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Bureau of Justice Statistics Bulletin

Capital Punishment 1992

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Thirteen States executed 31 prisoners during 1992. The number of persons executed was more than double the 14 executed in 1991, and it was the largest for any year since the U.S. Supreme Court reinstated capital punishment in 1976. The prisoners executed during 1992 had been under sentence of death an average of 9 years and 6 months, about 2 months shorter than the average for inmates executed the previous year.

During 1992, 265 prisoners under a sentence of death were received by State prison systems from the courts. In that year 117 persons had their death sentence overturned, 2 had their sentences commuted, and 7 died while under a death sentence.

At yearend 1992, 34 States and the Federal prison system held a total of 2,575 prisoners under sentence of death, 4.5% more than at yearend 1991. All prisoners under sentence of death on December 31, 1992, had been convicted of murder. The median time since the death sentence was imposed for the 2,575 prisoners was 5 years and 7 months.

For those prisoners with a known criminal history, nearly 7 in 10 under sentence of death had a prior felony conviction; about 1 in 11 had a prior homicide conviction. Approximately 2 in 5 prisoners convicted of a capital crime had a criminal justice status when they committed the offense. Nearly half of these were on parole, while the others had charges pending, were on probation, were prison inmates or escapees, or had some other criminal justice status. Slightly more than 15%

Status of the death penalty, December 31, 1992

Executions during 1992	Number of prisoners under sentence of death	Jurisdictions without a death penalty
Texas 12	Texas 344	Alaska
Virginia 4	California 332	District of Columbia
Alabama 2	Florida 312	Hawaii
Arkansas 2	Pennsylvania 153	Iowa
Florida 2	Illinois 145	Kansas
Oklahoma 2	Alabama 124	Maine
Arizona 1	Ohio 121	Massachusetts
California 1	Oklahoma 120	Michigan
Delaware 1	Arizona 103	Minnesota
Missouri 1	Georgia 101	New York
North Carolina 1	29 other jurisdictions 720	North Dakota
Utah 1		Rhode Island
Wyoming 1		Vermont
Total 31	Total 2,575	West Virginia
		Wisconsin

Figure 1

of persons sentenced to death between 1988 and 1992 had received two or more death sentences.

The majority, 1,508 (58.6%), of those under sentence of death were white; 1,029 (40.0%) were black; 24 (0.9%) were American Indian; and 14 (0.5%) were Asian American. The 196 Hispanic inmates under sentence of death accounted for 7.6% of those inmates for whom Hispanic origin was known. Thirty-six (1.4%) of the persons under a death sentence were women. The median age of all inmates under a death sentence was 35 years and the median age at which they had been sentenced to death was 29 years.

Approximately 56% of those under sentence of death were held by States in the South. Western States had an additional 22%; Midwestern States, 16%; and the Northeastern States of Connecticut, New Jersey, and Pennsylvania, 6%. Texas held the largest number of death row inmates (344), followed by California (332), Florida

December 1993

For 63 years the Federal Government has published annual statistical descriptions of capital punishment. The capital punishment data series, which covers all persons sentenced to death since 1973, includes information about individuals (demographic characteristics and criminal history) and information about death sentences (time to execution and population movements).

With this Bulletin we salute a Bureau of the Census employee who retires after 20 years of administering the capital punishment statistical series. We thank Arlene Rasmussen for her excellent work. We know that the State officials in corrections departments and attorneys general offices who have worked with Mrs. Rasmussen will, as we, miss her unflinching helpfulness and thoroughness.

Lawrence A. Greenfeld
Acting Director

Persons under sentence of death, 1953-92

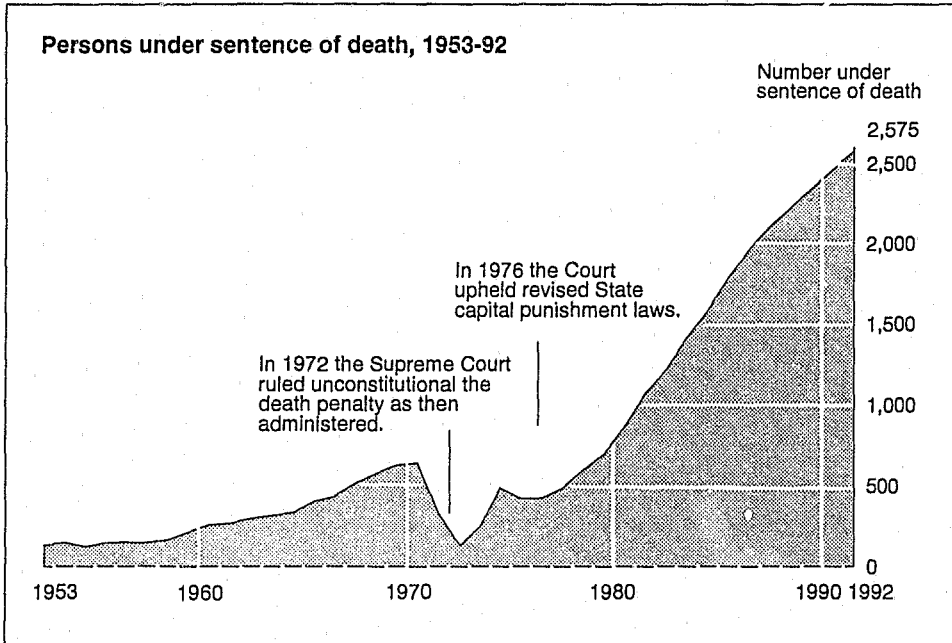


Figure 2

(312), and Illinois (145). One prisoner was in Federal custody under a death sentence on December 31, 1992.

Between January 1 and December 31, 1992, 28 State prison systems received 265 prisoners under sentence of death. California (37 admissions), Texas (31), Florida (27), and North Carolina (22) accounted for 44% of the inmates entering prison under a death sentence during the year.

A total of 13 States executed 31 persons in 1992: 12 in Texas; 4 in Virginia; 2 each in Alabama, Arkansas, Florida, and Oklahoma; and 1 each in Arizona, California, Delaware, Missouri, North Carolina, Utah, and Wyoming. Fifteen were white non-Hispanic; 10 were black non-Hispanic; 2 were white Hispanics; 2 were white with Hispanic origin unknown; 1 was black with Hispanic origin unknown; and 1 was Native American. Twenty-one of the executions were carried out by lethal injection, 8 by electrocution, and 2 by lethal gas.

From January 1, 1977, to December 31, 1992, a total of 188 executions took place in 20 States. Of these 102 (54.3%) were white, 73 (38.8%) were black, 12 (6.4%) were Hispanic, and 1 (0.5%) was Native American. During 1977-92, a total of 3,979 persons entered State prisons under sentences of death, among whom 2,320 (58.3%) were white, 1,598 (40.2%) were black, and 61 (1.5%) were of other races. Also during 1977-92, 1,598 removals from a death sentence occurred as a result of dispositions other than execution (resentencing, retrial, commutation, or

death while awaiting execution). Of those removed from under a death sentence, 827 (51.7%) were white, 673 (42.1%) were black, 22 (1.4%) were Native American or Asian American, and 76 (4.8%) were Hispanic.

Capital punishment laws

During 1992, five States revised statutory provisions relating to the death penalty (table 1). Nearly all of the changes involved greater specification of circumstances in which capital punishment may be applied, some broadening and some narrowing provisions in the previous law.

