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# Department of Justice

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## SIXTEEN STATES EXECUTED 56 OFFENDERS LAST YEAR

WASHINGTON, D.C. -- Sixteen states executed a total of 56 men last year, the Justice Department's Bureau of Justice Statistics (BJS) announced today. It was the largest number of prisoners put to death in one year since the United States Supreme Court upheld the constitutionality of revised state capital punishment laws in 1976. It was also the greatest number of executions in 38 years; in 1957 there were 65 executions.

The prisoners executed last year had been on death row for an average of 11 years and 2 months, which was about a year longer than the 31 executed during 1994. All had been convicted of murder. In comparison, the 18 prisoners executed in 1985 had been on death row an average of 5 years and 11 months.

Texas executed the most prisoners in 1995 (19), followed by Missouri (6), Illinois and Virginia (5 each), Florida and Oklahoma (3 each), Alabama, Arkansas, Georgia, North Carolina and Pennsylvania (2 each) and Arizona, Delaware, Louisiana, Montana, and South Carolina (1 each).

Thirty-three of the 56 were white (including two white Hispanics), 22 were black and 1 was Asian.

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Forty-nine of the executions were by lethal injection. Seven were by electrocution.

As of December 31, 1995, 34 states held 2,998 men and 48 women on death row. The youngest, in Nevada, was 18 years of age. The oldest, in Arizona, was 80. Eight men were under a sentence of death under federal jurisdiction.

Among those whose criminal histories were known, two-thirds had a prior felony conviction, and 8 percent had a prior homicide conviction. They included 1,513 whites, 1,262 blacks, 22 Native Americans, 19 Asians, 2 classified as other race and 236 Hispanics (8.4 percent of the total). Half had never been married, a quarter had been married at the time of sentencing and another quarter were divorced, separated or had a deceased spouse.

At the end of last year, 32 states authorized lethal injection, 11 electrocution, 7 lethal gas, 4 hanging and 3 a firing squad. Of the 38 states that authorize capital punishment, all but Arkansas require an automatic review of the sentence irrespective of the defendant's wishes.

During last year, 19 states revised their death penalty laws. Most of the changes involved the conditions under which the death penalty could be imposed, procedural amendments increasing the rights of victims and their families and changes in execution methods.

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Alaska, the District of Columbia, Hawaii, Iowa, Maine, Massachusetts, Michigan, Minnesota, North Dakota, Rhode Island, Vermont, West Virginia and Wisconsin do not authorize capital punishment.

The following lists by race and ethnicity the number of offenders executed last year, the number entering death row, the number executed from 1977 through 1995, the number entering death row during the same years and the number removed from death row during those years:

|   | <u>Total</u> | <u>White</u> | <u>Black</u> | <u>Asian</u> | <u>Native<br/>American</u> | <u>Hispanic</u> |
|---|--------------|--------------|--------------|--------------|----------------------------|-----------------|
| Prisoners<br>executed, 1995                                   | 56           | 31           | 22           | 1            | 0                          | 2               |
| Prisoners<br>entering under<br>sentence of<br>death, 1995     | 310          | 144          | 136          | 4            | 0                          | 26              |
| Prisoners<br>under sentence<br>of death, 1995*                | 3,054        | 1,513        | 1,262        | 19           | 22                         | 236             |
| Prisoners<br>executed,<br>1977-95                             | 313          | 171          | 120          | 1            | 2                          | 19              |
| Prisoners<br>entering<br>under death<br>sentence,<br>1977-95* | 4,857        | 2,468        | 1,975        | 41           | 29                         | 342             |
| Prisoners<br>removed,<br>1977-95                              | 1,870        | 969          | 773          | 18           | 9                          | 101             |

\*Total includes 2 people of unspecified race.

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The bulletin "Capital Punishment 1995" (NCJ-162043), written by BJS statistician Tracy L. Snell, can be obtained on the Internet at:

<http://www.ncjrs.org/cp95>

It will also be available beginning at 9 A.M. EST, Thursday, December 5, on BJS's Internet home page by clicking on "What's new at BJS." The BJS webpage address is:

<http://www.ojp.usdoj.gov/bjs/>

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U.S. Department of Justice  
Office of Justice Programs



# Bureau of Justice Statistics Bulletin

December 1995, NCJ-162043

# Capital Punishment 1995

By Tracy L. Snell  
BJS Statistician

Sixteen States executed 56 prisoners during 1995. The number of persons executed was 25 greater than in 1994 and was the largest annual number since the 56 executed during 1960 and the 65 in 1957. The prisoners executed during 1995 had been under sentence of death an average of 11 years and 2 months, about 12 months more than the average for inmates executed the previous year.

