



Capital Punishment, 2010 – Statistical Tables

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At yearend 2010, 36 states and the Federal Bureau of Prisons held 3,158 inmates under sentence of death, 15 fewer inmates than at yearend 2009. This represents the tenth consecutive year that the number of inmates under sentence of death has decreased.

Four States (California, Florida, Texas, and Pennsylvania) held more than half of all inmates on death row as of December 31, 2010. The Federal Bureau of Prisons held 58 inmates on death row.

Of those under sentence of death at yearend, 55% were white and 42% were black. The 388 Hispanic inmates under sentence of death accounted for 14% of inmates with a known ethnicity. Ninety-eight percent of inmates under sentence of death were male, and 2% were female. The race and gender of those under sentence of death has remained relatively unchanged since 2000.

During 2010, 119 inmates were removed from under sentence: 46 were executed, 20 died by means other than execution, and 53 were removed as a result of sentences or convictions overturned or commutations

of sentences. A total of 104 inmates were received under sentence of death during 2010, representing the smallest number of admissions since 1973 when 44 persons were admitted.

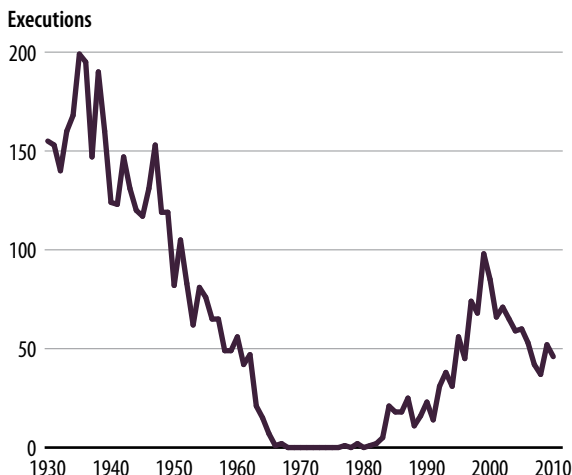
During 2010, 22 states and the Federal Bureau of Prisons received 104 prisoners under sentence of death. Admissions in California (24), Florida (14), Arizona (9), and Texas (8) accounted for 53% of those sentenced to death in 2010.

Twelve states executed 46 inmates during 2010, 6 fewer inmates than in 2009. The inmates executed in 2010 had been under sentence of death an average of 14 years and 10 months, which was 9 months longer than those executed in 2009.

Of the 7,879 people under sentence of death between 1977 and 2010, 16% had been executed, 6% died by causes other than execution, and 39% received other dispositions.*

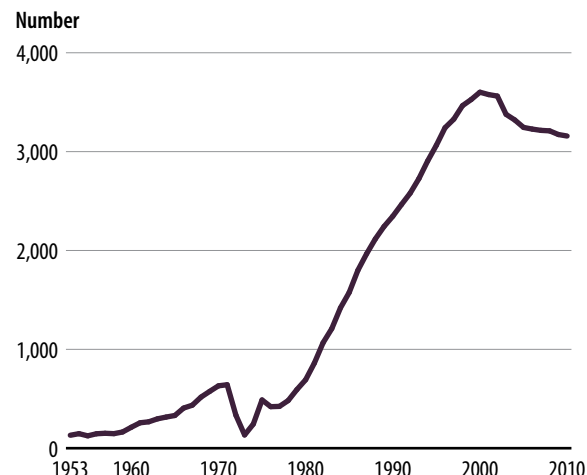
*Following the U.S. Supreme Court's approval of revised statutes in some states (*Gregg v. Georgia*), executions of inmates resumed in 1977.

FIGURE 1
Number of persons executed in the United States,
1930–2010



Source: BJS, National Prisoner Statistics Program.

FIGURE 2
Number of persons under sentence of death,
1953–2010



Source: BJS, National Prisoner Statistics Program.

Four states revised capital statutes in 2010

At yearend 2010, the death penalty was authorized by 36 states and the federal government (table 1). While New Mexico repealed the death penalty in 2009 (Laws 2009, ch. 11 § 5), the repeal was not retroactive. As of December 31, 2010, New Mexico held two men under previously imposed death sentences, and one person was awaiting sentencing with the state seeking the death penalty.

During 2010, four states revised statutory provisions relating to the death penalty:

South Carolina—Amended the list of aggravating factors to include murder committed while in the commission of trafficking in persons (§ 16-3-20(c)(a)(1)(c)), effective June 11, 2010.

Tennessee—Added as an aggravating circumstance the intentional murder of a pregnant woman when it was known by the defendant that the victim was pregnant (Tenn. Code Ann § 39-13-204(i)(16)), effective July 1, 2010.

Utah—Revised the minimum sentence required in capital felony cases in which the jury does not reach a unanimous decision to impose a death sentence. The minimum sentence was increased from an indeterminate sentence of 20 years to life to an indeterminate sentence of 25 years to life (Utah Code Ann § 76-3-207 and § 76-5-202), effective May 11, 2010.

Virginia—Revised the definition of capital murder to include fire marshals, auxiliary police officers, and auxiliary deputy sheriffs among law enforcement officers killed while performing official duties (Va Code § 18.2-31(6)), effective July 1, 2010.

Lethal injection was authorized by all states with capital statutes

As of December 31, 2010, all 36 states with death penalty statutes authorized lethal injection as a method of execution (table 2).

In addition to lethal injection, 16 states authorized an alternative method of execution. Nine states authorized electrocution; three states, lethal gas; three states, hanging; and two states, firing squad.