In one State, Tennessee, the State supreme court struck those parts of the death penalty statute related to the application of aggravating circumstances for felony murder. Also, the Tennessee legislature modified the death penalty statute to specify further a defendant's right of appeal. By State, the statutory changes were as follows:

Montana — Amended the statute defining juvenile offenders and mandating treatment of juvenile offenders transferred to adult authorities (41-5-206). Juveniles under age 16 may not be confined in State prison. Effective July 1, 1992, with juvenile court approval, a minor can be tried in adult court. If death may be imposed for the crime, a judge can consider such penalty. However, age is a mitigating factor in such cases.

New Jersey — Amended the State constitution (Article 1, paragraph 12). Effective December 12, 1992, the amendment includes inflicting bodily harm causing death as an interpretation of "knowingly or purposely causing death" — thereby broadening the constitutional definition of intent to cause death.

South Carolina — Revised its capital punishment statute to define mental retardation and to specify it as a mitigating circumstance in punishment for murder. [16-3-20(C)b]. The provisions apply only to defendants mentally retarded at the time of the crime. Mental retardation is defined as "significantly subaverage general intellectual functioning existing concurrently with deficits in adaptive behavior and manifested during the developmental period." The revision was effective July 1, 1992.

Tennessee — The Supreme Court [in *State v. Middlebrooks*, 840 S.W. 2d. 317(1992)] struck in part the application of the death penalty. An aggravating circumstance of felony murder was held to be unconstitutionally applied where the defendant's conviction is based solely on felony murder theory. The effective date was September 8, 1992.

Tennessee's capital punishment statute was also revised to specify that whenever the death penalty is imposed for first degree murder, the defendant has the right of direct appeal to the court of criminal appeals. Upon being affirmed by the court of criminal appeals, the case must be automatically reviewed by the Tennessee Supreme Court, taking priority over other cases, and according to the rules of that court (39-13-206), effective May 1, 1992.

Utah — Amended its capital punishment statute, effective April 7, 1992, from *death or life in prison* to *death or life in prison without parole* (Utah 76-3-206).

Table 1. Capital offenses, by State, 1992

Alabama. Murder during kidnaping, robbery, rape, sodomy, burglary, sexual assault, or arson; murder of a peace officer, correctional officer, or public official; murder while under a life sentence; murder for pecuniary gain or contract; aircraft piracy; murder by a defendant with a previous murder conviction; murder of a witness to a crime; murder when a victim is subpoenaed in a criminal proceeding, when the murder is related to the role of the victim as a witness; murder when a victim is less than 14 years old; murder in which a victim is killed while in a dwelling by a deadly weapon fired from outside the dwelling; murder in which a victim is killed while in a motor vehicle by a deadly weapon fired from outside that vehicle; murder in which a victim is killed by a deadly weapon fired from a motor vehicle (13A-5-40).

Arizona. First-degree murder.

Arkansas. Capital murder as defined by Arkansas statute (5-10-101). Felony murder; arson causing death; intentional murder of a law enforcement officer; murder of prison, jail, court, or correctional personnel or of military personnel acting in line of duty; multiple murders; intentional murder of a public officeholder or candidate; intentional murder while under life sentence; contract murder.

California. Treason; homicide by a prisoner serving a life term; first-degree murder with special circumstances; train wrecking; perjury causing execution.

Colorado. First-degree murder; kidnaping with death of victim; felony murder.

Connecticut. Murder of a public safety or correctional officer; murder for pecuniary gain; murder in the course of a felony; murder by a defendant with a previous conviction for intentional murder; murder while under a life sentence; murder during a kidnaping; illegal sale of cocaine, methadone, or heroin to a person who dies from using these drugs; murder during first-degree sexual assault; multiple murders.

Delaware. First-degree murder with aggravating circumstances.

Florida. First-degree murder; capital felonies (FS 921.141); capital drug trafficking felonies (FS 921.142).

Georgia. Murder; kidnaping with bodily injury when the victim dies; aircraft hijacking; treason; kidnaping for ransom when the victim dies.

Idaho. First-degree murder; aggravated kidnaping.

Illinois. Murder accompanied by at least 1 of 11 aggravating factors.

Indiana. Murder with 12 aggravating circumstances.

Kentucky. Aggravated murder; kidnaping when victim is killed.

Louisiana. 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.

Mississippi. Capital murder includes murder of a peace officer or correctional officer, murder while under a life sentence, murder by bomb or explosive, contract murder, murder committed during specific felonies (rape, burglary, kidnaping, arson, robbery, sexual battery, unnatural intercourse with a child, nonconsensual unnatural intercourse), and murder of an elected official. Capital rape is the forcible rape of a child under 14 years old by a person 18 years or older. Aircraft piracy.

Missouri. First-degree murder (565.020 RSMO).

Montana. Deliberate homicide; aggravated kidnaping when victim or rescuer dies; attempted deliberate homicide, aggravated assault, or aggravated kidnaping by a State prison inmate who has a prior conviction for deliberate homicide or who has been previously declared a persistent felony offender (46-18-303,MCA).

Nebraska. First-degree murder.

Nevada. First-degree murder.

New Hampshire. Contract murder; murder of a law enforcement officer; murder of a kidnaping victim; killing another after being sentenced to life imprisonment without parole.

New Jersey. Purposeful or knowing murder; contract murder.

New Mexico. First-degree murder; felony murder with aggravating circumstances.

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

Ohio. Assassination; contract murder; murder during escape; murder while in a correctional facility; murder after conviction for a prior purposeful killing or prior attempted murder; murder of a peace officer; murder arising from specified felonies (rape, kidnaping, arson, robbery, burglary); murder of a witness to prevent testimony in a criminal proceeding or in retaliation (O.R.C. secs. 2929.02, 2903.01, 2929.04).

Oklahoma. Murder with malice aforethought; murder arising from specified felonies (forcible rape, robbery with a dangerous weapon, kidnaping, escape from lawful custody, first-degree burglary, arson); murder when the victim is a child who has been injured, tortured, or maimed.

Oregon. Aggravated murder.

Pennsylvania. First-degree murder.

South Carolina. Murder with statutory aggravating circumstances.

South Dakota. First-degree murder; kidnaping with gross permanent physical injury inflicted on the victim; felony murder.

Tennessee. First-degree murder.

Texas. Murder of a public safety officer, fireman, or correctional employee; murder during the commission of specified felonies (kidnaping, burglary, robbery, aggravated rape, arson); murder for remuneration; multiple murders; murder during prison escape; murder by a State prison inmate.

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

Virginia. Murder during the commission or attempts to commit specified felonies (abduction, armed robbery, rape, sodomy); contract murder; murder by a prisoner while in custody; murder of a law enforcement officer; multiple murders; murder of a child under 12 years during an abduction; murder arising from drug violations (18.2-31, Virginia Code as amended).

Washington. Aggravated first-degree premeditated murder.

Wyoming. First-degree murder, including felony murder.

Method of execution

No State changed its method of execution during 1992, although some jurisdictions considered modifications to take effect after the end of the year. As of December 31, 1992, lethal injection (22 States) and electrocution (12 States) remained the principal methods (table 2). Six States authorized lethal gas; three States, hanging; and two States, a firing squad. Ten States authorized more than one method — lethal injection and an alternative method — generally at the election of the condemned prisoner; 3 of these 10, however, stipulated which method must be used, depending on the date of sentencing, and 1 authorized hanging only if lethal injection could not be given.

