



Bureau of Justice Statistics

Statistical Tables

December 2009, NCJ 228662

Capital Punishment, 2008 - Statistical Tables

Tracy L. Snell
BJS Statistician

Presents characteristics of persons under sentence of death on December 31, 2008, and persons executed in 2008. Preliminary data on executions by states during 2009 are included. Tables present state-by-state information on the movement of prisoners into and out of death sentence status during 2008, status of capital statutes, and methods of execution. Numerical tables also summarize data on offenders characteristics such as gender, race, Hispanic origin, age at time of arrest for capital offense, legal status at time of capital offense, and time between imposition of death sentence and execution. Data are from the National Prisoner Statistics (NPS-8) series.

Highlights

- In 2008, 37 inmates were executed: 18 in Texas; 4 in Virginia; 3 each in Georgia and South Carolina; 2 each in Florida, Mississippi, Ohio, and Oklahoma; and 1 in Kentucky.
- 36 executions were by lethal injection; 1 by electrocution.
- Of persons executed in 2008, 20 were white and 17 were black. All 37 inmates executed were men.
- Thirty-seven states and the federal government had capital statutes at yearend 2008.
- **During 2009, 11 states executed 52 inmates, 15 more than the number executed during 2008.**
- Between 1977 and 2008, 7,658 people have been under sentence of death. Of these, 15% were executed, 5% died from causes other than execution, and 38% received other dispositions.
- A total of 111 inmates were received under sentence of death during 2008, representing the smallest number of admissions since 1973.
- A total of 119 inmates were removed from under sentence of death—37 were executed and 82 were removed by other methods, including sentences or convictions overturned, commutations of sentence, and deaths by means other than execution.

2008 statistical tables

Table 1. Capital offenses, by state, 2008

Table 2. Method of execution, by state, 2008

Table 3. Federal capital offenses, 2008

Table 4. Prisoners under sentence of death, by region, jurisdiction, and race, 2007 and 2008

Table 5. Demographic characteristics of prisoners under sentence of death, 2008

Table 6. Hispanics and women under sentence of death, by jurisdiction, 2007 and 2008

Table 7. Age at time of arrest for capital offense and age of prisoners under sentence of death at yearend 2008

Table 8. Criminal history profile of prisoners under sentence of death, by race and Hispanic origin, 2008

Table 9. Number of persons executed, by jurisdiction, 1930-2008

Table 10. Executions and other dispositions of inmates sentenced to death, by race and Hispanic origin, 1977-2008

Table 11. Time under sentence of death and execution, by race, 1977-2008

Table 12. Women under sentence of death, by race and jurisdiction, 12/31/08

Table 13. Persons under sentence of death, by gender, race, and Hispanic origin, 12/31/08

Table 14. Number of inmates received under sentence of death, 1993-2008

Table 15. Number of persons executed, by year, 1977-2008

Table 16. Number of persons executed, by race, Hispanic origin, and method, 1977-2008

Table 17. Elapsed time since sentencing for inmates under sentence of death on 12/31/08, by gender, race, and Hispanic origin