For states that authorize multiple methods of execution, the method is generally selected by the condemned prisoner. Five of the 16 states stipulated which method must be used depending on either the date of the offense or sentencing. One state authorized hanging only if lethal injection could not be given. Five states authorized alternative methods if lethal injection is ruled to be unconstitutional: one authorized hanging, one state authorized electrocution, one authorized electrocution or firing squad, one authorized firing squad, and one authorized lethal gas.

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 (18 U.S.C. 3596).

Executions in 2011

Between January 1 and December 19, 2011, 13 states executed 43 inmates, which was 3 fewer than the number executed as of the same date in 2010.

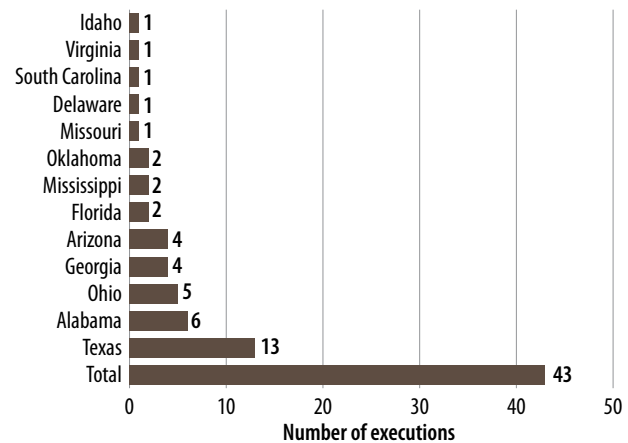
Three states accounted for more than half of the executions carried out during this period: Texas executed 13 inmates; Alabama executed 6; and Ohio executed 5.

Of the 43 executions carried out during this period, all were by lethal injection.

No women were executed during this period.

FIGURE 3

Advance count of executions, January 1, 2011–December 19, 2011



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 corrections in each jurisdiction currently authorizing capital punishment, and 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 are available on the BJS website at www.bjs.gov.

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 report may differ from data collected by other organizations for a variety of reasons: (1) NPS-8 adds inmates to the population under sentence of death not at sentencing but at the time they are admitted to a state or federal correctional facility; (2) if inmates entered prison under a death sentence or were reported as being relieved of a death sentence in one year but the court had acted in the previous year, the counts are adjusted to reflect the dates of court decisions (See note on table 4 for the affected jurisdictions.); and (3) NPS-8 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.

2010 Statistical Tables

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TABLE 1
Capital offenses, by state, 2010

State	Offense	State	Offense
Alabama	Intentional murder with 18 aggravating factors (Ala. Stat. Ann. 13A-5-40(a)(1)-(18)).	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).
Arizona	First-degree murder, including pre-meditated murder and felony murder, accompanied by at least 1 of 14 aggravating factors (A.R.S. § 13-703(F)).	Nebraska	First-degree murder with a finding of at least 1 statutorily-defined aggravating circumstance.
Arkansas	Capital murder (Ark. Code Ann. 5-10-101) with a finding of at least 1 of 10 aggravating circumstances; treason.	Nevada	First-degree murder with at least 1 of 15 aggravating circumstances (NRS 200.030, 200.033, 200.035).
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.	New Hampshire	Murder committed in the course of rape, kidnapping, or drug crimes; killing of a police officer, judge, or prosecutor; murder for hire; murder by an inmate while serving a sentence of life without parole (RSA 630:1, RSA 630:5).
Colorado	First-degree murder with at least 1 of 17 aggravating factors; first-degree kidnapping resulting in death; treason.	New York*	First-degree murder with 1 of 13 aggravating factors (NY Penal Law §125.27).
Connecticut	Capital felony with 8 forms of aggravated homicide (C.G.S. § 53a-54b).	North Carolina	First-degree murder (NCGS §14-17).
Delaware	First-degree murder (11 Del. C. § 636) with at least 1 statutory aggravating circumstance (11 Del. C. § 4209).	Ohio	Aggravated murder with at least 1 of 10 aggravating circumstances (O.R.C. secs. 2903.01, 2929.02, and 2929.04).
Florida	First-degree murder; felony murder; capital drug trafficking; capital sexual battery.	Oklahoma	First-degree murder in conjunction with a finding of at least 1 of 8 statutorily-defined aggravating circumstances.
Georgia	Murder; kidnapping with bodily injury or ransom when the victim dies; aircraft hijacking; treason.	Oregon	Aggravated murder (ORS 163.095-150).
Idaho	First-degree murder with aggravating factors; first-degree kidnapping; perjury resulting in death.	Pennsylvania	First-degree murder with 18 aggravating circumstances.
Illinois	First-degree murder with 1 of 21 aggravating circumstances (720 ILCS 5/9-1).	South Carolina	Murder with 1 of 12 aggravating circumstances (§ 16-3-20(C)(a)).
Indiana	Murder with 16 aggravating circumstances (IC 35-50-2-9).	South Dakota	First-degree murder with 1 of 10 aggravating circumstances.
Kansas	Capital murder with 8 aggravating circumstances (KSA 21-3439, KSA 21-4625, KSA 21-4636).	Tennessee	First-degree murder with 1 of 16 aggravating circumstances (Tenn. Code Ann. § 39-13-204).
Kentucky	Murder with aggravating factors; kidnapping with aggravating factors (KRS 532.025).	Texas	Criminal homicide with 1 of 9 aggravating circumstances (Tex. Penal Code § 19.03).
Louisiana	First-degree murder; treason (La. R.S. 14:30 and 14:113).	Utah	Aggravated murder (76-5-202, Utah Code Annotated).
Maryland	First-degree murder, either premeditated or during the commission of a felony, provided that certain death eligibility requirements are satisfied.	Virginia	First-degree murder with 1 of 15 aggravating circumstances (VA Code § 18.2-31).
Mississippi	Capital murder (Miss. Code Ann. § 97-3-19(2)); aircraft piracy (Miss. Code Ann. § 97-25-55(1)).	Washington	Aggravated first-degree murder.
Missouri	First-degree murder (565.020 RSMO 2000).	Wyoming	First-degree murder; murder during the commission of sexual assault, sexual abuse of a minor, arson, robbery, burglary, escape, resisting arrest, kidnapping, or abuse of a minor under 16 (W.S.A. § 6-2-101(a)).

