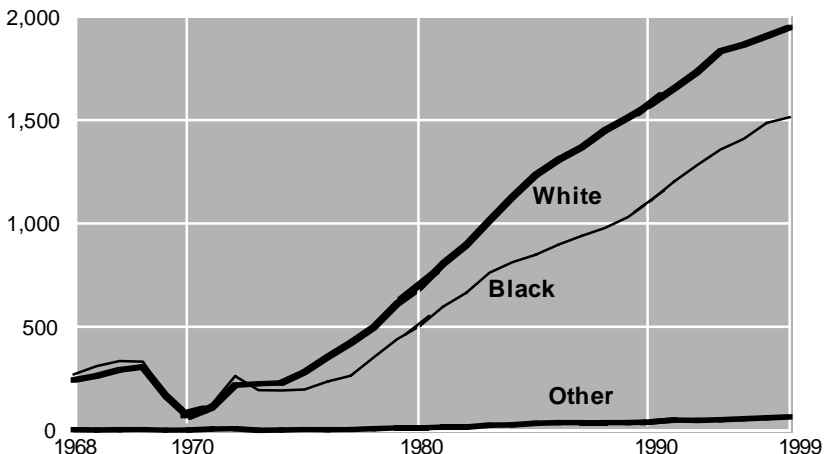


Figure 2



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

Among all inmates under sentence of death for whom date of arrest information was available, about half were age 20 to 29 at the time of arrest for their capital offense; 13% were age 19 or younger; and less than 1% were age 55 or older (table 8). The average age at time of arrest was 28 years. On December 31, 1999, 37% of all inmates were age 30 to 39, and 69% were age 25 to 44. The youngest offender under sentence of death was age 18; the oldest was 84.

### Entries and removals of persons under sentence of death

Between January 1 and December 31, 1999, 32 State prison systems reported receiving 271 prisoners under sentence of death; the Federal Bureau of Prisons received 1 inmate. Half of the inmates were received in 4 States: Texas (48), California (43), North Carolina (24), and Florida (20).

All 272 prisoners who had been received under sentence of death had been convicted of murder. By gender and race, 155 were white men, 103 were black men, 4 were American Indian men, 6 were Asian men, 1 was a self-identified Hispanic male, 2 were white women, and 1 was a black woman. Of the 272 new admissions, 33 were Hispanic men.

Twenty-one States reported a total of 88 persons whose sentence of death was overturned or removed. Appeals courts vacated 48 sentences while upholding the convictions and vacated 31 sentences while overturning the convictions. Florida (22 exits) had the largest number of vacated capital sentences. Illinois reported two commutations of death sentences; Alabama, Arkansas, Maryland, Missouri, North Carolina, and Virginia each reported one. Illinois removed one inmate when the Governor granted him a pardon.

**Table 8. Age at time of arrest for capital offense and age of prisoners under sentence of death at yearend 1999**

Age	Prisoners under sentence of death			
	At time of arrest		On December 31, 1999	
	Number*	Percent	Number	Percent
Total number under sentence of death on 12/31/99	3,232	100 %	3,527	100 %
17 or younger	80	2.5	0	
18-19	343	10.6	16	0.5
20-24	871	26.9	251	7.1
25-29	729	22.6	514	14.6
30-34	534	16.5	594	16.8
35-39	341	10.6	707	20.0
40-44	170	5.3	601	17.0
45-49	101	3.1	370	10.5
50-54	36	1.1	280	7.9
55-59	16	0.5	114	3.2
60 or older	11	0.3	80	2.3
Mean age	28 yrs		38 yrs	
Median age	27 yrs		37 yrs	

Note: The youngest person under sentence of death was a black male in Texas, born in December 1981 and sentenced to death in November 1999. 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 295 inmates for whom the date of arrest for capital offense was not available.

As of December 31, 1999, 58 of the 88 persons who were formerly under sentence of death were serving a reduced sentence, 17 were awaiting a new trial, 9 were awaiting resentencing, 1 was found not guilty upon retrial, 2 had all capital charges dropped, and 1 had no action taken after being removed from under sentence of death.