At yearend 1995, 3,054 prisoners were under sentence of death. California held the largest number of death row inmates (420), followed by Texas (404), Florida (362), and Pennsylvania (196). Eight prisoners were in Federal custody under a death sentence on December 31, 1995.

Between January 1 and December 31, 1995, 26 State prison systems and the Federal prison system received 310 prisoners under sentence of death. Texas (40 admissions), California (36), North Carolina (34), and Florida (31) accounted for 45% of the inmates entering prison under a death sentence in 1995.

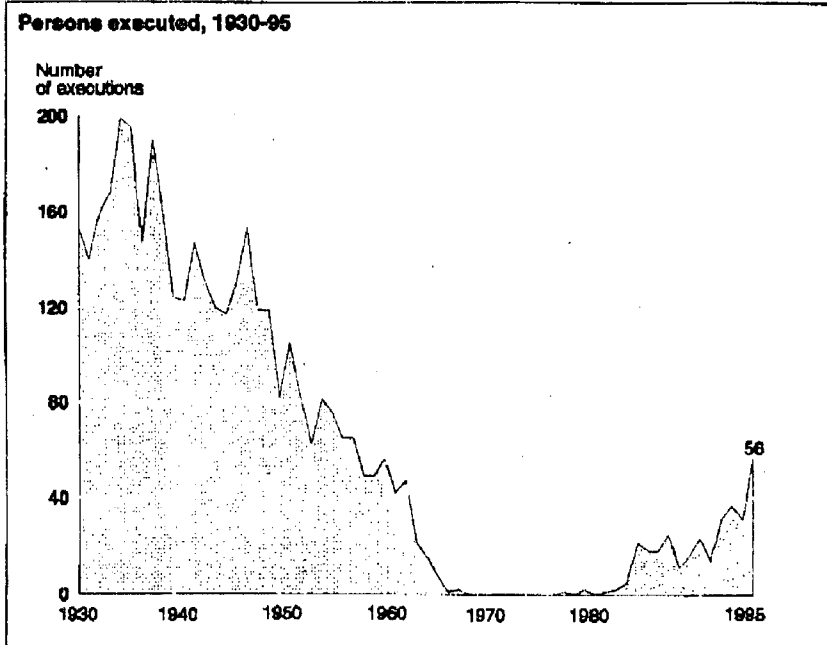
During 1995, 56 persons in 16 States were executed — 19 in Texas; 6 in Missouri; 5 each in Illinois and Virginia; 3 each in Florida and Oklahoma; 2 each in Alabama, Arkansas, Georgia, North Carolina, and Pennsylvania; and 1 each in Arizona, Delaware, Louisiana, Montana, and

## Highlights

### Status of the death penalty, December 31, 1995

| Executions during 1995 |           | Number of prisoners under sentence of death |              | Jurisdictions without a death penalty |  |
|------------------------|-----------|---|--------------|---------------------------------------|--|
| Texas                  | 19        | California                                  | 420          | Alaska                                |  |
| Missouri               | 6         | Texas                                       | 404          | District of Columbia                  |  |
| Illinois               | 5         | Florida                                     | 362          | Hawaii                                |  |
| Virginia               | 5         | Pennsylvania                                | 196          | Iowa                                  |  |
| Florida                | 3         | Ohio  | 155          | Maine                                 |  |
| Oklahoma               | 3         | Illinois                                    | 154          | Massachusetts                         |  |
| Alabama                | 2         | Alabama                                     | 143          | Michigan                              |  |
| Arkansas               | 2         | North Carolina                              | 139          | Minnesota                             |  |
| Georgia                | 2         | Oklahoma                                    | 129          | North Dakota                          |  |
| North Carolina         | 2         | Arizona                                     | 117          | Rhode Island                          |  |
| Pennsylvania           | 2         | Georgia                                     | 98           | Vermont                               |  |
| Arizona                | 1         | Tennessee                                   | 96           | West Virginia                         |  |
| Delaware               | 1         | Missouri                                    | 82           | Wisconsin                             |  |
| Louisiana              | 1         | 22 other jurisdictions                      | 549          |                                       |  |
| Montana                | 1         |   |              |                                       |  |
| South Carolina         | 1         |   |              |                                       |  |
| <b>Total</b>           | <b>56</b> | <b>Total</b>                                | <b>3,054</b> |                                       |  |