*The 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.

Source: BJS, National Prisoner Statistics Program.

TABLE 2
Method of execution, by state, 2010

Jurisdiction	Lethal injection	Electrocution	Lethal gas	Hanging	Firing squad
Total	36	9	3	3	2
Alabama	X	X			
Arizona ^a	X		X		
Arkansas ^b	X	X			
California	X				
Colorado	X				
Connecticut	X				
Delaware ^c	X			X	
Florida	X	X			
Georgia	X				
Idaho	X				
Illinois ^d	X	X			
Indiana	X				
Kansas	X				
Kentucky ^e	X	X			
Louisiana	X				
Maryland	X				
Mississippi	X				
Missouri	X		X		
Montana	X				
Nebraska	X				
Nevada	X				
New Hampshire ^f	X			X	
New York	X				
North Carolina	X				
Ohio	X				
Oklahoma ^g	X	X			X
Oregon	X				
Pennsylvania	X				
South Carolina	X	X			
South Dakota	X				
Tennessee ^h	X	X			
Texas	X				
Utah ⁱ	X				X
Virginia	X	X			
Washington	X			X	
Wyoming	X		X		

Note: The method of execution of federal prisoners is lethal injection, pursuant to 28 CFR, Part 26. For offenses prosecuted 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).

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

^bAuthorizes 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.

^cAuthorizes hanging if lethal injection is held to be unconstitutional by a court of competent jurisdiction.

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

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

^fAuthorizes hanging only if lethal injection cannot be given.

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

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

ⁱAuthorizes 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.

^jAuthorizes lethal gas if lethal injection is held to be unconstitutional.

Source: BJS, National Prisoner Statistics Program.

TABLE 3
Federal capital offenses, 2010

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; murder of a state correctional officer.
18 U.S.C. 1201	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, 2009 and 2010**

Region and jurisdiction	Prisoners under sentence of death, 12/31/09			Received under sentence of death, 2010			Removed from death row (excluding executions), 2010 ^a			Executed, 2010			Prisoners under sentence of death, 12/31/10		
	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	3,173	1,779	1,318	104	45	42	73	41	31	46	33	13	3,158	1,750	1,316
Federal ^d	56	26	29	3	3	0	1	0	1	0	0	0	58	29	28
State	3,117	1,753	1,289	101	42	42	72	41	30	46	33	13	3,100	1,721	1,288
Northeast	229	84	136	3	1	2	6	3	3	0	0	0	226	82	135
Connecticut	10	4	6	1	1	0	1	1	0	0	0	0	10	4	6
New Hampshire	1	0	1	0	0	0	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	218	80	129	2	0	2	5	2	3	0	0	0	215	78	128
Midwest	265	142	120	9	3	5	10	3	7	8	3	5	256	139	113
Illinois	14	10	4	1	1	0	0	0	0	0	0	0	15	11	4
Indiana	13	10	3	0	0	0	0	0	0	0	0	0	13	10	3
Kansas	9	5	4	0	0	0	1	0	1	0	0	0	8	5	3
Missouri	51	29	22	0	0	0	2	1	1	0	0	0	49	28	21
Nebraska	11	8	2	1	0	0	0	0	0	0	0	0	12	8	2
Ohio	165	78	85	7	2	5	7	2	5	8	3	5	157	75	80
South Dakota	2	2	0	0	0	0	0	0	0	0	0	0	2	2	0
South	1,661	912	726	45	21	22	41	22	18	35	27	8	1,630	884	722
Alabama	202	103	98	7	4	3	3	1	2	5	4	1	201	102	98
Arkansas	42	18	24	1	0	0	1	1	0	0	0	0	42	17	24
Delaware	17	9	8	0	0	0	0	0	0	0	0	0	17	9	8
Florida	390	256	134	14	6	8	11	8	3	1	1	0	392	253	139
Georgia	104	54	49	0	0	0	2	0	1	2	2	0	100	52	48
Kentucky	35	29	6	2	1	1	3	1	2	0	0	0	34	29	5
Louisiana	83	29	53	2	1	1	0	0	0	1	1	0	84	29	54
Maryland	5	1	4	0	0	0	0	0	0	0	0	0	5	1	4
Mississippi	60	28	31	4	2	2	1	1	0	3	3	0	60	26	33
North Carolina	159	65	86	4	3	1	5	2	3	0	0	0	158	66	84
Oklahoma	77	42	31	0	0	0	3	3	0	3	2	1	71	37	30
South Carolina	55	25	30	2	0	2	1	1	0	0	0	0	56	24	32
Tennessee	89	49	38	1	1	0	4	1	3	0	0	0	86	49	35
Texas	330	198	127	8	3	4	6	3	3	17	12	5	315	186	123
Virginia	13	6	7	0	0	0	1	0	1	3	2	1	9	4	5
West	962	615	307	44	17	13	15	13	2	3	3	0	988	616	318
Arizona	130	108	17	9	2	3	5	5	0	1	1	0	133	104	20
California	683	401	250	24	8	7	8	6	2	0	0	0	699	403	255
Colorado	2	0	2	1	0	1	0	0	0	0	0	0	3	0	3
Idaho	15	15	0	2	2	0	1	1	0	0	0	0	16	16	0
Montana	2	2	0	0	0	0	0	0	0	0	0	0	2	2	0
Nevada	78	46	31	4	3	1	1	1	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	31	27	3	3	1	1	0	0	0	0	0	0	34	28	4
Utah	10	8	1	0	0	0	0	0	0	1	1	0	9	7	1
Washington	8	5	3	1	1	0	0	0	0	1	1	0	8	5	3
Wyoming	1	1	0	0	0	0	0	0	0	0	0	0	1	1	0