In addition, 24 persons died while under sentence of death in 1999. Nineteen of these deaths were from natural causes — 5 in Florida, 4 in Tennessee, 3 in Texas, 2 in Pennsylvania, and 1 each in Ohio, Alabama, Georgia, North Carolina, and Arizona. Two suicides occurred — 1 each in Alabama and Florida. Two inmates were killed by other inmates — 1 each in New Jersey and Mississippi. One inmate in Florida died from injuries received during an altercation with a correctional officer.

From 1977, the year after the Supreme Court upheld the constitutionality of revised State capital punishment laws, to 1999, a total of 5,985 persons entered prison under sentence of death. During these 23 years, 598 persons were executed, and 2,240 were removed from under a death sentence by appellate court decisions and reviews, commutations, or death.<sup>1</sup>

Among individuals who received a death sentence between 1977 and 1999, 2,956 (49%) were white, 2,453 (41%) were black, 483 (8%) were Hispanic, and 93 (2%) were of other races. The distribution by race and Hispanic origin of the 2,240 inmates who were removed from death row between 1977 and 1999 was as follows: 1,156 whites (52%), 922 blacks (41%), 130 Hispanics (6%), and 32 persons of other races (1%). Of the 598 who were executed, 334 (56%) were white, 211 (35%) were black, 43 (7%) were Hispanic, and 10 (2%) were of other races.

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

## Criminal history of inmates under sentence of death in 1999

Among inmates under a death sentence on December 31, 1999, for whom criminal history information was available, 64% had past felony convictions, including 8% with at least one previous homicide conviction (table 9).

Among those for whom legal status at the time of the capital offense was reported, 40% had an active criminal justice status. Less than half of these were on parole, and a quarter were on probation. The others had charges pending, were incarcerated, had escaped from incarceration, or had some other criminal justice status.

Criminal history patterns differed by race and Hispanic origin. More blacks (68%) than whites (62%) or Hispanics (58%) had a prior felony conviction.

About the same percentage of blacks (9%), whites (8%), and Hispanics (7%) had a prior homicide conviction. A slightly higher percentage of Hispanics (24%) or blacks (19%) than whites (16%) 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 3,448 individuals received under sentence of death during that time, about 1 in every 7 entered with 2 or more death sentences.

Number of death sentences received	Inmates
Total	100%
1	85
2	10
3 or more	5
Number admitted under sentence of death, 1988-99	3,448

## Executions

According to data collected by the Federal Government, from 1930 to 1999, 4,457 persons were executed under civil authority (table 10).<sup>2</sup>

<sup>2</sup>Military authorities carried out an additional 160 executions, 1930-61.

**Table 10. Number of persons executed, by jurisdiction, 1930-99**

State	Number executed	
	Since 1930	Since 1977
U.S. total	4,457	598
Texas	496	199
Georgia	389	23
New York	329	
California	299	7
North Carolina	278	15
Florida	214	44
South Carolina	186	24
Ohio	173	1
Virginia	165	73
Louisiana	158	25
Mississippi	158	4
Pennsylvania	155	3
Alabama	154	19
Arkansas	139	21
Kentucky	105	2
Missouri	103	41
Illinois	102	12
Tennessee	93	
Oklahoma	79	19
New Jersey	74	
Maryland	71	3
Arizona	57	19
Washington	50	3
Indiana	48	7
Colorado	48	1
District of Columbia	40	
West Virginia	40	
Nevada	37	8
Federal system	33	
Massachusetts	27	
Delaware	22	10
Oregon	21	2
Connecticut	21	
Utah	19	6
Iowa	18	
Kansas	15	
Montana	8	2
Wyoming	8	1
New Mexico	8	
Nebraska	7	3
Idaho	4	1
Vermont	4	
New Hampshire	1	
South Dakota	1	