- In 1995, 56 men were executed: 33 were white, 22 were black, 1 was Asian.
- The persons executed in 1995 were under sentence of death an average of 11 years and 2 months.
- At yearend 1995, 34 States and the Federal prison system held 3,054 prisoners under sentence of death, 5.1% more than at yearend 1994. All had committed murder.
- Of persons under sentence of death — 1,730 were white, 1,275 were black, 22 were Native American, 19 were Asian, 8 were classified as "other race."
- Forty-eight women were under a sentence of death.
- The 237 Hispanic inmates under sentence of death accounted for 8.5% of inmates with a known ethnicity.
- Among inmates under sentence of death and with available criminal histories, 2 in 3 had a prior felony conviction; 1 in 12 had a prior homicide conviction.
- Among persons for whom arrest information was available, the average age at time of arrest was 28; about 2% of inmates were age 17 or younger.
- At yearend, the youngest inmate was 18; the oldest was 80.



South Carolina. All were men. Thirty of the executed prisoners were non-Hispanic whites; 22 were non-Hispanic blacks; 2, white Hispanics; 1, Asian; and 1, white with unknown Hispanic origin. Forty-nine of the executions were carried out by lethal injection and 7 by electrocution.

From January 1, 1977, to December 31, 1995, a total of 4,857 persons entered State and Federal prisons under sentences of death, among whom 51% were white, 41% were black, 7% were Hispanic, and 1% were of other races.

During this 19-year period, a total of 313 executions took place in 26 States. Of the inmates executed, 171 were white, 120 were black, 19 were Hispanic, 2 were Native American, and 1 was Asian.

Also during 1977-95, 1,870 prisoners were removed from a death sentence as a result of dispositions other than execution (resentencing, retrial, commutation, or death while awaiting execution). Of all persons removed from under a death sentence, 52% were white, 41% were black, 1% were Native American, 0.5% were Asian, and 5% were Hispanic.

#### Statutory changes

During 1995, 19 States revised statutory provisions relating to the death penalty (table 1). Most of the changes involved additional aggravating circumstances, procedural amendments addressing the rights of victims and their families, and changes in methods of execution.

By State, these statutory changes were as follows:

**Arkansas** — Added to its definition of capital murder purposely discharging a firearm from a vehicle resulting in the death of another person (Ark. Code Ann. § 51-10-101(a)(10)), effective 7/27/95.

**Colorado** — Amended its code of criminal procedure establishing appellate review at the sentencing phase of a capital case. Upon conviction of a defendant, a sentencing hearing will be conducted by a three-judge panel; previously, a jury considered evidence and recommended punishment. The amendment also outlines the process by which panel members will be selected (CRS 16-11-103(1)(a)). These revisions became effective 7/1/95.

**Connecticut** — Revised its penal code to change the method of execution from electrocution to lethal injection; to remove the requirement that the State supreme court review the proportionality of a death sentence compared to penalties imposed in similar cases; and to add to its list of capital felonies murder of a person under age 16 (See P.A. 95-16). These changes became effective 10/1/95.

**Delaware** — Revised a statute limiting the number of witnesses at the execution to 10 and allowing one adult, either an immediate family member of the victim or the "victim's designee", to be present as one of those witnesses (11 Del. c. § 4209(f)), effective 5/15/95.

Delaware lawmakers also added as an aggravating circumstance murder committed to interfere with the victim's First Amendment rights or as a response to the victim's exercise of those rights or to the victim's race, religion, color, disability, national origin or ancestry (11 Del. c. § 4209(e)(1)(v)), effective 7/6/95.

**Idaho** — Revised and added sections to its penal code relating to the death penalty. These changes became effective 7/1/95.