Some States stipulated an alternative to lethal injection, anticipating that it may be found unconstitutional. Each of the other four methods, previously challenged on eighth amendment grounds as cruel and unusual punishment, has been found to be constitutional. The method of execution for Federal offenders is that of the State in which the inmate was sentenced. If that State makes no provision for the death penalty, the trial court designates another State.

Automatic review

Of the 36 States with capital punishment statutes at yearend 1992, 35 provided for review of all death sentences regardless of the defendant's wishes. Arkansas had no specific provisions for automatic review. The Federal death penalty procedures do not provide for automatic review after a sentence of death is imposed. While most of the 35 States authorized an automatic review of both the conviction and sentence, Idaho, Indiana, and Montana require review of the sentence only. In Idaho, review of the conviction must be appealed or forfeited. In Indiana a defendant may waive review of the conviction.

The review is usually conducted by the State's highest appellate court regardless of the defendant's wishes. (In Maryland and Wyoming the question of whether a defendant may waive the right to automatic review of the sentence has not been addressed.) If either the conviction or the sentence is vacated, the case may be remanded to the trial court for additional proceedings or for retrial. As a result of retrial or resentencing, the death sentence may be reimposed.

Table 2. Method of execution, by State, 1992

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

Note: Federal executions are to be carried out according to the method of the State in which the inmate was sentenced.

^aAuthorizes 2 methods of execution.

^bArkansas authorizes lethal injection for those whose capital offense occurred after 7/4/83; for those whose offense occurred before that date, the condemned prisoner may select lethal injection or electrocution.

^cColorado authorizes lethal gas for those whose crimes occurred before 7/1/88 and lethal injection for those whose crimes occurred on or after 7/1/88.

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

^eMississippi authorizes lethal injection for those convicted after 7/1/84; execution of those convicted prior to that date is to be carried out with lethal gas.

Table 3. Minimum age authorized for capital punishment, yearend 1992

Age less than 18	Age 18	None specified
Alabama (16)	California	Arizona
Arkansas (14) ^a	Colorado	Delaware
Georgia (17)	Connecticut ^b	Florida
Indiana (16)	Illinois	Idaho
Kentucky (16)	Maryland	Montana
Louisiana (16)	Nebraska	Pennsylvania
Mississippi (16) ^c	New Jersey	South Carolina
Missouri (16)	New Mexico	Washington
Nevada (16)	Ohio	
New Hampshire (17)	Oregon	
North Carolina (17) ^d	Tennessee	
Oklahoma (16)	Federal system	
South Dakota ^e		
Texas (17)		
Utah (14)		
Virginia (15)		
Wyoming (16)		

Note: Ages at the time of the capital offense were indicated by the offices of the State attorneys general.

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

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

^cMinimum age defined by statute is 13, but effective age is 16 based on an interpretation of U.S. Supreme

Court decisions by the State attorney general's office.

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

^eAge 10, but only after a transfer hearing to try a juvenile as an adult.

Minimum age

During 1992 no State changed its laws relating to the minimum age for capital punishment. Eight jurisdictions did not specify a minimum age for which the death penalty may be imposed (table 3). In some States the minimum age was set

forth in the statutory provisions that determine the age at which a juvenile may be transferred to criminal court for trial as an adult. Eleven States and the Federal death penalty required a minimum age of 18; the remaining jurisdictions indicated various ages of eligibility between 14 and 17.

Prisoners under sentence of death at yearend 1992

Thirty-four States and the Federal prison system held a total of 2,575 prisoners under sentence of death on December 31, 1992, a gain of 110, or 4.5% more than at the end of 1991 (table 4). Seven States, which had 36% of the adult resident population, reported 58% of the Nation's capital sentence population: Texas (344), California (332), Florida (312), Illinois (145), Alabama (124), Ohio (121), and Oklahoma (120). Of the 35 jurisdictions

with statutes authorizing the death penalty, New Hampshire and Wyoming had no one under a capital sentence, and South Dakota, New Mexico, and the Federal prison system had 1 prisoner each.

Fifty-six percent of all inmates under sentence of death were in Southern States — a region that contained 35% of the Nation's adults. For the West the percentages of all persons under sentence of death and of all adults in the residential population were about the same, whereas for the Northeast and Midwest the

percentages of the population sentenced to execution were smaller than the percentages of the total adult population.

	U.S. resident population age 16 or over	Population of persons under death sentence
U.S. total	100%	100%
Northeast*	20	6
Midwest*	24	16
South	35	56
West	21	22

*Four of the nine States in the Northeast and 6 of the 12 States in the Midwest do not authorize capital sentences.

In all four regions the number of prisoners under sentence of death increased during

Table 4. Prisoners under sentence of death, by region, State, and race, yearend 1991 and 1992

Region and State	Prisoners under sentence of death 12/31/91			Received under sentence of death			Removed from death row (excluding executions) ^a			Executed			Prisoners under sentence of death 12/31/92		
	Total ^b	White ^c	Black ^c	Total	White	Black	Total	White	Black	Total	White	Black	Total	White	Black
U.S. total	2,465	1,449	979	265	147	114	124	69	45	31	19	11	2,575	1,508	1,029
Federal ^d	1	1	0	0	0	0	0	0	0	0	0	0	1	1	0
State	2,464	1,448	979	265	147	114	124	69	45	31	19	11	2,574	1,507	1,029
Northeast	146	57	87	16	3	13	2	0	2	0	0	0	160	60	98
Connecticut	4	2	2	0	0	0	0	0	0	0	0	0	4	2	2
New Hampshire	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
New Jersey	4	2	2	0	0	0	1	0	1	0	0	0	3	2	1
Pennsylvania	138	53	83	16	3	13	1	0	1	0	0	0	153	56	95
Midwest	379	184	193	42	23	19	9	4	5	1	1	0	411	202	207
Illinois	132	48	84	16	8	8	3	1	2	0	0	0	145	55	90
Indiana	50	34	16	4	3	1	4	2	2	0	0	0	50	35	15
Missouri	77	45	32	7	3	4	1	0	1	1	1	0	82	47	35
Nebraska	12	8	3	0	0	0	0	0	0	0	0	0	12	8	3
Ohio	108	49	58	14	8	6	1	1	0	0	0	0	121	56	64
South Dakota	0	0	0	1	1	0	0	0	0	0	0	0	1	1	0
South	1,418	844	554	149	79	66	102	56	36	26	15	10	1,439	852	566
Alabama	118	60	57	15	5	9	7	2	5	2	1	1	124	62	60
Arkansas	34	22	12	4	4	0	4	3	1	2	1	1	32	22	10
Delaware	7	3	4	5	0	4	0	0	0	1	1	0	11	2	8
Florida	310	201	109	27	16	11	23	16	7	2	1	1	312	200	112
Georgia	102	54	48	8	4	4	9	4	5	0	0	0	101	54	47
Kentucky	29	23	6	3	2	1	3	3	0	0	0	0	29	22	7
Louisiana	37	17	20	7	1	6	0	0	0	0	0	0	44	18	26
Maryland	15	1	14	2	1	1	2	0	2	0	0	0	15	2	13
Mississippi	47	17	30	4	2	2	9	2	7	0	0	0	42	17	25
North Carolina	73	40	31	22	13	8	18	9	8	1	1	0	76	43	31
Oklahoma	124	83	31	5	2	3	7	6	0	2	1	1	120	78	33
South Carolina	41	20	21	2	2	0	2	1	1	0	0	0	41	21	20
Tennessee	97	67	28	7	3	4	5	3	2	0	0	0	99	67	30
Texas	337	210	122	31	19	11	12	7	5	12	6	5	344	216	123
Virginia	47	26	21	7	5	2	1	0	1	4	3	1	49	28	21
West	521	363	145	58	42	16	11	9	2	4	3	1	564	393	158
Arizona	98	86	9	8	7	1	2	2	0	1	1	0	103	90	10
California ^e	300	181	111	37	24	13	4	3	1	1	1	0	332	201	123
Colorado	3	3	0	0	0	0	0	0	0	0	0	0	3	3	0
Idaho	21	21	0	2	2	0	0	0	0	0	0	0	23	23	0
Montana	6	4	0	2	2	0	0	0	0	0	0	0	8	6	0
Nevada	60	41	19	2	0	2	0	0	0	0	0	0	62	41	21
New Mexico	1	1	0	0	0	0	0	0	0	0	0	0	1	1	0
Oregon	9	8	1	6	6	0	4	3	1	0	0	0	11	11	0
Utah	12	9	3	0	0	0	1	1	0	1	0	1	10	3	2
Washington	10	8	2	1	1	0	0	0	0	0	0	0	11	9	2
Wyoming	1	1	0	0	0	0	0	0	0	1	1	0	0	0	0