**Table 9. Criminal history profile of prisoners under sentence of death, by race and Hispanic origin, 1999**

	Prisoners under sentence of death							
	Number				Percent <sup>a</sup>			
	All <sup>b</sup>	White	Black	Hispanic	All <sup>b</sup>	White	Black	Hispanic
<b>U.S. total</b>	3,527	1,651	1,500	325	100%	100%	100%	100%
<b>Prior felony convictions</b>								
Yes	2,085	949	939	172	64.1%	61.9%	68.3%	58.3%
No	1,166	584	436	123	35.9	38.1	31.7	41.7
Not reported	276							
<b>Prior homicide convictions</b>								
Yes	290	134	128	22	8.4%	8.3%	8.7%	6.9%
No	3,166	1,487	1,337	297	91.6	91.7	91.3	93.1
Not reported	71							
<b>Legal status at time of capital offense</b>								
Charges pending	228	127	90	11	7.4%	8.6%	6.9%	4.0%
Probation	311	134	144	27	10.0	9.1	11.1	9.9
Parole	554	229	250	65	17.9	15.5	19.2	23.8
Prison escapee	39	25	10	3	1.3	1.7	0.8	1.1
Incarcerated	86	36	44	5	2.8	2.4	3.4	1.8
Other status	21	11	8	1	0.7	0.7	0.6	0.4
None	1,860	916	755	161	60.0	62.0	58.0	59.0
Not reported	428							

<sup>a</sup>Percentages are based on those offenders for whom data were reported.

Detail may not add to total because of rounding.

<sup>b</sup>Includes persons of other races.

After the Supreme Court reinstated the death penalty in 1976, 30 States executed 598 prisoners:

1977	1	1990	23
1979	2	1991	14
1981	1	1992	31
1982	2	1993	38
1983	5	1994	31
1984	21	1995	56
1985	18	1996	45
1986	18	1997	74
1987	25	1998	68
1988	11	1999	98
1989	16		

During this 23-year period, 6 States executed 406 prisoners: Texas (199), Virginia (73), Florida (44), Missouri (41), Louisiana (25), and South Carolina (24). These States accounted for two-thirds of all executions.

Between 1977 and 1999, 331 white non-Hispanic men, 211 black non-Hispanic men, 43 Hispanic men, 5 American Indian men, 5 Asian men, and 3 white non-Hispanic women were executed.

During 1999 Texas carried out 35 executions; Virginia executed 14 persons; Missouri, 9; Arizona, 7; Oklahoma, 6; Arkansas, North Carolina, and South Carolina, 4 each; Alabama, California, and Delaware, 2 each; and Florida, Illinois, Indiana, Kentucky, Louisiana, Nevada, Ohio, Pennsylvania, Utah, and Washington, 1 each. The inmate executed in Ohio was the first executed in that State since 1963. All persons executed in 1999 were male. Fifty-three were white; 33 were black; 9 were Hispanic; 1 was American Indian; and 2 were Asian.

From 1977 to 1999, 6,365 prisoners were under death sentences for varying lengths of time (table 11). The 598 executions accounted for 9% of those at risk. A total of 2,240 prisoners (35% of those at risk) received other dispositions. About the same percentage of whites (11%), blacks (8%), and Hispanics (9%) were executed. Somewhat larger percentages of whites (37%) and blacks (35%) than Hispanics (26%) were removed from under a death sentence by means other than execution.