Table 18. Advance count of executions: January 1, 2009 - December 31, 2009

Table 1. Capital offenses, by state, 2008

State	Offense
Alabama	Intentional murder with 18 aggravating factors (Ala. Stat. Ann. 13A-5-40(a)(1)-(18)).
Arizona	First-degree murder accompanied by at least 1 of 14 aggravating factors (A.R.S. § 13-703(F)).
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; sabotage; train wrecking causing death; treason; perjury causing execution of an innocent person; fatal assault by a prisoner serving a life sentence.
Colorado	First-degree murder with at least 1 of 17 aggravating factors; first-degree kidnapping resulting in death; treason.
Connecticut	Capital felony with 8 forms of aggravated homicide (C.G.S. § 53a-54b).
Delaware	First-degree murder with at least 1 statutory aggravating circumstance (11 Del. C. § 4209).
Florida	First-degree murder; felony murder; capital drug trafficking; capital sexual battery.
Georgia	Murder; kidnapping with bodily injury or ransom when the victim dies; aircraft hijacking; treason.
Idaho	First-degree murder with aggravating factors; first-degree kidnapping; perjury resulting in death.
Illinois	First-degree murder with 1 of 21 aggravating circumstances (720 Ill. Comp. Stat. 5/9-1).
Indiana	Murder with 16 aggravating circumstances (IC 35-50-2-9).
Kansas	Capital murder with 8 aggravating circumstances (KSA 21-3439, KSA 21-4625, KSA 21-4636).
Kentucky	Murder with aggravating factors; kidnapping with aggravating factors (KRS 32.025).
Louisiana^a	First-degree murder; treason (La. R.S. 14:30 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 (Miss. Code Ann. § 97-3-19(2)); aircraft piracy (Miss. Code Ann. § 97-25-55(1)).
Missouri	First-degree murder (565.020 RSMO 2000).
Montana	Capital murder with 1 of 9 aggravating circumstances (Mont. Code Ann. § 46-18-303); aggravated sexual intercourse without consent (Mont. Code Ann. § 45-5-503).
Nebraska^b	First-degree murder with a finding of at least 1 statutorily-defined aggravating circumstance.
Nevada	First-degree murder with at least 1 of 15 aggravating circumstances (NRS 200.030, 200.033, 200.035).
New Hampshire	Murder committed in the course of rape, kidnapping, or drug crimes; killing of a law enforcement officer; murder for hire; murder by an inmate while serving a sentence of life without parole (RSA 630:1, RSA 630:5).
New Mexico	First-degree murder with at least 1 of 7 statutorily-defined aggravating circumstances (Section 30-2-1 A, NMSA).
New York^c	First-degree murder with 1 of 13 aggravating factors (NY Penal Law §125.27).
North Carolina	First-degree murder (NCGS §14-17).

Ohio	Aggravated murder with at least 1 of 10 aggravating circumstances (O.R.C. secs. 2903.01, 2929.02, and 2929.04).
Oklahoma	First-degree murder in conjunction with a finding of at least 1 of 8 statutorily-defined aggravating circumstances; sex crimes against a child under 14 years of age.
Oregon	Aggravated murder (ORS 163.095).
Pennsylvania	First-degree murder with 18 aggravating circumstances.
South Carolina	Murder with 1 of 12 aggravating circumstances (§ 16-3-20(C)(a)); criminal sexual conduct with a minor with 1 of 9 aggravators (§ 16-3-655).
South Dakota^d	First-degree murder with 1 of 10 aggravating circumstances. Revision: Revised the code ~of criminal procedure. Changes included establishing procedures to be used by circuit judges in determining whether to stop an execution because the inmate is mentally incompetent (SDCL § 23A-27A-22) and clarifying that persons carrying out executions are immune from civil and/or criminal liability (SDCL § 23A-27A-31.2), effective 7/1/2008.
Tennessee	First-degree murder with 1 of 15 aggravating circumstances (Tenn. Code Ann. § 39-13-204).
Texas	Criminal homicide with 1 of 9 aggravating circumstances (Tex. Penal Code § 19.03).
Utah^d	Aggravated murder (76-5-202, Utah Code Annotated). Revision: Amended the criminal code to allow aggravating circumstances to be treated as separate acts from the capital offense which can be prosecuted as a separate offense (Utah Code Ann. § 76-5-202), effective 2/26/08.
Virginia	First-degree murder with 1 of 15 aggravating circumstances (VA Code § 18.2-31).
Washington	Aggravated first-degree murder.
Wyoming	First-degree murder; murder during the commission of sexual assault, sexual abuse of a minor, arson, robbery, escape, resisting arrest, kidnapping, or abuse of a minor under 16.

^aThe United States Supreme Court struck a portion of the Louisiana capital statute on June 25, 2008 (*Kennedy v. Louisiana*, U.S. 128 S.Ct. 2641). The statute (*La. Rev. Stat. Ann. § 14:42(D)(2)*) allowing execution as a punishment for the rape of a minor when no murder had been committed had been ruled constitutionally permissible by the Louisiana Supreme Court. The U.S. Supreme Court found that since no national consensus existed for application of the death penalty in cases of rape where no murder had been committed, such laws constitute cruel and unusual punishment under the Eighth and Fourteenth Amendments. The ruling affects laws passed in Florida, Oklahoma, South Carolina, Texas, and Montana.

^bThe Nebraska Supreme Court struck a portion of the state's capital statute on February 8, 2008 (*State v. Mata*, 745 N.W.2d 229, 278 (2008)). The court found that Nebraska's electrocution procedure violated the state constitution's prohibition of cruel and unusual punishment.