Idaho amended its code of criminal procedure to require that, upon conviction of a defendant, the court hold a hearing to weigh aggravating and mitigating factors in the case to determine the appropriateness of a death sentence (19-2515, Idaho Code).

Another procedural amendment set guidelines regarding requests for stays of execution based on petitions to hear new evidence that was not known prior to the deadline for filing of an appeal on such grounds. The statute narrowed the availability of successive post-conviction proceedings (19-2719, Idaho Code).

The Idaho legislature also added new sections to its code of criminal procedure in capital cases: one providing for an inquiry into a convicted defendant's

**Table 4. Prisoners under sentence of death, by region, State, and race, 1994 and 1995**

| Region and State           | Prisoners under sentence of death, 12/31/94 |                    |                    | Received under sentence of death |            |            | Removed from death row(excluding executions)* |           |           | Executed           |           |           | Prisoners under sentence of death, 12/31/95 |              |              |
|----------------------------|---|--------------------|--------------------|----------------------------------|------------|------------|---|-----------|-----------|--------------------|-----------|-----------|---|--------------|--------------|
|                            | Total <sup>b</sup>                          | White <sup>c</sup> | Black <sup>c</sup> | Total <sup>b</sup>               | White      | Black      | Total <sup>b</sup>                            | White     | Black     | Total <sup>b</sup> | White     | Black     | Total <sup>b</sup>                          | White        | Black        |
| <b>U.S. total</b>          | <b>2,905</b>                                | <b>1,653</b>       | <b>1,203</b>       | <b>310</b>                       | <b>168</b> | <b>138</b> | <b>105</b>                                    | <b>58</b> | <b>44</b> | <b>58</b>          | <b>33</b> | <b>22</b> | <b>3,054</b>                                | <b>1,730</b> | <b>1,275</b> |
| <b>Federal<sup>a</sup></b> | <b>6</b>                                    | <b>3</b>           | <b>3</b>           | <b>2</b>                         | <b>0</b>   | <b>2</b>   | <b>0</b>                                      | <b>0</b>  | <b>0</b>  | <b>0</b>           | <b>0</b>  | <b>0</b>  | <b>8</b>                                    | <b>3</b>     | <b>5</b>     |
| <b>State</b>               | <b>2,899</b>                                | <b>1,650</b>       | <b>1,200</b>       | <b>308</b>                       | <b>168</b> | <b>136</b> | <b>105</b>                                    | <b>58</b> | <b>44</b> | <b>56</b>          | <b>33</b> | <b>22</b> | <b>3,046</b>                                | <b>1,727</b> | <b>1,270</b> |
| <b>Northeast</b>           | <b>194</b>                                  | <b>71</b>          | <b>116</b>         | <b>23</b>                        | <b>8</b>   | <b>17</b>  | <b>4</b>                                      | <b>2</b>  | <b>2</b>  | <b>2</b>           | <b>2</b>  | <b>0</b>  | <b>211</b>                                  | <b>73</b>    | <b>131</b>   |
| Connecticut                | 4   | 2                  | 2                  | 1                                | 0          | 1          | 0   | 0         | 0         | 0                  | 0         | 0         | 5   | 2            | 3            |
| New Hampshire              | 0   | 0                  | 0                  | 0                                | 0          | 0          | 0   | 0         | 0         | 0                  | 0         | 0         | 0   | 0            | 0            |
| New Jersey                 | 9   | 4                  | 5                  | 2                                | 1          | 1          | 1   | 1         | 0         | 0                  | 0         | 0         | 10  | 4            | 6            |
| Pennsylvania               | 181   | 65                 | 109                | 20                               | 6          | 15         | 3   | 1         | 2         | 2                  | 2         | 0         | 196   | 67           | 122          |
| <b>Midwest</b>             | <b>443</b>                                  | <b>217</b>         | <b>224</b>         | <b>43</b>                        | <b>21</b>  | <b>22</b>  | <b>16</b>                                     | <b>9</b>  | <b>7</b>  | <b>11</b>          | <b>8</b>  | <b>5</b>  | <b>459</b>                                  | <b>223</b>   | <b>234</b>   |
| Illinois                   | 155   | 57                 | 98                 | 13                               | 8          | 7          | 9   | 4         | 5         | 5                  | 3         | 2         | 154   | 56           | 98           |
| Indiana                    | 47  | 31                 | 16                 | 3                                | 3          | 0          | 4   | 3         | 1         | 0                  | 0         | 0         | 48  | 31           | 15           |
| Kansas                     | 0   | 0                  | 0                  | 0                                | 0          | 0          | 0   | 0         | 0         | 0                  | 0         | 0         | 0   | 0            | 0            |
| Missouri                   | 68  | 51                 | 37                 | 10                               | 3          | 7          | 0   | 0         | 0         | 8                  | 3         | 3         | 92  | 51           | 41           |
| Nebraska                   | 10  | 7                  | 2                  | 0                                | 0          | 0          | 0   | 0         | 0         | 0                  | 0         | 0         | 10  | 7            | 2            |
| Ohio                       | 141   | 69                 | 71                 | 17                               | 9          | 8          | 3   | 2         | 1         | 0                  | 0         | 0         | 155   | 76           | 79           |
| South Dakota               | 2   | 2                  | 0                  | 0                                | 0          | 0          | 0   | 0         | 0         | 0                  | 0         | 0         | 2   | 2            | 0            |
| <b>South</b>               | <b>1,621</b>                                | <b>926</b>         | <b>672</b>         | <b>184</b>                       | <b>105</b> | <b>78</b>  | <b>71</b>                                     | <b>37</b> | <b>33</b> | <b>41</b>          | <b>23</b> | <b>17</b> | <b>1,683</b>                                | <b>971</b>   | <b>700</b>   |