### Persons executed, 1930-99

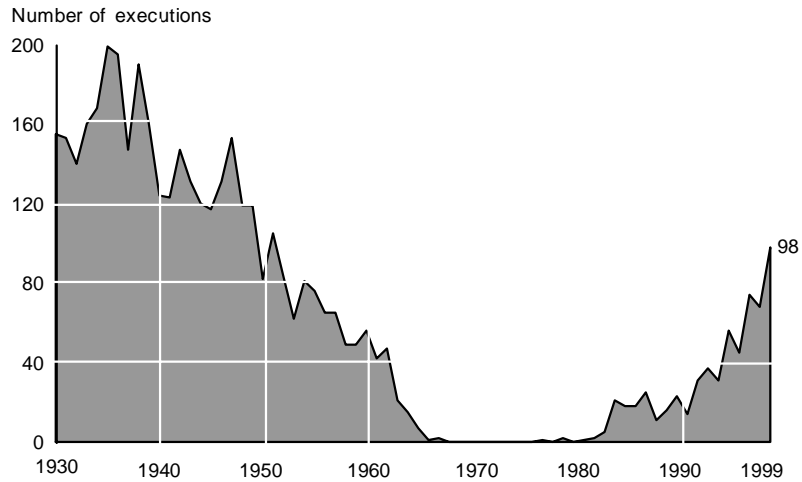


Figure 3

**Table 11. Prisoners under sentence of death who were executed or received other dispositions, by race and Hispanic origin, 1977-99**

Race/Hispanic origin <sup>b</sup>	Total under sentence of death, 1977-99 <sup>c</sup>	Prisoners executed		Prisoners who received other dispositions <sup>a</sup>	
		Number	Percent of total	Number	Percent of total
Total	6,365	598	9.4%	2,240	35.2%
White	3,141	334	10.6%	1,156	36.8%
Black	2,633	211	8.0%	922	35.0%
Hispanic	498	43	8.6%	130	26.1%
Other	93	10	10.8%	32	34.4%

<sup>a</sup>Includes persons removed from under a sentence of death because of statutes struck down on appeal, sentences or convictions vacated, commutations, or death other than by execution.

<sup>b</sup>White, black, and other categories exclude Hispanics.

<sup>c</sup>Includes persons sentenced to death prior to 1977 who were still under sentence of death on 12/31/99 (9).

persons sentenced to death prior to 1977 whose death sentence was removed between 1977 and 12/31/99 (371), and persons sentenced to death between 1977 and 12/31/99 (5,985).

Among prisoners executed from 1977 to 1999, the average time spent between the imposition of the most recent sentence received and execution was nearly 10 years (table 12). White prisoners had spent an average of 9½ years, and black prisoners, 10½ years. The 98 prisoners executed in 1999 were under sentence of death an average of 11 years and 11 months.

For the 598 prisoners executed between 1977 and 1999, the most common method of execution was lethal injection (438). Other methods were electrocution (144), lethal gas (11), hanging (3), and firing squad (2).

Method of execution	Executions, 1977-99				
	White	Black	Hispanic	American Indian	Asian
Total	334	211	43	5	5
Lethal injection	246	142	41	4	5
Electrocution	75	66	2	1	0
Lethal gas	8	3	0	0	0
Hanging	3	0	0	0	0
Firing squad	2	0	0	0	0

Among prisoners under sentence of death at yearend 1999, the average time spent in prison was 7 years and 7 months, up 3 months from that of 1998.

Inmates under sentence of death	Elapsed time since sentencing	
	Mean	Median
Total	91 mo	78 mo
Male	92	78
Female	79	75
White	95	83
Black	90	77
Hispanic	80	63

The median time between the imposition of a death sentence and yearend 1999 was 78 months. Overall, the average time for women was 6.6 years, slightly less than that for men (7.7 years). On average, whites, blacks, and Hispanics had spent from 80 to 95 months under a sentence of death.

**Table 12. Time under sentence of death and execution, by race, 1977-99**

Year of execution	Number executed			Average elapsed time from sentence to execution for:		
	All races*	White	Black	All races*	White	Black
Total	598	374	213	118 mo	114 mo	126 mo
1977-83	11	9	2	51 mo	49 mo	58 mo
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
1888	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
1996	45	31	14	125	112	153
1997	74	45	27	133	126	147
1998	68	48	18	130	128	132
1999	98	61	33	143	143	141

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

\*Includes American Indians and Asians.

**Advance count of executions: January 1, 2000 - December 31, 2000**

To provide the latest data on capital punishment, BJS initiated an ongoing collection effort in 1997 that gathers information following each execution. The data include the date of execution, the jurisdiction, the method used, and the name, race, and gender of each person executed.

During 2000, 14 States executed 85 prisoners, a 13% decrease from the 98 executed in 1999.