Note: Some figures shown for yearend 2009 are revised from those reported in *Capital Punishment, 2009 - Statistical Tables*, BJS Web, NCJ 231676. The revised figures include 11 inmates who were either reported late to the National Prisoner Statistics program or were not in custody of state correctional authorities on December 31, 2009 (3 in Georgia, 2 in Arkansas, and 1 each in Alabama, Florida, Texas, Idaho, Nevada, and the Federal Bureau of Prisons) and exclude 11 inmates who were relieved of a death sentence before December 31, 2009 (3 in Nevada; 2 each in Illinois, Oklahoma, and Texas; and 1 each in Indiana, Florida, North Carolina, Arizona, and California). Data for December 31, 2009, also include 3 inmates who were erroneously reported as being removed from under sentence of death (1 each in Alabama, Florida, and North Carolina).

^aIncludes 15 deaths from natural causes (5 in Florida; 2 each in Pennsylvania, Texas, and California; and 1 each in Oklahoma, South Carolina, Tennessee, and Arizona), 4 deaths from suicide (1 each in Georgia, Texas, Arizona, and California), and 1 death from a drug overdose (California).

^bIncludes American Indians, Alaska Natives, Asians, Native Hawaiians, other Pacific Islanders, and Hispanic inmates for whom no other race was identified.

^cThe reporting of race and Hispanic origin differs from that presented in other tables in this document. 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.

Source: BJS, National Prisoner Statistics Program.

TABLE 5**Women under sentence of death, by region, jurisdiction, and race, 2009 and 2010**

Region and jurisdiction	Under sentence of death, 12/31/09			Received under sentence of death, 2010			Removed from death row, 2010			Executed, 2010			Under sentence of death, 12/31/10		
	Total ^a	White ^b	Black ^b	Total ^a	White ^b	Black ^b	Total ^a	White ^b	Black ^b	Total ^a	White ^b	Black ^b	Total ^a	White ^b	Black ^b
U.S. total	60	42	15	3	2	0	4	3	1	1	1	0	58	40	14
Federal	2	2	0	0	0	0	0	0	0	0	0	0	2	2	0
State	58	40	15	3	2	0	4	3	1	1	1	0	56	38	14
Northeast	5	2	3	0	0	0	1	1	0	0	0	0	4	1	3
Pennsylvania	5	2	3	0	0	0	1	1	0	0	0	0	4	1	3
Midwest	2	1	1	0	0	0	0	0	0	0	0	0	2	1	1
Indiana	1	0	1	0	0	0	0	0	0	0	0	0	1	0	1
Ohio	1	1	0	0	0	0	0	0	0	0	0	0	1	1	0
South	32	22	9	1	1	0	3	2	1	1	1	0	29	20	8
Alabama	5	3	2	0	0	0	1	0	1	0	0	0	4	3	1
Florida	1	1	0	0	0	0	0	0	0	0	0	0	1	1	0
Georgia	1	1	0	0	0	0	0	0	0	0	0	0	1	1	0
Kentucky	1	1	0	0	0	0	0	0	0	0	0	0	1	1	0
Louisiana	2	1	1	0	0	0	0	0	0	0	0	0	2	1	1
Mississippi	3	3	0	0	0	0	1	1	0	0	0	0	2	2	0
North Carolina	5	2	2	0	0	0	0	0	0	0	0	0	5	2	2
Oklahoma	1	1	0	0	0	0	0	0	0	0	0	0	1	1	0
Tennessee	2	2	0	0	0	0	1	1	0	0	0	0	1	1	0
Texas	10	6	4	1	1	0	0	0	0	0	0	0	11	7	4
Virginia	1	1	0	0	0	0	0	0	0	1	1	0	0	0	0
West	19	15	2	2	1	0	0	0	0	0	0	0	21	16	2
Arizona	2	2	0	0	0	0	0	0	0	0	0	0	2	2	0
California	16	12	2	2	1	0	0	0	0	0	0	0	18	13	2
Idaho	1	1	0	0	0	0	0	0	0	0	0	0	1	1	0

^aIncludes American Indians, Alaska Natives, Asians, Native Hawaiians, other Pacific Islanders, and Hispanic inmates for whom no other race was identified.

^bThe reporting of race and Hispanic origin differs from that presented in other tables in this document. In this table, counts of white and black inmates include persons of Hispanic/Latino origin.