| Alabama                    | 136   | 74                 | 60                 | 17                               | 10         | 7          | 8   | 2         | 6         | 2                  | 0         | 2         | 143   | 82           | 59           |
| Arkansas                   | 37  | 21                 | 16                 | 4                                | 3          | 1          | 1   | 0         | 1         | 2                  | 1         | 1         | 38  | 23           | 15           |
| Delaware                   | 14  | 7                  | 7                  | 1                                | 1          | 0          | 0   | 0         | 0         | 1                  | 1         | 0         | 14  | 7            | 7            |
| Florida                    | 353   | 223                | 130                | 31                               | 19         | 12         | 19  | 12        | 7         | 3                  | 2         | 1         | 362   | 228          | 134          |
| Georgia                    | 86  | 53                 | 43                 | 7                                | 5          | 2          | 3   | 1         | 2         | 2                  | 2         | 0         | 98  | 55           | 43           |
| Kentucky                   | 29  | 23                 | 6                  | 0                                | 0          | 0          | 1   | 1         | 0         | 0                  | 0         | 0         | 28  | 22           | 6            |
| Louisiana                  | 47  | 16                 | 31                 | 12                               | 4          | 8          | 1   | 0         | 1         | 1                  | 0         | 1         | 57  | 20           | 37           |
| Maryland                   | 13  | 2                  | 11                 | 0                                | 0          | 0          | 0   | 0         | 0         | 0                  | 0         | 0         | 13  | 2            | 11           |
| Mississippi                | 50  | 20                 | 30                 | 3                                | 0          | 3          | 4   | 0         | 4         | 0                  | 0         | 0         | 49  | 20           | 29           |
| North Carolina             | 111   | 55                 | 54                 | 34                               | 19         | 15         | 4   | 4         | 0         | 2                  | 2         | 0         | 139   | 68           | 69           |
| Oklahoma                   | 130   | 79                 | 40                 | 15                               | 10         | 4          | 13  | 8         | 4         | 3                  | 3         | 0         | 129   | 78           | 40           |
| South Carolina             | 59  | 31                 | 28                 | 10                               | 2          | 8          | 1   | 0         | 1         | 1                  | 0         | 1         | 67  | 33           | 34           |
| Tennessee                  | 100   | 66                 | 32                 | 4                                | 1          | 3          | 8   | 3         | 5         | 0                  | 0         | 0         | 96  | 64           | 30           |
| Texas                      | 391   | 230                | 155                | 40                               | 27         | 13         | 8   | 6         | 2         | 19                 | 10        | 8         | 404   | 241          | 158          |
| Virginia                   | 55  | 28                 | 29                 | 6                                | 4          | 2          | 0   | 0         | 0         | 5                  | 2         | 3         | 56  | 28           | 28           |
| <b>West</b>                | <b>641</b>                                  | <b>456</b>         | <b>188</b>         | <b>58</b>                        | <b>36</b>  | <b>19</b>  | <b>14</b>                                     | <b>10</b> | <b>2</b>  | <b>2</b>           | <b>2</b>  | <b>0</b>  | <b>683</b>                                  | <b>460</b>   | <b>205</b>   |
| Arizona                    | 121   | 101                | 14                 | 5                                | 5          | 0          | 8   | 8         | 0         | 1                  | 1         | 0         | 117   | 97           | 14           |
| California <sup>a</sup>    | 386   | 230                | 148                | 36                               | 22         | 13         | 2   | 1         | 1         | 0                  | 0         | 0         | 420   | 251          | 160          |
| Colorado                   | 3   | 3                  | 0                  | 1                                | 0          | 1          | 0   | 0         | 0         | 0                  | 0         | 0         | 4   | 3            | 1            |
| Idaho                      | 20  | 20                 | 0                  | 0                                | 0          | 0          | 1   | 1         | 0         | 0                  | 0         | 0         | 19  | 19           | 0            |
| Montana                    | 8   | 8                  | 0                  | 0                                | 0          | 0          | 1   | 0         | 0         | 1                  | 1         | 0         | 8   | 5            | 0            |
| Nevada <sup>a</sup>        | 65  | 44                 | 21                 | 11                               | 4          | 5          | 1   | 0         | 0         | 0                  | 0         | 0         | 75  | 48           | 26           |
| New Mexico                 | 1   | 1                  | 0                  | 2                                | 2          | 0          | 0   | 0         | 0         | 0                  | 0         | 0         | 3   | 3            | 0            |
| Oregon                     | 18  | 16                 | 1                  | 2                                | 2          | 0          | 0   | 0         | 0         | 0                  | 0         | 0         | 20  | 18           | 1            |
| Utah                       | 10  | 8                  | 2                  | 0                                | 0          | 0          | 0   | 0         | 0         | 0                  | 0         | 0         | 10  | 8            | 2            |
| Washington                 | 9   | 7                  | 2                  | 1                                | 1          | 0          | 1   | 0         | 1         | 0                  | 0         | 0         | 9   | 8            | 1            |
| Wyoming                    | 0   | 0                  | 0                  | 0                                | 0          | 0          | 0   | 0         | 0         | 0                  | 0         | 0         | 0   | 0            | 0            |