Texas had carried out 40, 47% of the executions in 2000. This represents the most executions in a single State in any year since the Federal Government began tracking executions on an annual basis. Tennessee carried out its first execution since 1960.

Lethal injection accounted for 80 of the executions, and 5 were carried out by electrocution.

Forty-eight of those executed were white, 36 black, and 1 American Indian. Two women were executed (1 each in Texas and Arkansas).

State	Number of executions	Method used
Texas	40	Lethal injection
Oklahoma	11	Lethal injection
Virginia	8	Lethal injection*
Florida	6	Lethal injection
Missouri	5	Lethal injection
Alabama	4	Electrocution
Arizona	3	Lethal injection
Arkansas	2	Lethal injection
Delaware	1	Lethal injection
Louisiana	1	Lethal injection
North Carolina	1	Lethal injection
South Carolina	1	Lethal injection
Tennessee	1	Lethal injection
California	1	Lethal injection
<b>Total</b>	<b>85</b>	

\*Virginia executed 1 person by electrocution.

Final counts for all of 2000 will appear in *Capital Punishment 2000*, a BJS Bulletin, released in late 2001. This annual report will comprise data collected from State and Federal departments of correction. The report will cover all persons under sentence of death on December 31, 2000, as well as those received from court and removed from under sentence of death.

## Methodology

Capital punishment information is collected annually as part of the National Prisoner Statistics program (NPS-8). This data series is collected in two parts: data on persons under sentence of death are obtained from the department of correction in each jurisdiction currently authorizing capital punishment and are updated annually; information on the status of death penalty statutes is obtained from the Office of the Attorney General in each of the 50 States, the District of Columbia, and the Federal Government. Data collection forms and more detailed tables are available in *Correctional Populations in the United States*,

published annually. NPS-8 covers all persons under sentence of death at any time during the year who were held in a State or Federal nonmilitary correctional facility. Included are capital offenders transferred from prison to mental hospitals and those who may have escaped from custody. Excluded are persons whose death sentences have been overturned by the court, regardless of their current incarceration status.

The statistics reported in this Bulletin may differ from data collected by other organizations for a variety of reasons: (1) NPS-8 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 5 for the affected jurisdictions.) (3) NPS counts are always for the last day of the calendar year and will differ from counts for more recent periods.

All data in this report have been reviewed for accuracy by the data providers in each jurisdiction prior to publication.

**Appendix table 1. Prisoners sentenced to death and the outcome sentence, by year of sentencing, 1973-99**

Year of sentence	Number sentenced to death	Number of prisoners removed from under sentence of death						Other or unknown reasons	Under sentence of death, 12/31/99
		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	10	4	65	15	30	22	1	2
1975	298	6	4	171	24	67	21	2	3
1976	233	13	5	136	17	43	15	0	4
1977	137	19	3	40	26	32	7	0	10
1978	185	34	6	21	35	62	8	0	19
1979	152	26	12	2	28	58	5	1	20
1980	173	40	13	3	28	49	7	0	33
1981	227	48	13	0	43	75	4	1	43
1982	266	54	13	0	35	68	7	1	88
1983	253	53	14	1	25	60	7	2	91
1984	285	46	10	2	37	60	6	8	116
1985	269	31	5	1	43	68	4	3	114
1986	300	41	16	0	45	50	6	5	137
1987	290	34	14	4	36	56	2	6	138
1988	292	31	11	0	33	52	3	0	162
1989	259	19	9	0	29	49	3	0	150
1990	253	19	7	0	32	35	2	0	158
1991	264	13	9	0	30	33	3	0	176
1992	288	15	7	0	21	35	4	0	206
1993	290	13	9	0	15	20	5	0	228
1994	319	11	7	0	20	22	2	0	257
1995	319	10	7	0	13	19	1	0	269
1996	316	7	3	0	13	19	1	0	273
1997	276	1	3	0	5	6	0	0	261
1998	300	2	1	0	0	0	0	0	297
1999	272	0	0	0	0	0	0	0	272
Total, 1973-99	6,707	598	205	460	657	1,076	154	30	3,527