^cThe New York Court of Appeals has held that a portion of New York's death penalty sentencing statute (CPL 400.27) was unconstitutional (*People v. Taylor*, 9 N.Y.3d 129 (2007)). As a result, no defendants can be sentenced to death until the legislature corrects the errors in this statute.

^dTwo states revised statutory provisions relating to the death penalty during 2008.

Table 2. Method of execution, by state, 2008

<u>Lethal Injection</u>	<u>Electrocution</u>	<u>Lethal gas</u>	<u>Hanging</u>	<u>Firing Squad</u>
Alabama ^a	Alabama ^a	Arizona ^{a,b}	Delaware ^{a,c}	Idaho ^a
Arizona ^{a,b}	Arkansas ^{a,d}	California ^a	New Hampshire ^{a,e}	Oklahoma ^f
Arkansas ^{a,d}	Florida ^a	Missouri ^a	Washington ^a	Utah ^g
California ^a	Illinois ^{a,h}	Wyoming ⁱ		
Colorado	Kentucky ^{a,j}			
Connecticut	Oklahoma ^f			
Delaware ^{a,c}	South Carolina ^a			
Florida ^a	Tennessee ^{a,k}			
Georgia	Virginia ^a			
Idaho ^a				
Illinois ^a				
Indiana				
Kansas				
Kentucky ^{a,j}				
Louisiana				
Maryland				
Mississippi				
Missouri ^a				
Montana				
Nevada				
New Hampshire ^a				
New Mexico				
New York				
North Carolina				
Ohio				
Oklahoma ^a				
Oregon				
Pennsylvania				
South Carolina ^a				
South Dakota				
Tennessee ^{a,k}				
Texas				
Utah ^a				
Virginia ^a				
Washington ^a				
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 execution method is that of the State in which the conviction took place (18 U.S.C. 3596). In February 2008, the Nebraska Supreme Court ruled that electrocution violated the state's constitution. As of 12/31/2008, Nebraska had no authorized method of execution.

^aAuthorizes two methods of execution.

^bAuthorizes lethal injection for persons sentenced after November 15, 1992; inmates sentenced before that date may select lethal injection or gas.

^cAuthorizes lethal injection for those whose capital offense occurred on or after June 13, 1986; those who committed the offense before that date may select lethal injection or hanging.

^dAuthorizes lethal injection for those whose offense occurred on or after July 4, 1983; inmates whose offense occurred before that date may select lethal injection or electrocution.

^eAuthorizes hanging only if lethal injection cannot be given.

^fAuthorizes electrocution if lethal injection is held to be unconstitutional, and firing squad if both lethal injection and electrocution are held to be unconstitutional.

^gAuthorizes firing squad if lethal injection is held unconstitutional. Inmates who selected execution by firing squad prior to May 3, 2004, may still be entitled to execution by that method.

^hAuthorizes electrocution only if lethal injection is held illegal or unconstitutional.

ⁱAuthorizes lethal gas if lethal injection is held to be unconstitutional.

^jAuthorizes lethal injection for persons sentenced on or after March 31, 1998; inmates sentenced before that date may select lethal injection or electrocution.

^kAuthorizes lethal injection for those whose capital offense occurred after December 31, 1998; those who committed the offense before that date may select electrocution by written waiver.

Table 3. Federal capital offenses, 2008

Statute	Description
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;
18 U.S.C. 1201	murder of a state correctional officer.
18 U.S.C. 1203	Murder during a kidnapping.
18 U.S.C. 1203	Murder during a hostage taking.
18 U.S.C. 1503	Murder of a court officer or juror.
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 kidnapping 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 kidnapping.
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.

