

67705



# Capital Punishment 1979

National Prisoner Statistics Bulletin SD-NPS-CP-8A, NCJ-67705

Advance Report, June 1980

The execution of one prisoner each in Florida and Nevada during 1979 marked the second and third times that the death penalty has been carried out in the United States since 1967. Although fewer persons were sent to death row than in 1978, the number of those under sentence of death rose by 103 because of a substantial decrease in the number of inmates relieved of the penalty.<sup>1</sup> A total of 567 individuals were held under sentence of death in State correctional facilities at the end of 1979. That figure approached the peak recorded just prior to 1972, when the *Furman vs. Georgia* decision invalidated most U.S. death penalty laws. The number of jurisdictions authorizing capital punishment--38 at yearend--also came close to the record high of 42 at the time of the *Furman* decision. In all, 25 States imposed the death penalty during 1979, and 29 held one or more prisoners on death row at yearend.

Three women received the death penalty during 1979 and one was removed from death row, bringing to seven the total under sentence of death. All were held in southern States, two in Georgia and one each in Alabama, Florida, North Carolina, Oklahoma, and Texas. Six of the condemned women were white and one (in Georgia) was black. About 2 out of every 5 death-row inmates were black, roughly the same proportion as in 1978. A total of 25 Hispanics, 7 more than a year earlier, were under sentence of death in seven States: Arizona (3), Arkansas (1), California (2), Florida (3), Illinois (1), Texas (14), and Utah (1). The final report will include more detail on persons under sentence of death.

Florida continued to hold the largest number of persons under sentence of death (138), followed by Texas (117). These two States combined accounted for 45 percent of all prisoners under capital sentence at the end of 1979. In all, 11 States had 10 or more persons on death row. The most substantial increase occurred in Illinois, where the count

was almost four times larger than at the end of 1978. Both Arizona and California nearly tripled their death-row population. The State with the largest single number of persons sentenced to death during 1979 was Florida, with a total of 23. Six other States handed down 10 or more death sentences: Alabama (10), Arizona (16), California (20), Georgia (12), Illinois (14), and Texas (17).

All of the Nation's major regions shared in the increase of people sentenced to death. The concentration of death-row inmates in southern States diminished somewhat between the latest two enumerations, from 88 to 81 percent of the U.S. total.<sup>2</sup> The West, largely because of a rise in the numbers for Arizona and California, had 13 percent of all inmates at the end of 1979, followed by the North Central region (mainly Illinois) with 6 percent. All four of the death-row prisoners in the Northeast were in Pennsylvania, which held none a year earlier. No one was under sentence of death in 1979 in the Federal correctional system, although Federal law authorized the death penalty for aircraft hijacking resulting in death.

The absence of major judicial decisions on capital punishment during 1979 was reflected in the relatively small number of persons relieved of the death sentence as compared with earlier years. Only Rhode Island, with two persons on death row, had its law overturned, whereas four States (Colorado, Massachusetts, New Mexico, and South Dakota) enacted legislation enabling imposition of the death penalty. The laws in the latter four States went into effect during the second half of 1979, but none of these jurisdictions held inmates on death row as of year's end.

Data for the National Prisoner Statistics program are collected for the Bureau of Justice Statistics by the U.S. Bureau of the Census. Additional information, including greater detail on the status of the death penalty in each jurisdiction, will be contained in a final report, to be issued later this year. Data in this report are preliminary and subject to revision.

<sup>1</sup>The total reported for December 31, 1978 represents a revision in the figure for the date published in *Capital Punishment, 1978*, NPS Bulletin SD-NPS-CP-7, December 1979. See

footnote to the accompanying table for an explanation.

<sup>2</sup>States included within each region are listed in the table.

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**Movement of prisoners under sentence of death and status of death penalty statutes, by region and State**

Region and State	Under sentence of death on 12-31-78 <sup>1</sup>	During 1979			Under sentence of death on 12-31-79	Death penalty as of 12-31-79 <sup>2</sup>
		Received from court	Dispositions other than execution	Executions		
United States	464	159	54	2	567	...
Male	459	156	53	2	560	...
Female	5	3	1	0	7	...
Federal	0	0	0	0	0	Yes
State	464	159	54	2	567	...
Northeast	2	4	2	0	4	...
Maine	0	0	0	0	0	No
New Hampshire	0	0	0	0	0	Yes
Vermont	0	0	0	0	0	Yes
Massachusetts	0	0	0	0	0	Yes
Rhode Island	2	0	2	0	0	No
Connecticut	0	0	0	0	0	Yes
New York	0	0	0	0	0	Yes
New Jersey	0	0	0	0	0	No
Pennsylvania	0	4	0	0	4	Yes
North Central	15	18	1	0	32	...
Ohio	0	0	0	0	0	No
Indiana	2	1	0	0	3	Yes
Illinois	5	14	0	0	19	Yes
Michigan	0	0	0	0	0	No
Wisconsin	0	0	0	0	0	No
Minnesota	0	0	0	0	0	No
Iowa	0	0	0	0	0	No
Missouri	0	2	0	0	2	Yes
North Dakota	0	0	0	0	0	No
South Dakota	0	0	0	0	0	Yes
Nebraska	8	1	1	0	8	Yes
Kansas	0	0	0	0	0	No
South	407	93	40	1	459	...
Delaware	1	0	0	0	1	Yes
Maryland	0	1	0	0	1	Yes
District of Columbia	0	0	0	0	0	No
Virginia	6	3	1	0	8	Yes
West Virginia	0	0	0	0	0	No
North Carolina	7	7	6	0	8	Yes
South Carolina	7	5	4	0	8	Yes
Georgia	66	12	7	0	71	Yes
Florida	123	23	7	1	138	Yes
Kentucky	3	0	0	0	3	Yes
Tennessee	8	3	0	0	11	Yes
Alabama	41	10	8	0	43	Yes
Mississippi	10	1	0	0	11	Yes
Arkansas	11	2	1	0	12	Yes
Louisiana	2	0	0	0	2	Yes
Oklahoma	16	9	0	0	25	Yes
Texas	106	17	6	0	117	Yes
West	40	44	11	1	72	...
Montana	4	0	1	0	3	Yes
Idaho	1	1	1	0	1	Yes
Wyoming	0	1	0	0	1	Yes
Colorado	0	0	0	0	0	Yes
New Mexico	0	0	0	0	0	Yes
Arizona	8	16	2	0	22	Yes
Utah	6	1	0	0	7	Yes
Nevada	6	3	1	1	7	Yes
Washington	6	1	2	0	5	Yes
Oregon	0	1	0	0	1	Yes
California	9	20	4	0	25	Yes
Alaska	0	0	0	0	0	No
Hawaii	0	0	0	0	0	No

... Not applicable.

<sup>1</sup>Some of the figures for yearend 1978 are revised from those shown in *Capital Punishment, 1978*, NPS Bulletin SD-NPS-CP-7, December 1979. Present figures reflect the exclusion of 2 inmates in Georgia who were relieved of the death sentence prior to 1979 and the inclusion of 21 inmates (10 in Georgia, 7 in Texas, 2 in Florida, and 1 each in Louisiana and Tennessee) who, although sentenced to death prior to 1979, were either reported late to the NPS program or not admitted to the custody of the relevant correctional authorities by December 31, 1978.

<sup>2</sup>Four States--Colorado, Massachusetts, New Mexico, and South Dakota--enacted death penalty statutes during 1979 and, thus, had such laws in force only during part of the year. The death penalty in Rhode Island was declared unconstitutional in February 1979.

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