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

**Appendix table 2. Prisoners under sentence of death on December 31, 1999, by State and year of sentencing**

State	Year of sentence for prisoners sentenced to and remaining on death row, 12/31/99												Under sentence of death, 12/31/99	Average number of years under sentence of death as of 12/31/99
	1974-79	1980-81	1982-83	1984-85	1986-87	1988-89	1990-91	1992-93	1994-95	1996-97	1998	1999		
Florida	22	10	17	31	31	37	48	44	47	31	27	20	365	9.2
California	8	17	44	37	46	64	54	72	59	78	31	43	553	8.5
Texas	8	11	9	17	31	42	41	63	83	67	40	48	460	6.9
Georgia	7	3	6	5	13	9	11	11	14	18	11	8	116	8.5
Tennessee	3	6	8	11	15	10	10	5	8	12	6	6	100	10.0
Nevada	2	3	7	10	4	10	11	1	15	16	2	5	86	8.8
Nebraska	2	2		1	1				1	2			9	*
Illinois	1	11	13	13	10	16	19	20	19	18	8	8	156	9.2
Alabama	1	3	9	9	16	17	11	14	33	31	24	12	180	7.0
North Carolina	1	2	3	4			13	45	48	42	20	24	202	4.9
Arizona	1	1	10	9	6	14	18	18	12	14	7	6	116	8.4
Kentucky	1	1	7	2	4	1	2	4	3	4	6	4	39	8.7
Arkansas	1				1	2	1	7	9	10	4	5	40	5.0
Indiana		2	4	4	6	3	5	5	5	4	3	2	43	9.3
Pennsylvania		1	14	14	28	33	16	27	41	25	16	15	230	8.0
Oklahoma		1	4	12	19	15	15	9	17	26	15	6	139	7.7
Mississippi		1	4		3	1	10	9	7	13	8	4	60	6.3
Maryland		1		3		2	1	1	1	5	2	1	17	7.6
Ohio			10	30	21	18	19	21	27	27	16	10	199	8.3
Louisiana			2	5	7	1	2	10	17	21	10	10	85	5.3
Missouri			2	5	6	5	8	11	17	16	6	7	83	6.4
Idaho			2	4	1	4	2	2	2	2	1	1	21	9.7
South Carolina			1	2	2	5	7	8	15	12	8	5	65	5.8
Utah			1	2		2	1	1		2		1	10	8.9
Montana			1		1			2		2			6	*
Delaware			1			1		7		4	2	2	17	5.4
New Jersey					1		2	1	4	4	1	1	14	5.2
Virginia					1		1	2	7	5	8	7	31	3.2
Colorado					1				1	1	1	1	4	*
Washington							2	2	2	4	3		13	4.5
Connecticut							2	1	1	1		1	6	*
Oregon							1	6	7	6	3	2	25	4.4
Federal system							1	4	2	7	5	1	20	3.5
South Dakota								1		1		1	3	*
New Mexico									2	2			4	*
Wyoming										1	1		2	*
Kansas											2	1	3	*
New York											1	4	5	*
<b>Total</b>	<b>58</b>	<b>76</b>	<b>179</b>	<b>230</b>	<b>275</b>	<b>312</b>	<b>334</b>	<b>434</b>	<b>526</b>	<b>534</b>	<b>297</b>	<b>272</b>	<b>3,527</b>	<b>7.7</b>

Note: For those persons sentenced to death more than once, the numbers are based on the most recent death sentence.  
 \*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, 1973-99**