Note: States not listed and the District of Columbia did not authorize the death penalty as of 12/31/91. Some figures shown for yearend 1991 are revised from those reported in *Capital Punishment 1991*, NCJ-136946. The revised figures include 17 inmates who were either reported late to the National Prisoner Statistics Program or were not in the custody of State correctional authorities on 12/31/91 (5 in Florida, 3 in Texas, 2 each in California and Illinois, and 1 each in

Arizona, Georgia, Indiana, Mississippi, and Pennsylvania), and exclude 31 who were relieved of the death sentence on or before 12/31/91 (6 each in Texas and Florida, 5 in Mississippi, 3 each in California, Ohio, and South Carolina, and 1 each in Alabama, Georgia, Illinois, Kentucky, and Maryland). ^aIncludes 5 deaths due to natural causes (1 each in Alabama, California, Florida, Ohio, and Texas) and 2 suicides (1 in California and the other in Florida).

^bTotals include persons of other races.

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

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

^eRace has been changed from that originally reported for 2 inmates: 1 from black to white, and 1 from white to Asian.

Table 5. Hispanics and women under sentence of death, by State, 1991 and 1992

	Under sentence of death, 12/31/91		Received under sentence of death		Death sentence removed*		Under sentence of death, 12/31/92	
	Hispanics	Women	Hispanics	Women	Hispanics	Women	Hispanics	Women
U.S. total	185	37	20	6	7	7	196	36
Alabama	0	5	0	0	0	0	0	5
Arizona	20	1	1	0	0	0	21	1
Arkansas	1	0	0	0	0	0	1	0
California	39	2	8	1	2	0	45	3
Colorado	1	0	0	0	0	0	1	0
Florida	31	2	1	2	1	1	31	3
Georgia	1	0	0	0	0	0	1	0
Idaho	1	0	0	0	0	0	1	0
Illinois	8	2	1	1	0	0	9	3
Indiana	2	1	0	0	0	0	2	1
Kentucky	0	1	0	0	0	1	0	0
Mississippi	1	2	0	0	0	2	1	0
Missouri	1	2	0	1	0	0	1	3
Nevada	7	1	0	0	0	0	7	1
North Carolina	2	5	0	0	0	2	2	3
Ohio	5	3	0	0	0	0	5	3
Oklahoma	5	4	0	0	0	0	5	4
Oregon	0	0	1	0	0	0	1	0
Pennsylvania	2	1	1	1	0	0	3	2
South Carolina	0	1	0	0	0	1	0	0
Tennessee	1	1	0	0	0	0	1	1
Texas	55	3	6	0	4	0	55	3
Utah	2	0	0	0	0	0	2	0
Virginia	0	0	1	0	0	0	1	0

*No women were executed during 1992.
Two Hispanics were executed during 1992 in Texas.

1992. The number rose by 21, or 1.5% in the South. In the Northeast it rose by 14 inmates, or 9.6%. Slightly smaller gains occurred in the Midwest (8.4% and 32 additional offenders) and the West (8.3% and 43 additional offenders).

Seven States had fewer inmates under sentence of death at yearend 1992 than a year earlier: Mississippi reported the largest decline (5), followed by Oklahoma with 4 fewer, Arkansas and Utah each with 2 fewer, and New Jersey, Georgia, and Wyoming each with 1 fewer.

During 1992 the number of blacks under sentence of death rose by 50, or 5.1%; the number of whites rose by 59 or 4.1%; and the number of persons of other races (American Indians and Asians or Pacific Islanders) rose by 1, or 2.7%.

The number of Hispanics sentenced to death rose from 185 to 196 during 1992 (table 5). Twenty Hispanics were received under sentence of death, 7 were removed from that status, and 2 were executed. More than three-fourths of the Hispanics were in 4 States: Texas (55), California (45), Florida (31), and Arizona (21).

During 1992 the number of women sentenced to be executed decreased by one. Six women were received under sentence of death, seven were removed, and none was executed. Women were incarcerated in 14 States, with Alabama (5), and Oklahoma (4) holding the most.

State	Women under sentence of death 12/31/92		
	Total	White	Black
Total	36	22	14
North Carolina	3	2	1
Alabama	5	3	2
Oklahoma	4	3	1
California	3	3	0
Florida	3	2	1
Illinois	3	1	2
Missouri	3	3	0
Ohio	3	0	3
Texas	3	2	1
Pennsylvania	2	0	2
Arizona	1	1	0
Indiana	1	1	0
Nevada	1	0	1
Tennessee	1	1	0

Men were 98% (2,539) of all prisoners under sentence of death (table 6). Whites predominated (58.6%); blacks comprised 40.0%; and the 1.4% of other races included 24 American Indians and 14 Asian Americans. Among those for whom Hispanic origin was known, 7.6% were Hispanic.

The sex, race, and Hispanic origin of those under sentence of death at yearend 1992 were as follows:

	White	Black	Other
Male	1,486	1,015	38
Hispanic	181	10	2
Female	22	14	0
Hispanic	2	1	0

Among inmates under sentence of death on December 31, 1992, for whom information on education was available, nearly three-fourths had either completed high school (36.8%) or finished 9th, 10th, or 11th grade (37.0%). A slightly higher percentage had attended some college (10.2%) than had not gone beyond 7th grade (8.0%). The median level of education was 11th grade. Of inmates under a capital sentence and with a reported marital status, nearly half had never married; somewhat more than a fourth were married when they were sentenced; and a fourth were divorced, separated, or widowed.

Among all inmates under sentence of death, 45.3% were age 30 to 39 on December 31, 1992, and 61.7% were age 25 to 39 (table 7). The median age was 35 years. Less than 1% were younger than 20, and about 3.3% were age 55 or older. The youngest inmate under sentence of death was age 17 (born April 1975); the oldest was 78 (born December 1914). More than half of all inmates under sentence of death at yearend 1992 were age 20 to 29 at the time of their sentencing.

