



# DEATH SENTENCES IN ALABAMA

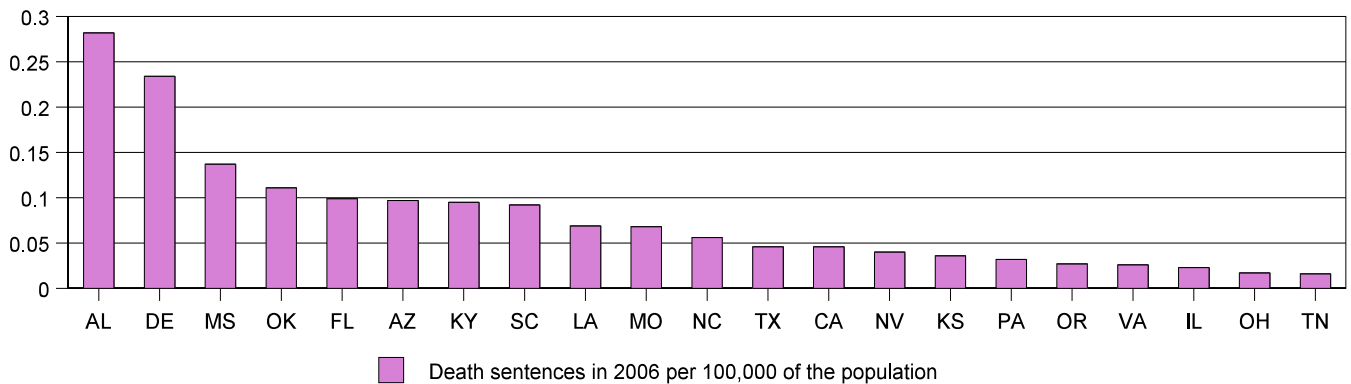
**Based on recently released data, Alabama sentenced more people to death per capita in 2006 than any other state in the country.** While the rate of death sentencing in the rest of the country declined 8% in 2006 compared to the previous year, Alabama handed down 23% *more* death sentences in 2006 than in the previous year.

With a population of only 4.5 million people, Alabama's 13 new death sentences were greater than the 11 new death sentences imposed in Texas, which has a population of 23.5 million people.

**In Alabama, 28% of death sentences in 2006 were the result of judicial override.**

Based on the latest data from the Bureau of Justice Statistics, Alabama lead the nation in the rate of new death sentences for the fifth straight year.

### Per Capita Rate of U.S. Death Sentencing



In 2006, Alabama sentenced more people to death than Tennessee, South Carolina, Virginia, Kentucky and Kansas *combined*.

### Alabama Leads The Nation in Death Sentencing Because of Judicial Override

A major factor behind Alabama's dominance of the per capita death penalty rankings lies in the capacity of trial judges to override the sentencing verdicts of juries.

**Alabama sentenced six times more people to death per capita in 2006 than Texas.**

Alabama is the only state other than Florida that permits trial judges to impose a different sentence than the

sentenced recommended by the jury in the penalty phase of a capital case. And Alabama is the **only** state in the country that permits trial judges to impose a death sentence in cases where a majority of jurors have recommended a sentence of life in prison without possibility of parole.

Of those persons currently on death row in Alabama, approximately 22% first received jury recommendations of life without parole that were then overridden by trial judges in favor of the death sentence.

2006 saw the continuation of this practice. Indeed, 28% of death sentences in Alabama in 2006 were the result of judicial override, including Oscar Roy Doster, who received a unanimous 12-0 jury verdict for LWOP that the trial judge replaced with a death sentence.

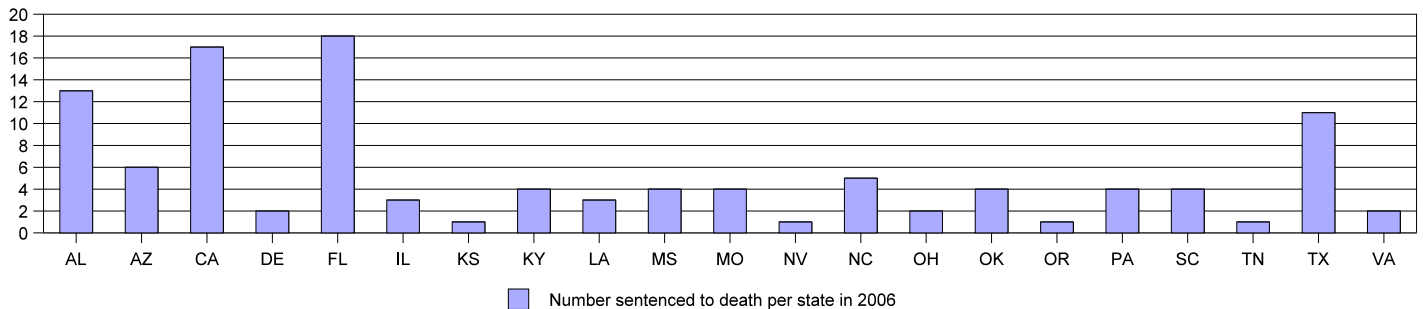
continuation of a downward trend in the nationwide total of death sentences imposed in capital cases. As recently as 1999, for example, a total of 284 death sentences were imposed by courts across the country.

But Alabama is bucking the national trend. Over the past three years, there has been an average annual decline of 14% in the rate of death sentencing nationwide. By contrast, in Alabama over the same time period, there has been an average annual increase of 22% in the rate of death sentencing. This an alarming statistic, because it demonstrates that Alabama is seriously out of kilter with the rest of the nation.

**Race Remains a Key Factor**

Race continued to be a key factor in death sentencing in Alabama in 2006. Despite the fact that 65% of all

2006 U.S. Death Sentences



**In Contrast with the National Trend, Alabama Death Sentences Increased in 2006**

In 2006, a total of 115 death sentences were handed down by courts in 21 states across the United States. This statistic represented the

homicide victims each year in Alabama are black, approximately 88% of death sentences handed down by Alabama courts in 2006 were for crimes involving victims who were non-black (white, Latino, other).

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