Source: BJS, National Prisoner Statistics Program.

TABLE 6
Hispanics under sentence of death, by region and jurisdiction, 2009 and 2010

Region and jurisdiction	Under sentence of death, 12/31/09	Received under sentence of death, 2010	Removed from death row (excluding executions), 2010	Executed, 2010	Under sentence of death, 12/31/10
U.S. total	376	22	5	5	388
Federal	6	2	0	0	8
State	370	20	5	5	380
Northeast	21	0	0	0	21
Connecticut	1	0	0	0	1
Pennsylvania	20	0	0	0	20
Midwest	9	1	0	0	10
Illinois	2	0	0	0	2
Nebraska	4	1	0	0	5
Ohio	3	0	0	0	3
South	148	2	2	5	143
Alabama	2	0	0	0	2
Arkansas	0	1	0	0	1
Delaware	2	0	0	0	2
Florida	32	0	0	0	32
Georgia	2	0	0	0	2
Kentucky	1	0	0	0	1
Louisiana	2	0	0	0	2
North Carolina	4	0	0	0	4
Oklahoma	2	0	0	0	2
South Carolina	1	0	0	0	1
Tennessee	1	0	0	0	1
Texas	99	1	2	5	93
West	192	17	3	0	206
Arizona	20	6	0	0	26
California	157	10	3	0	164
Idaho	1	0	0	0	1
Nevada	8	0	0	0	8
New Mexico	1	0	0	0	1
Oregon	2	1	0	0	3
Utah	3	0	0	0	3

Note: The count of Hispanics under sentence of death at yearend 2009 has been revised from those reported in *Capital Punishment, 2009 - Statistical Tables*, BJS Web, NCJ 231676.

Source: BJS, National Prisoner Statistics Program.

TABLE 7**Inmates removed from under sentence of death, by method of removal, 2010**

Region and jurisdiction	Total	Execution	Other death	Appeals or higher courts overturned			Sentence commuted
				Capital statute	Conviction	Sentence	
U.S. total	119	46	20	2	8	38	5
Federal	1	0	0	0	0	1	0
State	118	46	20	2	8	37	5
Northeast	6	0	2	0	1	3	0
Connecticut	1	0	0	0	0	1	0
Pennsylvania	5	0	2	0	1	2	0
Midwest	18	8	0	0	0	7	3
Kansas	1	0	0	0	0	1	0
Missouri	2	0	0	0	0	2	0
Ohio	15	8	0	0	0	4	3
South	76	35	12	0	7	20	2
Alabama	8	5	0	0	0	3	0
Arkansas	1	0	0	0	0	1	0
Florida	12	1	5	0	4	2	0
Georgia	4	2	1	0	0	1	0
Kentucky	3	0	0	0	0	3	0
Louisiana	1	1	0	0	0	0	0
Mississippi	4	3	0	0	0	1	0
North Carolina	5	0	0	0	1	4	0
Oklahoma	6	3	1	0	1	0	1
South Carolina	1	0	1	0	0	0	0
Tennessee	4	0	1	0	1	1	1
Texas	23	17	3	0	0	3	0
Virginia	4	3	0	0	0	1	0
West	18	3	6	2	0	7	0
Arizona	6	1	2	0	0	3	0
California	8	0	4	0	0	4	0
Idaho	1	0	0	1	0	0	0
Nevada	1	0	0	1	0	0	0
Utah	1	1	0	0	0	0	0
Washington	1	1	0	0	0	0	0

Source: BJS, National Prisoner Statistics Program.

TABLE 8
Average time between sentencing and execution, 1977–2010

Year	Number of inmates executed	Average elapsed time from sentence to execution for all inmates
Total	1,234	131 mo.
1977	1	:
1979	2	:
1981	1	:
1982	2	:
1983	5	:
1984	21	74
1985	18	71
1986	18	87
1987	25	86
1988	11	80
1989	16	95
1990	23	95
1991	14	116
1992	31	114
1993	38	113
1994	31	122
1995	56	134
1996	45	125
1997	74	133
1998	68	130
1999	98	143
2000	85	137
2001	66	142
2002	71	127
2003	65	131
2004	59	132
2005	60	147
2006	53	145
2007	42	153
2008	37	139
2009	52	169
2010	46	178

Note: In 1972, the U.S. Supreme Court invalidated capital punishment statutes in several states (*Furman v. Georgia*, 408 U.S. 238 (1972)), effecting a moratorium on executions. Executions resumed in 1977 when the Supreme Court found that revisions to several state statutes had effectively addressed the issues previously held unconstitutional (*Gregg v. Georgia*, 428 U.S. 153 (1976) and its companion cases). Average time was calculated from the most recent sentencing date.

: Not calculated. A reliable average could not be generated from fewer than 10 cases.

Source: BJS, National Prisoner Statistics Program.