Entries and removals of persons under sentence of death

Between January 1 and December 31, 1992, 28 State prison systems reported receiving 265 prisoners under sentence of death. Forty-four percent of the inmates were received in four States: California (37), Texas (31), Florida (27) and North Carolina (22). All 265 prisoners who had been received under sentence of death had been convicted of murder; 143 were white men, 112 were black men, 3 were Native American men, 1 was an Asian American man, 4 were white women and 2 were black women. Eighteen of the 265 new admissions were Hispanic men and 2 were Hispanic women.

Twenty-one States reported a total of 117 persons whose sentence of death was overturned. Appeals courts vacated 69 sentences while upholding the convictions and vacated 45 sentences while overturning the convictions. Florida (19 exits) had the largest number of vacated capital sentences. Indiana reported one removal by post-conviction relief, and North Carolina and Virginia each reported one commutation of a death sentence.

As of December 31, 1992, 51 of the 117 were serving a reduced sentence (46 to life imprisonment, 4 to a sentence of more than 20 years, and 1 to 20 years or less), 33 were awaiting a new trial, 29 were awaiting resentencing, 2 had further prosecution dropped, 1 was found not guilty, and 1 was removed by an unspecified method.

In addition, seven persons died while under sentence of death in 1992. Five of these deaths resulted from natural causes — one each in Alabama, California, Florida, Ohio, and Texas. Two suicides occurred — one in California and one in Florida.

Following the Supreme Court's reinstatement of the death penalty, between 1977 and 1992, a total of 3,979 persons entered State prisons under sentences of death; 1,598 persons had their death sentences removed as the result of appellate court decisions and higher court reviews, commutations, or death while under sentence; and 188 persons were executed.¹

Among individuals who received a death sentence between 1977 and 1992, 2,320 (58.3%) were white, 1,598 (40.2%) were black, and 61 (1.5%) were of other races. Among those removed from a death sentence other than by execution, 827 (51.7%) were white, 673 (42.1%) were black, 22 (1.4%) were Native American or Asian American, and 76 (4.8%) were Hispanic. Of the 188 executed, 102 (54.3%) were white, 73 (38.8%) were black, 12 (6.4%) were Hispanic, and 1 (0.5%) was Native American.

¹Over time an individual may have entered and been removed from a capital sentence more than once.

Table 6. Demographic characteristics of prisoners under sentence of death, 1992

Characteristic	Prisoners under sentence of death, 1992		
	Yearend	Admissions	Removals
Total number under sentence of death	2,575	265	155
Sex			
Male	98.6%	97.7%	95.5%
Female	1.4	2.3	4.5
Race			
White	58.6%	55.5%	56.8%
Black	40.0	43.0	41.3
Other*	1.4	1.5	1.9
Hispanic origin			
Hispanic	7.6%	8.3%	5.8%
Non-Hispanic	92.4	91.7	94.2
Education			
7th grade or less	8.0%	9.2%	7.3%
8th	8.0	4.8	8.0
9th-11th	37.0	37.5	40.1
12th	36.8	39.7	36.5
Any college	10.2	8.8	8.1
Median	11th grade	11th grade	11th grade
Marital status			
Married	27.6%	22.0%	34.5%
Divorced/separated	22.3	20.8	20.4
Widowed	2.7	3.8	4.2
Never married	47.4	53.4	40.9

Note: Percentage and median calculations are based on those cases for which data were reported. Missing data by category were as follows:

	1992		
	Yearend	Admissions	Removals
Hispanic origin	142	23	9
Education	315	36	18
Marital status	188	29	13

*Consists of 23 American Indians and 15 Asians present at yearend 1992, 3 American Indians and 1 Asian admitted during 1992, and 3 American Indians removed during 1992.

Table 7. Age at time of capital sentencing and current age of prisoners under sentence of death, yearend 1992

Age	Prisoners under sentence of death			
	At time of sentencing		On December 31, 1992	
	Number	Percent	Number	Percent
Total under sentence of death on 12/31/92	2,575	100%	2,575	100%
17 or younger	8	.3	2	--
18-19	97	3.8	10	.4
20-24	630	24.5	188	7.3
25-29	683	26.5	422	16.4
30-34	501	19.5	656	25.5
35-39	318	12.3	510	19.8
40-44	190	7.4	366	14.2
45-49	75	2.9	237	9.2
50-54	36	1.4	99	3.8
55-59	19	.7	39	1.5
60 or older	18	.7	46	1.8
Mean age	30		36	
Median age	29		35	

Note: The youngest person under sentence of death was a black inmate in Florida born in April 1975 and sentenced to death in October 1991. The oldest person under sentence of death was a white inmate

in Missouri born in December 1914 and sentenced to death in May 1991.
-- Less than 0.05%.

Criminal history of inmates under sentence of death in 1992

Among inmates under death sentences on December 31, 1992, for whom criminal-history information was available, 68.5% had a history of felony convictions (table 8). Among those for whom information on prior homicide convictions was available, 9.4% had been sentenced for murder or manslaughter in the past.

Among those for whom legal status at the time of the capital offense was reported, 41.9% had an active criminal justice status. Nearly half of these were on parole, while the others had charges pending, were on probation, were prison inmates or escapees, or had some other criminal justice status.

Excluding those who had charges pending, nearly 1 in 3 (31.2%) were already under sentence for another crime when their capital offense occurred. In a number of States, being under sentence for another crime is considered an aggravating factor in capital sentencing.

Criminal history patterns varied slightly by race and Hispanic origin. For example, 74.3% of blacks had prior felony conviction records compared to 65.4% of whites, and 62.4% of Hispanics. Relatively more Hispanics (16.5%) than whites (8.6%) or blacks (10.6%) had prior homicide convictions; and a higher proportion of whites (6.9%) and blacks (6.2%) than Hispanics (4.7%) had charges pending at the time of their capital offense.

As of yearend 1992 the median amount of elapsed time since sentencing among prisoners under sentence of death was 64 months, and the mean time was 69 months. Overall, the average time for women was 4 years, 1 month — about two-thirds as long as for men (5 years and 10 months). Whites and blacks showed relatively little difference in average time since sentencing, both groups spending slightly longer than Hispanics.

	Number of months since sentencing	
	Mean	Median
Total	69	64
Male	70	64
Female	49	41
White	69	64
Black	70	64
Hispanic	64	57

Since 1988 data have been collected on the number of death sentences imposed on each person entering prison under sentence of death. Among the 1,375 individuals received under sentence of death, approximately 1 in every 7 entered with 2 or more death sentences (table 9). Whites, blacks, and Hispanics had similar proportions of those with single or multiple death sentences.