Table 4. Prisoners under sentence of death, by region, jurisdiction, and race, 2007 and 2008

Region and jurisdiction	Prisoners under sentence of death, 12/31/07			Received under sentence of death, 2008			Removed from death row (excluding executions), 2008 ^a			Executed, 2008			Prisoners under sentence of death, 12/31/08		
	Total ^b	White ^c	Black ^c	Total ^b	White ^c	Black ^c	Total ^b	White ^c	Black ^c	Total ^b	White ^c	Black ^c	Total ^b	White ^c	Black ^c
	U.S. total	3,215	1,806	1,338	111	65	44	82	53	27	37	20	17	3,207	1,798
Federal ^d	48	21	26	3	2	1	0	0	0	0	0	0	51	23	27
State	3,167	1,785	1,312	108	63	43	82	53	27	37	20	17	3,156	1,775	1,311
Northeast	233	84	139	7	4	3	6	3	2	0	0	0	234	85	140
Connecticut	9	4	5	1	0	1	0	0	0	0	0	0	10	4	6
New Hampshire	0	0	0	1	0	1	0	0	0	0	0	0	1	0	1
New York	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Pennsylvania	224	80	134	5	4	1	6	3	2	0	0	0	223	81	133
Midwest	272	144	125	14	8	6	14	8	6	2	1	1	270	143	124
Illinois	13	8	5	3	3	0	1	1	0	0	0	0	15	10	5
Indiana	14	11	3	0	0	0	1	1	0	0	0	0	13	10	3
Kansas	7	3	4	2	2	0	1	1	0	0	0	0	8	4	4
Missouri	45	25	20	6	3	3	1	0	1	0	0	0	50	28	22
Nebraska	9	8	1	0	0	0	0	0	0	0	0	0	9	8	1
Ohio	181	86	92	3	0	3	10	5	5	2	1	1	172	80	89
South Dakota	3	3	0	0	0	0	0	0	0	0	0	0	3	3	0
South	1,732	952	757	58	33	25	49	32	16	35	19	16	1,706	934	750
Alabama	199	106	93	9	3	6	3	2	1	0	0	0	205	107	98
Arkansas	38	14	24	3	2	1	0	0	0	0	0	0	41	16	25
Delaware	19	10	9	1	0	1	0	0	0	0	0	0	20	10	10
Florida	388	255	133	16	11	5	12	10	2	2	1	1	390	255	135
Georgia	106	59	46	3	1	2	1	1	0	3	2	1	105	57	47
Kentucky	38	31	7	0	0	0	1	0	1	1	1	0	36	30	6
Louisiana	85	31	53	3	1	2	4	4	0	0	0	0	84	28	55
Maryland	5	1	4	0	0	0	0	0	0	0	0	0	5	1	4
Mississippi	65	32	32	0	0	0	3	2	1	2	2	0	60	28	31
North Carolina	166	69	88	1	0	1	6	3	3	0	0	0	161	66	86
Oklahoma	80	43	33	9	4	5	2	0	2	2	2	0	85	45	36
South Carolina	59	23	36	4	4	0	2	1	1	3	1	2	58	25	33
Tennessee	96	56	38	0	0	0	9	7	2	0	0	0	87	49	36
Texas	367	214	148	9	7	2	4	2	1	18	9	9	354	210	140
Virginia	21	8	13	0	0	0	2	0	2	4	1	3	15	7	8
West	930	605	291	29	18	9	13	10	3	0	0	0	946	613	297
Arizona	117	100	14	6	5	0	4	3	1	0	0	0	119	102	13
California	655	389	238	20	12	7	6	4	2	0	0	0	669	397	243
Colorado	1	0	1	1	0	1	0	0	0	0	0	0	2	0	2
Idaho	17	17	0	0	0	0	0	0	0	0	0	0	17	17	0
Montana	2	2	0	0	0	0	0	0	0	0	0	0	2	2	0
Nevada	82	50	31	1	0	1	2	2	0	0	0	0	81	48	32
New Mexico	2	2	0	0	0	0	0	0	0	0	0	0	2	2	0
Oregon	35	31	3	0	0	0	0	0	0	0	0	0	35	31	3
Utah	9	7	1	1	1	0	0	0	0	0	0	0	10	8	1
Washington	8	5	3	0	0	0	0	0	0	0	0	0	8	5	3
Wyoming	2	2	0	0	0	0	1	1	0	0	0	0	1	1	0

Note: Some figures shown for yearend 2007 are revised from those reported in *Capital Punishment, 2007 - Statistical Tables*, NCJ 224528. The revised figures include 6 inmates who were either reported late to the National Prisoner Statistics program or were not in custody of State correctional authorities on 12/31/07 (3 in Pennsylvania and 1 each in Georgia, Virginia, and Arizona). The revised figures also exclude 11 inmates who were relieved of a death sentence before 12/31/07 (5 in Texas and 1 each in Ohio, Florida, Kentucky, Louisiana, North Carolina, and Nevada).