TABLE 9
Number of inmates executed, by race, 1977–2010

Year of execution	All executions	White ^a	Black ^a	Hispanic	All other races ^{a,b}
Total	1,234	700	424	96	14
1977	1	1	0	0	0
1979	2	2	0	0	0
1981	1	1	0	0	0
1982	2	1	1	0	0
1983	5	4	1	0	0
1984	21	13	8	0	0
1985	18	9	7	2	0
1986	18	9	7	2	0
1987	25	11	11	3	0
1988	11	6	5	0	0
1989	16	6	8	2	0
1990	23	16	7	0	0
1991	14	6	7	1	0
1992	31	17	11	2	1
1993	38	19	14	4	1
1994	31	19	11	1	0
1995	56	31	22	2	1
1996	45	29	14	2	0
1997	74	41	26	5	2
1998	68	40	18	8	2
1999	98	53	33	9	3
2000	85	43	35	6	1
2001	66	45	17	3	1
2002	71	47	18	6	0
2003	65	41	20	3	1
2004	59	36	19	3	1
2005	60	38	19	3	0
2006	53	25	20	8	0
2007	42	22	14	6	0
2008	37	17	17	3	0
2009	52	24	21	7	0
2010	46	28	13	5	0

Note: In 1972, the U.S. Supreme Court invalidated capital punishment statutes in several states (*Furman v. Georgia*, 408 U.S. 238 (1972)), effecting a moratorium on executions. Executions resumed in 1977 when the Supreme Court found that revisions to several state statutes had effectively addressed the issues previously held unconstitutional (*Gregg v. Georgia*, 428 U.S. 153 (1976) and its companion cases).

^aExcludes persons of Hispanic/Latino origin.

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

Source: BJS, National Prisoner Statistics Program.

TABLE 10
Executions, by state and method, 1977–2010

Jurisdiction	Number executed	Lethal injection	Electrocution	Lethal gas	Hanging	Firing squad
U.S. total	1,234	1,060	157	11	3	3
Federal	3	3	0	0	0	0
Alabama	49	25	24	0	0	0
Arizona	24	22	0	2	0	0
Arkansas	27	26	1	0	0	0
California	13	11	0	2	0	0
Colorado	1	1	0	0	0	0
Connecticut	1	1	0	0	0	0
Delaware	14	13	0	0	1	0
Florida	69	25	44	0	0	0
Georgia	48	25	23	0	0	0
Idaho	1	1	0	0	0	0
Illinois	12	12	0	0	0	0
Indiana	20	17	3	0	0	0
Kentucky	3	2	1	0	0	0
Louisiana	28	8	20	0	0	0
Maryland	5	5	0	0	0	0
Mississippi	13	9	0	4	0	0
Missouri	67	67	0	0	0	0
Montana	3	3	0	0	0	0
Nebraska	3	0	3	0	0	0
Nevada	12	11	0	1	0	0
New Mexico	1	1	0	0	0	0
North Carolina	43	41	0	2	0	0
Ohio	41	41	0	0	0	0
Oklahoma	94	94	0	0	0	0
Oregon	2	2	0	0	0	0
Pennsylvania	3	3	0	0	0	0
South Carolina	42	35	7	0	0	0
South Dakota	1	1	0	0	0	0
Tennessee	6	5	1	0	0	0
Texas	464	464	0	0	0	0
Utah	7	4	0	0	0	3
Virginia	108	78	30	0	0	0
Washington	5	3	0	0	2	0
Wyoming	1	1	0	0	0	0

Note: In 1972, the U.S. Supreme Court invalidated capital punishment statutes in several states (*Furman v. Georgia*, 408 U.S. 238 (1972)), effecting a moratorium on executions. Executions resumed in 1977 when the Supreme Court found that revisions to several state statutes had effectively addressed the issues previously held unconstitutional (*Gregg v. Georgia*, 428 U.S. 153 (1976) and its companion cases).

Source: BJS, National Prisoner Statistics Program.

TABLE 11
Number of persons executed, by jurisdiction, 1930–2010

Jurisdiction	Since 1930	Since 1977
U.S. total	5,093	1,234
Texas	761	464
Georgia	414	48
New York	329	0
North Carolina	306	43
California	305	13
Florida	239	69
Ohio	213	41
South Carolina	204	42
Virginia	200	108
Alabama	184	49
Mississippi	167	13
Louisiana	161	28
Pennsylvania	155	3
Oklahoma	154	94
Arkansas	145	27
Missouri	129	67
Kentucky	106	3
Illinois	102	12
Tennessee	99	6
New Jersey	74	0
Maryland	73	5
Arizona	62	24
Indiana	61	20
Washington	52	5
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	20	7
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

Note: Statistics on executions under civil authority have been collected by the federal government annually since 1930. These data exclude 160 executions carried out by military authorities between 1930 and 1961.

Source: BJS, National Prisoner Statistics Program.

TABLE 12

Prisoners under sentence of death on December 31, 2010, by jurisdiction and year of sentencing