Table 8. Criminal-history profile of prisoners under sentence of death, by race, 1992

	Prisoners under sentence of death							
	Number				Percent ^a			
	All races ^b	White	Black	Hispanic	All races ^b	White	Black	Hispanic
U.S. total	2,575	1,508	1,029	196	100.0%	100.0%	100.0%	100.0%
Prior felony convictions								
Yes	1,660	931	714	116	68.5%	65.4%	74.3%	62.4%
No	761	493	247	70	31.5	34.6	25.7	37.6
Not reported	154	84	68	10				
Prior homicide convictions								
Yes	230	123	104	18	9.4%	8.6%	10.6%	16.5%
No	2,225	1,314	878	91	90.6	91.4	89.4	83.5
Not reported	120	71	47	87				
Legal status at time of capital offense								
Charges pending	153	93	56	8	6.7%	6.9%	6.2%	4.7%
Probation	203	122	79	14	8.9	9.1	8.7	8.2
Parole	470	245	222	46	20.5	18.2	24.6	27.1
Prison escapee	38	25	12	2	1.7	1.9	1.3	1.2
Prison inmate	63	36	27	6	2.8	2.7	3.0	3.5
Other status ^c	29	17	11	1	1.3	1.3	1.2	.6
None	1,323	805	494	93	58.1	59.9	54.8	54.7
Not reported	296	165	128	26				

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

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

^cIncludes 9 persons on work release, 4 persons on mandatory conditional release, 3 persons on bail, 2 persons on temporary leave, 2 persons in a halfway

house, 1 absconder from bail, 1 person on accelerated rehabilitation, 1 person AWOL from the U.S. Army, 1 person on work furlough, 1 person in jail, 1 person under house arrest, 1 person in a pre-release treatment center, 1 person in a community diversion program, and 1 person in a supervised road gang.

Table 9. Number of death sentences received by those sentenced to death between January 1, 1988, and December 31, 1992, by race or Hispanic origin

Number of death sentences received	Race or Hispanic origin			
	Total ^a	White	Black	Hispanic
Total	100.0%	100.0%	100.0%	100.0%
1	84.4	84.1	84.5	85.9
2	10.8	11.5	10.1	9.7
3 or more	4.7	4.4	5.4	4.4
Number admitted under sentence of death 1988-1992	1,375	698	542	113

Note: Totals may not add to 100% because of rounding.

All 1,375 received their death sentence for murder.

^aIncludes 22 persons of other races.

Executions

According to data collected by the Federal Government since 1930, during the 63 years ending in 1992, a total of 4,047 persons were executed under civil authority (table 10).²

²Military authorities carried out an additional 160 executions between 1930 and 1992.

Table 10. Number of persons executed, by jurisdiction in rank order, 1930-92

State	Number executed	
	Since 1930	Since 1977
U.S. total	4,047	188
Georgia	381	15
Texas	351	54
New York	329	
California	293	1
North Carolina	268	5
Florida	199	29
Ohio	172	
South Carolina	166	4
Mississippi	158	4
Louisiana	153	20
Pennsylvania	152	
Alabama	145	10
Arkansas	122	4
Virginia	109	17
Kentucky	103	
Tennessee	93	
Illinois	91	1
New Jersey	74	
Missouri	69	7
Maryland	68	
Oklahoma	63	3
Washington	47	
Colorado	47	
Indiana	43	2
West Virginia	40	
District of Columbia	40	
Arizona	39	1
Nevada	34	5
Federal system	33	
Massachusetts	27	
Connecticut	21	
Oregon	19	
Iowa	18	
Utah	17	4
Kansas	15	
Delaware	13	1
New Mexico	8	
Wyoming	8	1
Montana	6	
Vermont	4	
Nebraska	4	
Idaho	3	
South Dakota	1	
New Hampshire	1	
Wisconsin	0	
Rhode Island	0	
North Dakota	0	
Minnesota	0	
Michigan	0	
Maine	0	
Hawaii	0	
Alaska	0	

Since the Supreme Court reinstated the death penalty in 1976, the States have executed 188 prisoners:

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

Between 1977 and 1992, 20 States executed prisoners. Texas had the largest number (54), followed by Florida (29), Louisiana (20), Virginia (17), and Georgia (15). Between 1977 and 1992, 89 white non-Hispanics, 59 black non-Hispanics, 11 white Hispanics, 1 black Hispanic, 13 whites with Hispanic origin unknown, 14 blacks with Hispanic origin unknown, and 1 American Indian were executed.

During 1992 Texas carried out 12 executions; Virginia executed 4 persons; Alabama, Arkansas, Florida, and Oklahoma, 2 each; and Arizona, California, Delaware, Missouri, North Carolina, Utah, and Wyoming, 1 each. All persons

executed in 1992 were male. Fifteen were white, non-Hispanic; 10 were black, non-Hispanic; 2 were white Hispanic; 2 were white with Hispanic origin unknown; 1 was black with Hispanic origin unknown; and 1 was Native American.

From 1977 to 1992, 4,361 prisoners were under death sentences for varying lengths of time (table 11). The 188 executions accounted for 4.3% of all exits from sentences of death during the 15-year period. A total of 1,598 prisoners, or 36.6% of those at risk, received other dispositions. There was no significant difference in the proportions of executed persons by race or Hispanic origin. However, relatively more blacks (38.2%) than whites (36.7%) or Hispanics (26.8%) were removed from under a death sentence by means other than execution.

Among prisoners executed between 1977 and 1992, the average time between the imposition of the most recent sentence received and execution was 7 years and 6 months (table 12). White prisoners had an

Table 11. Prisoners under sentence of death who were executed or who received other dispositions, by race and Hispanic origin, 1977-92

Race and Hispanic origin ^b	Total under sentence of death, 1977-92 ^c	Prisoners executed		Prisoners who received other dispositions ^a	
		Number	Percent of total	Number	Percent of total
All races or ethnic groups	4,361	188	4.3%	1,598	36.6%
White	2,254	102	4.5	827	36.7
Black	1,764	73	4.1	673	38.2
Hispanic	284	12	4.2	76	26.8
Other ^d	59	1	1.7	22	37.3

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

^bWhite, black, and other categories exclude Hispanics.

^cIncludes those persons sentenced to death prior to 1977 who were still under sentence of death on

12/31/92 (22), those persons sentenced to death prior to 1977 whose death sentence was removed between 1977 and 12/31/92 (360), and those persons sentenced to death between 1977 and 12/31/92 (3,979).

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

Table 12. Time between imposition of death sentence and execution, by race, 1977-92

Year of execution	Number executed			Average elapsed time from sentence to execution for:		
	All races	White	Black	All races	White	Black
Total	188	113	74	90 mo.	84 mo.	99 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
1988	11	6	5	80	72	89
1989	16	8	8	95	78	112
1990	23	16	7	95	97	91
1991	14	7	7	116	124	107
1992	31	19	11	114	104	135

average of 7 years, and black prisoners, 8 years and 3 months. The 31 prisoners executed in 1992 were under a sentence of death an average of 9 years and 6 months.

Among the 188 prisoners executed between 1977 and 1992, the largest number (98) were electrocuted, followed by those who received lethal injections (82), lethal gas (7), and a firing squad (1).