^aIncludes 16 deaths from natural causes (3 each in Pennsylvania, Florida, and North Carolina; 2 each in Alabama and California; and 1 each in Ohio, Tennessee, and Nevada) and 7 deaths from suicide (2 each in Texas and California; and 1 each in Pennsylvania, Illinois, and Florida).

^bIncludes American Indians, Alaska Natives, Asians, Native Hawaiians, and other Pacific Islanders.

^cThe reporting of race and Hispanic origin differs from that presented in tables 8 and 10. In this table counts of white and black inmates include persons of Hispanic/Latino origin.

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

Table 5. Demographic characteristics of prisoners under sentence of death, 2008

Characteristic	Prisoners under sentence of death, 2008		
	Yearend	Admissions	Removals
Total inmates	3,207	111	119
Gender			
Male	98.2 %	97.3 %	99.2 %
Female	1.8	2.7	0.8
Race^a			
White	56.1 %	58.6 %	61.3 %
Black	41.7	39.6	37.0
All other races ^b	2.2	1.8	1.7
Hispanic origin			
Hispanic	13.2 %	19.8 %	8.1 %
Non-Hispanic	86.8	80.2	91.9
Number unknown	384	5	8
Education			
8th grade or less	13.5 %	17.1 %	19.2 %
9th-11th grade	36.5	31.7	36.4
High school graduate/GED	40.8	41.5	35.4
Any college	9.2	9.8	9.1
Median	12th	12th	11th
Number unknown	528	29	20
Marital status			
Married	22.2 %	18.3 %	20.2 %
Divorced/separated	20.1	19.5	27.9
Widowed	2.9	4.9	1.9
Never married	54.7	57.3	50.0
Number unknown	371	29	15

Note: Calculations are based on those cases for which data were reported. Detail may not add to total due to rounding.

^aIncludes persons of Hispanic/Latino origin.

^bAt yearend 2008, inmates in "all other races" consisted of 27 American Indians, 35 Asians, and 9 self-identified Hispanics. During 2008, 1 American Indian and 1 Asian were admitted; and 1 Asian and 1 self-identified Hispanic were removed.

Table 6. Hispanics and women under sentence of death, by jurisdiction, 2007 and 2008

Jurisdiction	Under sentence of death, 12/31/07 ^a		Received under sentence of death, 2008		Death sentence removed, 2008 ^b		Under sentence of death, 12/31/08	
	Hispanics	Women	Hispanics	Women	Hispanics	Women	Hispanics	Women
U.S. total	361	56	21	3	9	1	373	58
Federal	4	1	0	1	0	0	4	2
Alabama	1	4	1	0	0	0	2	4
Arizona	17	2	2	0	1	0	18	2
California	144	15	8	0	1	0	151	15
Connecticut	1	0	0	0	0	0	1	0
Delaware	2	0	0	0	0	0	2	0
Florida	32	0	1	1	0	0	33	1
Georgia	2	1	0	0	0	0	2	1
Idaho	1	1	0	0	0	0	1	1
Illinois	2	0	0	0	0	0	2	0
Indiana	1	1	0	0	0	0	1	1
Kentucky	1	1	0	0	0	0	1	1
Louisiana	1	2	1	0	0	0	2	2
Mississippi	0	3	0	0	0	0	0	3
Nebraska	3	0	0	0	0	0	3	0
Nevada	7	0	0	0	0	0	7	0
New Mexico	1	0	0	0	0	0	1	0
North Carolina	4	5	0	0	0	0	4	5
Ohio	5	2	0	0	0	1	5	1
Oklahoma	2	1	0	0	0	0	2	1
Oregon	2	0	0	0	0	0	2	0
Pennsylvania	21	5	2	0	2	0	21	5
South Carolina	0	0	1	0	0	0	1	0
Tennessee	1	2	0	0	0	0	1	2
Texas	104	9	4	1	5	0	103	10
Utah	2	0	1	0	0	0	3	0
Virginia	0	1	0	0	0	0	0	1

^aThe count of Hispanics under sentence of death at yearend 2007 has been revised.

^bIncludes 3 Hispanic men in Texas who were executed in 2008.