Note: States not listed and the District of Columbia did not authorize the death penalty as of 12/31/94. New York enacted a death penalty statute during 1995 and reported no one under sentence of death as of 12/31/95. Some figures shown for year end 1994 are revised from those reported in Capital Punishment 1994 NCJ-158023. The revised figures include 26 inmates who were either reported late to the National Prisoner Statistics Program or were not in custody of State correctional authorities on 12/31/94 (12 in California; 4 in Florida; 2 in Texas; and 1 each in Alabama, Arizona, Arkansas, Idaho,

Ohio, Oklahoma, Oregon, and Tennessee), and exclude 18 inmates who were relieved of the death sentence on or before 12/31/94 (8 in California; 5 in Texas; and 1 each in Arizona, New Mexico, Pennsylvania, Tennessee, and Washington). The data for 12/31/94 also include 7 inmates in Florida who were listed erroneously as being removed from death row.  
\*includes 9 deaths from natural causes (3 in Alabama, and 1 each in Arizona, Illinois, Kentucky, North Carolina, Oklahoma, and Texas) 2 suicides (in California and Nevada), and 2 inmates

murdered by other inmates (in Florida and Texas).  
<sup>b</sup>Totals include persons of other races.  
<sup>c</sup>The accounting of race and Hispanic origin differs from that presented in tables 8, 9, and 11. In this table white and black inmates include Hispanic.  
<sup>a</sup>Excludes persons held under Armed Forces jurisdiction with a military death sentence for murder.  
<sup>a</sup>One inmate who was previously in the custody of Nevada has been transferred to California where he is being held under a separate sentence of death.

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