Number of executions, 1977-92

Means of execution	Number of executions, 1977-92				
	White	Black	Hispanic	American Indian	Asian
Total	102	73	12	1	0
Lethal injection	47	23	11	1	0
Electrocution	50	47	1	0	0
Lethal gas	4	3	0	0	0
Firing squad	1	0	0	0	0

Methodological note

The statistics reported in this Bulletin may differ from data collected by other organizations for a variety of reasons: (1) inmates are originally added to the National Prisoner Statistics (NPS) death-row counts not at sentencing but at the time they are admitted to a State or Federal correctional facility. (2) Subsequently, admissions to death row or releases as a result of a court order are attributed to the year in which the sentence or court order occurred; prior-year counts are, therefore, adjusted to

Persons executed, 1930-92

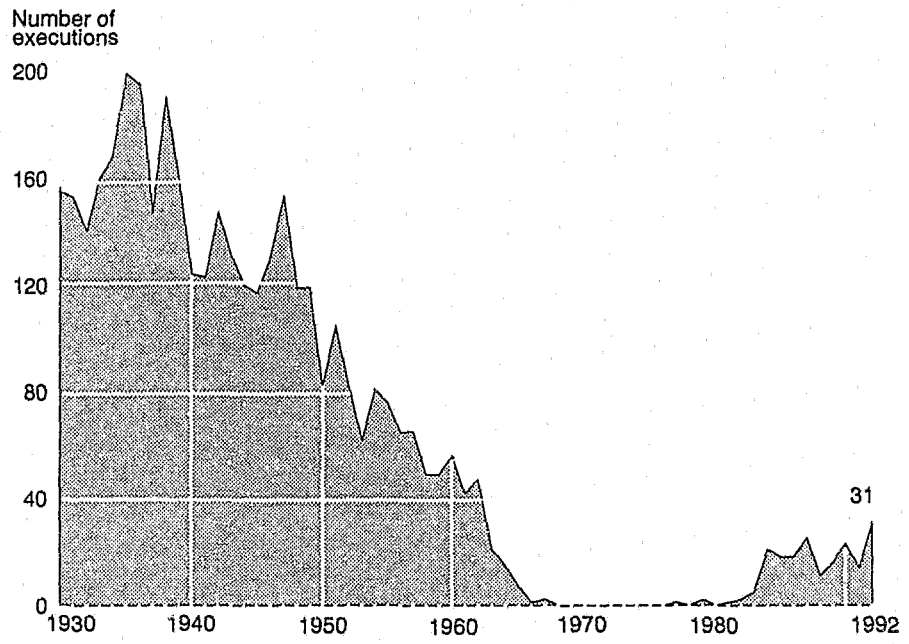


Figure 3

reflect the actual dates of court decisions. (See note, table 4, for the affected jurisdictions.) (3) NPS death-row counts are always for the last day of the calendar year and will differ from counts for more recent periods.

Appendix I. Current status of inmates under sentence of death, 1973-92

Between 1973 and 1992 a total of 4,704 persons were sentenced to death (appendix table 1). The table shows the status of those received in each year with

Appendix table 1. Prisoners sentenced to death and the outcome of their sentence, by year of sentencing, 1973-92

Year of sentence	Number sentenced to death	Number of prisoners removed from sentence of death							Under sentence of death 12/31/92
		Executed	Died	Appeal or higher courts overturned:			Sentence Commuted	Other or unknown reasons	
Death penalty statute	Conviction			Sentence					
1973	42	2	0	14	9	8	9	0	0
1974	150	9	4	65	16	29	22	1	4
1975	299	5	4	171	23	64	21	2	9
1976	234	11	5	137	16	41	15	0	9
1977	139	16	2	40	26	33	7	0	15
1978	187	25	3	21	35	59	8	0	36
1979	157	13	8	2	29	53	6	1	45
1980	184	14	11	3	32	46	5	0	73
1981	238	18	9	0	41	66	4	1	99
1982	273	24	11	0	27	57	5	0	149
1983	256	20	10	1	21	45	3	1	155
1984	285	15	8	1	28	50	5	8	170
1985	282	4	3	1	30	62	2	3	177
1986	311	4	8	0	37	48	4	5	205
1987	292	2	4	1	31	47	0	4	203
1988	299	3	5	0	18	32	0	0	241
1989	267	2	3	0	17	35	1	0	209
1990	265	0	2	0	15	14	0	0	234
1991	279	1	0	0	0	1	0	0	277
1992	265	0	0	0	0	0	0	0	265
Total, 1973-92	4,704	188	100	457	451	790	117	26	2,575

Note: Table based upon most recent death sentence received.

respect to their death sentence, as of December 31, 1992. For example, of the 256 persons who were sentenced to death in 1983, 20 had been executed, 10 had died while in confinement, 1 had been relieved of the death sentence because courts struck down wholly or in part the statutes under which he was sentenced, 21 had their conviction overturned on appeal, 45 had their sentence overturned on appeal, 3 had their sentence commuted, and 155 were still under a death sentence at yearend 1992. Of the 2,575 persons under sentence of death on December 31, 1992, 118 or 4.6% were sentenced prior to 1980 (appendix table 2). Florida, Georgia, Texas, Montana, and Nebraska had the inmates who had served the longest among all condemned inmates.

By contrast, Oregon had no inmates sentenced prior to 1988, the Federal prison

system prior to 1991, and South Dakota prior to 1992. The average time from sentence to December 31, 1992, for the 2,575 condemned inmates was 5 years and 7 months.

Appendix II. Federal laws providing for the death penalty

Since the Supreme Court's decision in *Furman v. Georgia* in 1972, striking down the death penalty as then applied, four death penalty statutes have been enacted by the Congress:

- (A) Any person engaging in or working in furtherance of a continuing criminal enterprise, or any person engaging in an offense punishable under section 841(b)(1)(A) or section 960(b)(1) who intentionally kills or counsels, commands, induces, procures, or causes the

intentional killing of an individual and such killing results, shall be sentenced to any term of imprisonment, which shall not be less than 20 years, and which may be up to life imprisonment, or may be sentenced to death; and (B) any person, during the commission of, in furtherance of, or while attempting to avoid apprehension, prosecution or service of a prison sentence for, a felony violation of this subchapter or subchapter II of this chapter who intentionally kills or counsels, commands, induces, procures, or causes the intentional killing of any Federal, State, or local law enforcement officer engaged in, or on account of, the performance of such officer's official duties and such killing results, shall be sentenced to any term of imprisonment, which shall not be less than 20 years, and which may be up to life imprisonment, or may be sentenced to death (21 U.S.C. 848(e)).

Appendix table 2. Prisoners under sentence of death on December 31, 1992, by State and year of sentencing