Jurisdiction	Year of sentence for prisoners under sentence of death, 12/31/2010																				Under sentence of death, 12/31/10	Average number of years under sentence of death as of 12/31/10
	1974-1982	1983-1984	1985-1986	1987-1988	1989-1990	1991-1992	1993-1994	1995-1996	1997-1998	1999-2000	2001-2002	2003-2004	2005-2006	2007-2008	2009	2010						
Total	108	96	113	151	162	221	242	309	321	299	224	233	234	224	117	104	3,158	13.1				
California	36	29	28	42	54	56	52	74	64	73	38	32	39	29	29	24	699	14.6				
Florida	32	16	13	27	22	39	36	27	26	32	17	18	26	31	16	14	392	14.8				
Texas	10	6	2	10	10	21	13	21	25	40	42	49	23	26	9	8	315	11.4				
Arizona	5	4	4	11	9	12	13	7	7	1	1	12	12	12	14	9	133	12.5				
Georgia	5	0	4	5	5	10	7	8	20	11	3	5	5	9	3	0	100	14.0				
Nevada	4	7	5	6	5	4	4	16	7	7	0	3	3	4	2	4	81	15.8				
Tennessee	4	6	9	5	6	6	1	7	11	5	10	7	3	2	3	1	86	15.7				
Alabama	3	1	4	6	9	7	16	20	27	17	13	13	27	22	9	7	201	10.9				
Mississippi	3	0	0	0	4	4	7	6	6	6	9	3	4	2	2	4	60	12.1				
Pennsylvania	2	6	16	17	16	17	26	19	18	19	15	9	12	13	8	2	215	14.6				
Kentucky	1	3	3	2	0	3	4	1	4	5	2	1	3	0	0	2	34	15.2				
Missouri	1	1	2	1	0	4	1	7	7	3	4	4	5	7	2	0	49	11.4				
Idaho	1	0	2	1	1	2	1	2	0	0	1	2	1	0	0	2	16	14.6				
Arkansas	1	0	0	0	1	3	7	5	6	5	3	1	2	5	2	1	42	11.9				
Ohio	0	9	14	10	11	11	8	19	19	9	13	10	8	8	1	7	157	14.5				
Maryland	0	3	0	0	0	0	0	1	1	0	0	0	0	0	0	0	5	:				
South Carolina	0	3	0	0	3	0	2	3	6	5	6	9	7	8	2	2	56	9.5				
Oklahoma	0	1	1	2	1	1	2	5	9	11	6	11	8	11	2	0	71	9.6				
Montana	0	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	2	:				
Louisiana	0	0	3	4	1	3	4	13	18	13	7	5	5	3	3	2	84	12.1				
Utah	0	0	1	1	1	1	1	2	0	1	0	0	0	1	0	0	9	:				
Nebraska	0	0	1	0	0	0	0	2	0	2	1	1	2	1	1	1	12	9.1				
North Carolina	0	0	1	0	2	8	28	34	25	22	11	8	9	4	2	4	158	12.6				
Indiana	0	0	0	1	0	0	1	0	2	2	2	1	2	1	1	0	13	9.8				
Connecticut	0	0	0	0	1	2	0	1	0	0	0	0	2	3	0	1	10	9.6				
Oregon	0	0	0	0	0	3	2	4	5	5	3	4	3	2	0	3	34	10.2				
Delaware	0	0	0	0	0	2	2	0	1	0	5	3	3	1	0	0	17	9.9				
Washington	0	0	0	0	0	1	1	1	2	0	2	0	0	0	0	1	8	:				
Federal System	0	0	0	0	0	0	2	2	4	4	6	12	13	8	4	3	58	6.7				
South Dakota	0	0	0	0	0	0	1	0	1	0	0	0	0	0	0	0	2	:				
Colorado	0	0	0	0	0	0	0	1	0	0	0	0	0	1	0	1	3	:				
New Mexico	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	2	:				
Virginia	0	0	0	0	0	0	0	0	0	1	1	2	3	2	0	0	9	:				
Kansas	0	0	0	0	0	0	0	0	0	0	2	2	1	2	1	0	8	:				
Illinois	0	0	0	0	0	0	0	0	0	0	0	5	3	5	1	1	15	4.3				
Wyoming	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	:				
New Hampshire	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1	:				

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

: Not calculated. A reliable average could not be generated from fewer than 10 cases.

Source: BJS, National Prisoner Statistics Program.

TABLE 13**Executions and other dispositions of inmates sentenced to death, by race and Hispanic origin, 1977–2010**

Race/Hispanic origin	Total under sentence of death 1977–2010 ^b	Prisoners executed		Prisoners who received other dispositions ^a	
		Number	Percent of total	Number	Percent of total
Total	7,879	1,234	15.7%	3,487	44.3%
White ^c	3,816	700	18.3%	1,710	44.8%
Black ^c	3,225	424	13.1	1,497	46.4
Hispanic	715	96	13.4	231	32.3
All other races ^{c,d}	123	14	11.4	49	39.8

Note: In 1972, the U.S. Supreme Court invalidated capital punishment statutes in several states (*Furman v. Georgia*, 408 U.S. 238 (1972)), effecting a moratorium on executions. Executions resumed in 1977 when the Supreme Court found that revisions to several state statutes had effectively addressed the issues previously held unconstitutional (*Gregg v. Georgia*, 428 U.S. 153 (1976) and its companion cases).

^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 5 persons sentenced to death prior to 1977 who were still under sentence of death on December 31, 2010; 374 persons sentenced to death prior to 1977 whose death sentence was removed between 1977 and December 31, 2010; and 7,500 persons sentenced to death between 1977 and 2010.

^cExcludes persons of Hispanic/Latino origin.

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

Source: BJS, National Prisoner Statistics Program.