Table 7. Age at time of arrest for capital offense and age of prisoners under sentence of death at yearend 2008

Age	Prisoners under sentence of death			
	At time of arrest		On December 31, 2008	
	Number*	Percent	Number	Percent
Total number under sentence of death on 12/31/08	2,957	100 %	3,207	100 %
19 or younger	311	10.5	0	
20-24	811	27.4	44	1.4
25-29	682	23.1	222	6.9
30-34	507	17.1	388	12.1
35-39	317	10.7	564	17.6
40-44	172	5.8	543	16.9
45-49	93	3.1	575	17.9
50-54	36	1.2	394	12.3
55-59	21	0.7	245	7.6
60-64	5	0.2	161	5.0
65 or older	2	0.1	71	2.2
Mean age	29 yrs.		43 yrs.	
Median age	27 yrs.		43 yrs.	

Note: The youngest person under sentence of death was a black male in Texas, born in June 1988 and sentenced to death in June 2007. 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 250 inmates for whom the date of arrest for capital offense was not available.

Table 8. Criminal history profile of prisoners under sentence of death, by race and Hispanic origin, 2008

	Percent of prisoners under sentence of death ^a			
	All ^b	White ^c	Black ^c	Hispanic
U.S. total	100 %	100 %	100 %	100 %
Prior felony convictions				
Yes	65.5 %	61.8 %	71.1 %	61.7 %
No	34.5	38.2	28.9	38.3
Number unknown	260			
Prior homicide convictions				
Yes	8.3 %	8.4 %	8.7 %	6.5 %
No	91.7	91.6	91.3	93.5
Number unknown	52			
Legal status at time of capital offense				
Charges pending	7.8 %	8.9 %	7.5 %	5.0 %
Probation	10.6	8.9	12.3	11.5
Parole	15.3	13.2	16.3	19.8
On escape	1.4	1.9	0.9	1.5
Incarcerated	3.7	4.1	3.6	2.7
Other status	0.4	0.4	0.4	0.3
None	60.8	62.6	59.0	59.3
Number unknown	347			

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

Detail may not add to total because of rounding.

^bIncludes American Indians, Alaska Natives, Asians, Native Hawaiians, and other Pacific Islanders.

^cExcludes persons of Hispanic/Latino origin.

**Table 9. Number of persons executed,
by jurisdiction, 1930-2008**

Jurisdiction	Number executed	
	Since 1930	Since 1977
U.S. total	4,995	1,136
Texas	720	423
Georgia	409	43
New York	329	0
North Carolina	306	43
California	305	13
Florida	236	66
South Carolina	202	40
Ohio	200	28
Virginia	194	102
Alabama	173	38
Mississippi	164	10
Louisiana	160	27
Pennsylvania	155	3
Oklahoma	148	88
Arkansas	145	27
Missouri	128	66
Kentucky	106	3
Illinois	102	12
Tennessee	97	4
New Jersey	74	0
Maryland	73	5
Arizona	61	23
Indiana	60	19
Washington	51	4
Colorado	48	1
Nevada	41	12
District of Columbia	40	0
West Virginia	40	0
Federal system	36	3
Massachusetts	27	0
Delaware	26	14
Connecticut	22	1
Oregon	21	2
Utah	19	6
Iowa	18	0
Kansas	15	0
Montana	9	3
New Mexico	9	1
Wyoming	8	1
Nebraska	7	3
Idaho	4	1
Vermont	4	0
South Dakota	2	1
New Hampshire	1	0

Table 10. Executions and other dispositions of inmates sentenced to death, by race and Hispanic origin, 1977-2008

Race/Hispanic origin	Total under sentence of death 1977-2008 ^b	Prisoners executed		Prisoners who received other dispositions ^a	
		Number	Percent of total	Number	Percent of total
Total	7,658	1,136	14.8 %	3,315	43.3 %
White ^c	3,726	648	17.4 %	1,631	43.8
Black ^c	3,139	390	12.4	1,421	45.3
Hispanic	673	84	12.5	216	32.1
All other races ^{c,d}	120	14	11.7	47	39.2

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

^bIncludes 6 persons sentenced to death prior to 1977 who were still under sentence of death on 12/31/08; 374 persons sentenced to death prior to 1977 whose death sentence was removed between 1977 and 12/31/08; and 7,278 persons sentenced to death between 1977 and 2008.

^cExcludes persons of Hispanic/Latino origin.