State	Year of death sentence												Under sentence of death 12/31/92	Average number of years under sentence of death as of 12/31/92		
	1974-75	1976-77	1978-79	1980-81	1982-83	1984-85	1986-87	1988	1989	1990	1991	1992				
Total sentenced to and remaining on death row, 12/31/92																
Florida	5	7	22	17	33	36	35	26	24	31	49	27	312	5.9		
Georgia	3	6	5	4	10	9	21	6	10	12	7	8	101	6.7		
Texas	3	6	11	28	36	43	67	33	30	27	29	31	344	6.1		
Montana	1				1		1	2	1			2	8	**		
Nebraska	1		4	2		2	1	1			1		12	9.8		
Arizona		2	6	12	12	11	9	11	7	11	14	8	103	6.2		
Arkansas		1	1	6	2		6	2	5	3	2	4	32	6.4		
Mississippi		1		5	7	2	6	3		8	6	4	42	5.7		
Oklahoma		1	2	3	9	19	26	20	14	9	12	5	120	5.1		
California			11	21	55	40	49	31	30	33	25	37	332	5.7		
Tennessee			6	10	10	17	19	6	3	9	12	7	99	6.1		
Illinois			3	19	18	17	21	13	10	20	8	16	145	5.9		
Nevada			2	4	10	9	8	6	10	7	4	2	62	6.2		
North Carolina			2	6	7	7	1	3	1	8	19	22	76	3.9		
South Carolina			2	4	5	8	6	2	3	1	8	2	41	6.2		
Alabama			1	6	22	16	19	10	17	12	6	15	124	5.6		
Indiana			1	6	7	12	6	7	1	3	3	4	50	6.2		
Kentucky			1	2	8	3	5	2	1	1	3	3	29	6.6		
Virginia			1			7	16	3	3	6	6	7	49	3.8		
Missouri				6	6	14	16	13	2	5	13	7	82	5.0		
Pennsylvania				6	17	21	27	21	16	10	19	16	153	5.0		
Delaware				2	2		1	1				5	11	5.3		
Idaho				1	4	6	1	3	3	1	2	2	23	5.3		
Louisiana				1	5	11	11	1	1	1	7	7	44	4.9		
Maryland				1	1	3	1	1	3	2	1	2	15	4.3		
Ohio					13	31	21	11	9	9	13	14	121	4.7		
Washington					3	1	2			3	1	1	11	5.3		
Utah					1	2	1	2	3		1		10	5.8		
Colorado							2				1		3	**		
Connecticut							1		1		2		4	**		
New Jersey							1			2			3	**		
New Mexico							1						1	**		
Oregon								1	2		2	6	11	1.2		
South Dakota												1	1	**		
Federal											1		1	**		
Total	13	24	81	172	304	347	408	241	209	234	277	265	2,575	5.6		

** Averages not calculated on fewer than 10 inmates.

Appendix table 3. Executions, by State and method, 1977-92

State	Number executed	Method of execution			
		Lethal injection	Electro-cution	Lethal gas	Firing squad
Total	188	82	98	7	1
Texas	54	54			
Florida	29		29		
Louisiana	20		20		
Georgia	15		15		
Virginia	17		17		
Alabama	10		10		
Missouri	7	7			
Nevada	5	4		1	
Mississippi	4			4	
North Carolina	5	5			
South Carolina	4		4		
Utah	4	3			1
Arkansas	4	3	1		
Indiana	2		2		
Illinois	1	1			
Oklahoma	3	3			
Arizona	1			1	
California	1			1	
Delaware	1	1			
Wyoming	1	1			

Note: This table shows the distribution of execution methods used since 1977. The most frequently used method, electrocution, was used in 52% of the

executions carried out. Lethal injection accounted for 44% of the executions. Three States — Arkansas, Nevada, and Utah — have employed 2 methods.

Data utilized in this report are available from National Archive of Criminal Justice Data at the University of Michigan, 1-800-999-0960. The Data sets are archived as Capital Punishment, 1973-92 (ICPSR 9210).

- Espionage by a member of the Armed Forces: communication of information to a foreign government relating to nuclear weaponry, military spacecraft or satellites, early warning systems, war plans, communications intelligence or cryptographic information, or any other major weapons or defense strategy (10 U.S.C. 906(a)).

- Witness tampering where death results (18 U.S.C. 1512).

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

The following capital punishment provisions, which were enacted prior to the Furman decision, remain in the United States Code:

- Murder while a member of the Armed Forces (10 U.S.C. 918).

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

- Retaliatory murder of a member of the immediate family of law enforcement officials (18 U.S.C. 115(b)(3) [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. 351 [by cross-reference to 18 U.S.C. 1111]).

- Espionage (18 U.S.C. 794).

- Destruction of government property resulting in death (18 U.S.C. 844(f)(d)(i)).

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

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

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

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

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

- Treason (18 U.S.C. 2381).

- Murder of Federal judges and officers (18 U.S.C. 1114).

Appendix table 4. Number sentenced to death and number of removals, by jurisdiction and reason for removal, 1973-92

State	Total sentenced to death, 1973-92	Number of removals, 1973-92					Under sentence of death 12/31/92
		Executed	Died	Sentence or conviction overturned	Sentence commuted	Other removals	
U.S. total	4,704	188	100	1,698	117	26	2,575
Federal	2	0	0	1	0	0	1
Alabama	198	10	3	60	1	0	124
Arizona	164	1	3	56	1	0	103
Arkansas	62	4	1	25	0	0	32
California	478	1	16	113	15	1	332
Colorado	14	0	1	9	1	0	3
Connecticut	4	0	0	0	0	0	4
Delaware	25	1	0	13	0	0	11
Florida	629	29	14	254	18	2	312
Georgia	234	15	6	109	3	0	101
Idaho	30	0	1	6	0	0	23
Illinois	201	1	3	45	0	7	145
Indiana	76	2	1	22	0	1	50
Kentucky	53	0	1	22	1	0	29
Louisiana	131	20	3	57	6	1	44
Maryland	36	0	1	18	2	0	15
Massachusetts	4	0	0	2	2	0	0
Mississippi	117	4	1	67	0	3	42
Missouri	104	7	3	12	0	0	82
Montana	13	0	0	4	1	0	8
Nebraska	20	0	2	4	2	0	12
Nevada	84	5	3	12	2	0	62
New Jersey	34	0	1	22	0	8	3
New Mexico	22	0	0	16	5	0	1
New York	3	0	0	3	0	0	0
North Carolina	314	5	4	225	4	0	76
Ohio	253	0	4	124	4	0	121
Oklahoma	216	3	2	91	0	0	120
Oregon	28	0	0	17	0	0	11
Pennsylvania	207	0	5	48	1	0	153
Rhode Island	2	0	0	2	0	0	0
South Carolina	115	4	3	67	0	0	41
South Dakota	1	0	0	0	0	0	1
Tennessee	156	0	3	52	0	2	99
Texas	542	54	11	91	42	0	344
Utah	22	4	0	7	1	0	10
Virginia	80	17	2	6	5	1	49
Washington	21	0	1	9	0	0	11
Wyoming	9	1	1	7	0	0	0
Percent	100%	4.0	2.1	35.7	2.5	.6	55.1

This BJS Bulletin was written by Lawrence Greenfeld, Acting Director, and James Stephan, Statistician. Arlene Rasmussen, U.S. Bureau of the Census, collected the data under the supervision of Gertrude Odom. Craig Perkins provided statistical review. Tom Hester edited the report. Priscilla Middleton assisted with the graphs. Marilyn Marbrook supervised production, assisted by Betty Sherman and Jayne Pugh.

December 1993, NCJ-145031

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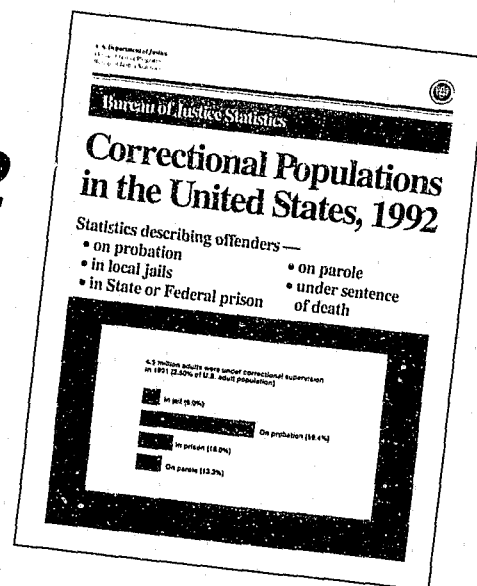
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