State	Total sentenced to death, 1973-99	Number of removals, 1973-99				Under sentence of death, 12/31/99	
		Executed	Died	Sentence or conviction overturned	Sentence commuted		Other removals
U.S. total	6,707	598	205	2,193	154	30	3,527
Federal	22	0	0	2	0	0	20
Alabama	314	19	13	100	2	0	180
Arizona	223	19	9	73	5	1	116
Arkansas	94	21	1	30	2	0	40
California	722	7	31	116	15	0	553
Colorado	17	1	1	10	1	0	4
Connecticut	7	0	0	1	0	0	6
Delaware	40	10	0	13	0	0	17
Florida	821	44	29	363	18	2	365
Georgia	289	23	9	134	6	1	116
Idaho	37	1	1	12	2	0	21
Illinois	273	12	9	85	3	8	156
Indiana	92	7	1	37	2	2	43
Kansas	3	0	0	0	0	0	3
Kentucky	71	2	2	27	1	0	39
Louisiana	196	25	3	76	6	1	85
Maryland	48	3	1	24	3	0	17
Massachusetts	4	0	0	2	2	0	0
Mississippi	163	4	2	94	0	3	60
Missouri	158	41	7	25	2	0	83
Montana	15	2	0	6	1	0	6
Nebraska	24	3	2	8	2	0	9
Nevada	127	8	5	25	3	0	86
New Jersey	48	0	3	23	0	8	14
New Mexico	26	0	1	16	5	0	4
New York	8	0	0	3	0	0	5
North Carolina	468	15	9	237	5	0	202
Ohio	351	1	9	133	9	0	199
Oklahoma	294	19	7	128	1	0	139
Oregon	46	2	1	18	0	0	25
Pennsylvania	323	3	10	80	0	0	230
Rhode Island	2	0	0	2	0	0	0
South Carolina	163	24	4	67	3	0	65
South Dakota	3	0	0	0	0	0	3
Tennessee	192	0	9	81	0	2	100
Texas	829	199	21	103	45	1	460
Utah	26	6	0	9	1	0	10
Virginia	123	73	3	6	9	1	31
Washington	34	3	1	17	0	0	13
Wyoming	11	1	1	7	0	0	2
Percent	100%	8.9%	3.1%	32.7%	2.3%	0.4%	52.6%

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

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 Todd D. Minton provided assistance and statistical review.

Tina Dorsey edited the report. Jayne Robinson prepared the report for final printing.

At the U.S. Census Bureau, Patricia A. Clark collected the data under the supervision of Gertrude B. Odom and Marilyn M. Monahan.

December 2000, NCJ 184795

**Appendix table 4. Executions, by State and method, 1977-99**

State	Number executed	Lethal injection	Electro-cution	Lethal gas	Hanging	Firing squad
Total	598	438	144	11	3	2
Alabama	19	0	19	0	0	0
Arizona	19	17	0	2	0	0
Arkansas	21	20	1	0	0	0
California	7	5	0	2	0	0
Colorado	1	1	0	0	0	0
Delaware	10	9	0	0	1	0
Florida	44	0	44	0	0	0
Georgia	23	0	23	0	0	0
Idaho	1	1	0	0	0	0
Illinois	12	12	0	0	0	0
Indiana	7	4	3	0	0	0
Kentucky	2	1	1	0	0	0
Louisiana	25	5	20	0	0	0
Maryland	3	3	0	0	0	0
Mississippi	4	0	0	4	0	0
Missouri	41	41	0	0	0	0
Montana	2	2	0	0	0	0
Nebraska	3	0	3	0	0	0
Nevada	8	7	0	1	0	0
North Carolina	15	13	0	2	0	0
Ohio	1	1	0	0	0	0
Oklahoma	19	19	0	0	0	0
Oregon	2	2	0	0	0	0
Pennsylvania	3	3	0	0	0	0
South Carolina	24	19	5	0	0	0
Texas	199	199	0	0	0	0
Utah	6	4	0	0	0	2
Virginia	73	48	25	0	0	0
Washington	3	1	0	0	2	0
Wyoming	1	1	0	0	0	0

Data will be available 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, 1973-99.

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/>

Key Facts at a Glance — Trends in Capital Punishment, charts and supporting data in tables on Executions, 1930-2000; Persons under Sentence of Death, 1954-99; and Persons under Sentence of Death by Race, 1968-99:

<http://www.ojp.usdoj.gov/bjs/glance.htm#cptrends>

Prisoners executed under civil authority in the United States, by year, Federal, State-by-State, and region, 1977-2000:

<http://www.ojp.usdoj.gov/bjs/dtdata.htm#exe>