^dIncludes American Indians, Alaska Natives, Asians, Native Hawaiians, and other Pacific Islanders.

Table 11. Time under sentence of death and execution, by race, 1977-2008

Year of execution	Number executed			Average elapsed time from sentence to execution for all inmates
	All races ^a	White ^b	Black ^b	
Total	1,136	728	393	128 mo
1977-83	11	9	2	51 mo
1984	21	13	8	74
1985	18	11	7	71
1986	18	11	7	87
1987	25	13	12	86
1988	11	6	5	80
1989	16	8	8	95
1990	23	16	7	95
1991	14	7	7	116
1992	31	19	11	114
1993	38	23	14	113
1994	31	20	11	122
1995	56	33	22	134
1996	45	31	14	125
1997	74	45	27	133
1998	68	48	18	130
1999	98	61	33	143
2000	85	49	35	137
2001	66	48	17	142
2002	71	53	18	127
2003	65	44	20	131
2004	59	39	19	132
2005	60	41	19	147
2006	53	32	21	145
2007	42	28	14	153
2008	37	20	17	139

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

^aIncludes American Indians, Alaska Natives, Asians, Native Hawaiians, and other Pacific Islanders.

^bIncludes persons of Hispanic/Latino origin.

**Table 12. Women under sentence of death,
by race and jurisdiction, 12/31/2008**

Jurisdiction	All races ^a	White ^b	Black ^b
Total	58	40	15
California	15	11	2
Texas	10	6	4
Pennsylvania	5	2	3
North Carolina	5	2	2
Alabama	4	2	2
Mississippi	3	3	0
Federal	2	2	0
Louisiana	2	1	1
Tennessee	2	2	0
Arizona	2	2	0
Ohio	1	1	0
Florida	1	1	0
Georgia	1	1	0
Kentucky	1	1	0
Oklahoma	1	1	0
Virginia	1	1	0
Idaho	1	1	0
Indiana	1	0	1

^aIncludes American Indians, Alaska Natives, Asians, Native Hawaiians, and other Pacific Islanders.

^bExcludes persons of Hispanic/Latino origin.

Table 13. Persons under sentence of death, by gender, race, and Hispanic origin, 12/31/2008

	Persons under sentence of death	
	Male	Female
White	1,758	40
Hispanic	347	4
Black	1,323	15
Hispanic	10	0
All other races*	68	3
Hispanic	10	2

*Includes American Indians, Alaska Natives, Asians, Native Hawaiians, and other Pacific Islanders.

Table 14. Number of inmates received under sentence of death, 1993-2008

Year	Inmates received
1993	295
1994	328
1995	326
1996	323
1997	281
1998	306
1999	284
2000	235
2001	167
2002	169
2003	154
2004	140
2005	138
2006	122
2007	119
2008	111

**Table 15. Number of persons executed,
by year, 1977-2008**

Year	Number of inmates executed
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
1996	45
1997	74
1998	68
1999	98
2000	85
2001	66
2002	71
2003	65
2004	59
2005	60
2006	53
2007	42
2008	37

Table 16. Number of persons executed, by race, Hispanic origin, and method, 1977-2008

Method of execution	Number of persons executed				
	White*	Black*	Hispanic	American Indian*	Asian*
Total	648	390	84	8	6
Lethal injection	553	317	82	7	6
Electrocution	82	70	2	1	0
Lethal gas	8	3	0	0	0
Hanging	3	0	0	0	0
Firing squad	2	0	0	0	0

*Excludes persons of Hispanic/Latino origin.

Table 17. Elapsed time since sentencing for inmates under sentence of death on 12/31/2008, by gender, race, and Hispanic origin

Inmates under sentence of death	Elapsed time since sentencing	
	Mean	Median
Total	147 mo	141 mo
Male	148	142
Female	110	107
White*	150	145
Black*	149	144
Hispanic	131	122

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

*Excludes persons of Hispanic/Latino origin.

**Table 18. Advance count of executions:
January 1, 2009 - December 31, 2009**

Jurisdiction	Number of executions
Texas	24
Alabama	6
Ohio	5
Georgia	3
Oklahoma	3
Virginia	3
Florida	2
South Carolina	2
Tennessee	2
Indiana	1
Missouri	1
Total	52

Note: Of the 52 execution carried out during this period, 51 were by lethal injection; 1 execution in Virginia was carried out by electrocution.