TABLE 14**Prisoners sentenced to death and the outcome of sentence, by year of sentencing, 1973–2010**

Year of sentence	Number sentenced to death	Number of prisoners removed from under sentence of death							Number under sentence of death, 12/31/2010
		Execution	Other death	Appeal or higher courts overturned			Sentence commuted	Other or unknown reasons	
				Death penalty statute	Conviction	Sentence			
Total, 1973-2010	8,221	1,234	436	522	850	1,618	369	34	3,158
1973	42	2	0	14	9	8	9	0	0
1974	149	11	4	65	15	30	22	1	1
1975	298	6	5	171	24	67	21	2	2
1976	232	14	6	136	17	42	15	0	2
1977	137	19	5	40	26	33	7	0	7
1978	185	36	7	21	36	65	8	0	12
1979	151	28	15	2	28	59	6	1	12
1980	173	45	15	4	30	52	12	0	15
1981	223	57	15	0	42	81	12	1	15
1982	267	67	23	0	40	82	12	1	42
1983	252	68	24	1	29	70	15	2	43
1984	285	69	21	2	46	73	13	8	53
1985	261	50	14	1	43	88	13	4	48
1986	301	74	25	1	50	67	14	5	65
1987	287	56	27	7	45	75	8	7	62
1988	289	59	18	1	35	73	14	0	89
1989	256	44	19	0	33	60	13	1	86
1990	251	47	19	2	36	53	17	1	76
1991	268	42	13	2	37	61	11	0	102
1992	286	45	19	0	28	54	21	0	119
1993	287	64	21	3	21	42	15	0	121
1994	313	69	12	10	34	52	15	0	121
1995	312	59	20	6	19	42	13	0	153
1996	315	41	17	4	21	61	15	0	156
1997	266	30	10	3	19	39	11	0	154
1998	294	40	10	4	22	42	9	0	167
1999	277	27	13	8	21	35	10	0	163
2000	224	23	10	4	11	31	9	0	136
2001	158	13	9	3	5	24	2	0	102
2002	165	13	4	3	2	16	5	0	122
2003	151	12	7	1	5	11	0	0	115
2004	139	2	0	1	5	12	1	0	118
2005	139	1	4	0	3	8	0	0	123
2006	125	1	2	0	5	5	1	0	111
2007	120	0	2	2	7	1	0	0	108
2008	121	0	1	0	1	3	0	0	116
2009	118	0	0	0	0	1	0	0	117
2010	104	0	0	0	0	0	0	0	104

Note: In 1972, the U.S. Supreme Court invalidated capital punishment statutes in several states (*Furman v. Georgia*, 408 U.S. 238 (1972)), effecting a moratorium on executions. Executions resumed in 1977 when the Supreme Court found that revisions to several state statutes had effectively addressed the issues previously held unconstitutional (*Gregg v. Georgia*, 428 U.S. 153 (1976) and its companion cases). Some inmates executed since 1977 or currently under sentence of death were sentenced prior to 1977. For those persons sentenced to death more than once, the numbers are based on the most recent death sentence.

Source: BJS, National Prisoner Statistics Program.

TABLE 15**Number sentenced to death and number of removals, by jurisdiction and reason for removal, 1973-2010**

Jurisdiction	Total sentenced to death, 1973-2010	Number of removals, 1973-2010					Under sentence of death, 12/31/10
		Executed	Died	Sentence or conviction overturned	Sentence commuted	Other removals	
U.S. Total	8,221	1,234	436	2,990	369	34	3,158
Federal	69	3	0	7	1	0	58
Alabama	420	49	31	137	2	0	201
Arizona	293	24	16	112	7	1	133
Arkansas	113	27	3	39	2	0	42
California	951	13	77	147	15	0	699
Colorado	22	1	2	15	1	0	3
Connecticut	12	1	0	3	0	0	10
Delaware	56	14	0	25	0	0	17
Florida	992	69	58	453	18	2	392
Georgia	322	48	17	147	9	1	100
Idaho	42	1	3	19	3	0	16
Illinois	307	12	15	97	156	12	15
Indiana	100	20	4	55	6	2	13
Kansas	12	0	0	4	0	0	8
Kentucky	83	3	6	38	2	0	34
Louisiana	240	28	6	114	7	1	84
Maryland	53	5	3	36	4	0	5
Massachusetts	4	0	0	2	2	0	0
Mississippi	192	13	5	111	0	3	60
Missouri	182	67	10	54	2	0	49
Montana	15	3	2	6	2	0	2
Nebraska	33	3	4	12	2	0	12
Nevada	152	12	15	40	4	0	81
New Hampshire	1	0	0	0	0	0	1
New Jersey	52	0	3	33	8	8	0
New Mexico	28	1	1	19	5	0	2
New York	10	0	0	10	0	0	0
North Carolina	532	43	21	302	8	0	158
Ohio	409	41	20	173	18	0	157
Oklahoma	350	94	13	168	4	0	71
Oregon	60	2	2	22	0	0	34
Pennsylvania	401	3	26	151	6	0	215
Rhode Island	2	0	0	2	0	0	0
South Carolina	205	42	6	98	3	0	56
South Dakota	5	1	1	1	0	0	2
Tennessee	222	6	16	107	5	2	86
Texas	1,049	464	41	173	55	1	315
Utah	27	7	1	9	1	0	9
Virginia	150	108	6	15	11	1	9
Washington	39	5	1	25	0	0	8
Wyoming	12	1	1	9	0	0	1
Percent of inmates sentenced to death, 1973-2010	100%	15.0%	5.3%	36.4%	4.5%	0.4%	38.4%

Note: In 1972, the U.S. Supreme Court invalidated capital punishment statutes in several states (*Furman v. Georgia*, 408 U.S. 238 (1972)), effecting a moratorium on executions. Executions resumed in 1977 when the Supreme Court found that revisions to several state statutes had effectively addressed the issues previously held unconstitutional (*Gregg v. Georgia*, 428 U.S. 153 (1976) and its companion cases). Some inmates executed since 1977 or currently under sentence of death were sentenced prior to 1977. For those persons sentenced to death more than once, the numbers are based on the most recent death sentence.

Source: BJS, National Prisoner Statistics Program.

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