

# ALABAMA'S DISPROPORTIONATELY HIGH RATE OF DEATH SENTENCING

- = Since 1977 – when capital punishment resumed – Alabama has created the highest death-sentencing rate in the country. This death-sentencing rate is at odds with crime rates or other measures typically used to explain heavy reliance on capital punishment.
- = Alabama imposed 3.218 death sentences per one million people in its average population over the past 32 years. Nevada (3.107) and Oklahoma (3.012), had the next highest rates after Alabama, all of which exceed sentencing rates in Texas (1.634), Georgia (1.035), and Virginia (0.745).

**Table I: Death Sentencing Since 1977**

A.	B.	C.	D.	E.	F.	G.	H.
State	2008 Pop.	2008 Death Sentences	Cumulative Death Sentences, 1977 to 2008 (“CDS”)	CDS / 2008 Pop.	CDS / Avg. Pop. 1977–2008	Death Sentences per 1 Mil. People in 2008	Avg. Death Sentences per 1 Mil. in Avg. Pop. 1977–2008
Ala.	4,661,900	10	422	0.915	1.030	2.145	3.218
Nev.	2,600,167	1	141	0.542	0.994	0.038	3.107
Okla.	3,642,361	9	305	0.837	0.964	2.470	3.012
Fla.	18,328,340	16	861	0.470	0.675	0.873	2.1091
Ariz.	6,500,180	6	267	0.411	0.675	0.923	2.1087
Del.	873,092	1	44	0.504	0.635	1.145	1.984
N.C.	9,222,414	1	437	0.474	0.627	0.108	1.959
Miss.	2,938,618	0	163	0.555	0.622	0	1.945
S.C.	4,479,800	4	190	0.424	0.537	0.892	1.678
Tex.	24,326,974	9	916	0.377	0.523	0.370	1.634
Ark.	2,855,390	3	116	0.406	0.480	0.680	1.499
Idaho	1,523,816	0	40	0.262	0.365	0	1.139
Mo.	5,911,605	6	191	0.323	0.364	0.868	1.138

La.	4,410,796	3	150	0.340	0.358	0.680	1.119
Ga.	9,685,744	3	228	0.235	0.331	0.310	1.035
Tenn.	6,214,888	0	166	0.267	0.328	0	1.025
Pa.	12,448,279	5	350	0.281	0.290	0.402	0.907
Cal.	36,756,666	20	822	0.224	0.285	0.544	0.892
Ohio	11,485,910	3	313	0.273	0.284	0.261	0.887
Ill.	12,901,563	3	302	0.234	0.252	0.233	0.787
Va.	7,769,089	0	148	0.190	0.238	0	0.745
Ore.	3,790,060	0	69	0.182	0.233	0	0.730
Ky.	4,269,245	0	82	0.192	0.217	0	0.679
Ind.	6,376,792	0	94	0.147	0.164	0	0.512
Neb.	1,783,432	0	26	0.146	0.160	0	0.500
Wyo.	532,668	0	7	0.131	0.153	0	0.479
Mont.	967,440	0	10	0.103	0.120	0	0.377
Md.	5,633,597	0	53	0.094	0.111	0	0.347
Utah	2,736,424	1	19	0.069	0.103	0.365	0.322
N.M.	1,984,356	0	14	0.071	0.092	0	0.287
S.D.	804,194	0	6	0.075	0.083	0	0.260
Wash.	6,549,224	0	37	0.056	0.074	0	0.233
N.J.	8,682,661	0	57	0.066	0.072	0	0.226
Conn.	3,501,252	1	14	0.040	0.043	0.286	0.134
Kan.	2,802,134	2	10	0.036	0.040	0.714	0.1244
Colo.	4,939,456	1	14	0.028	0.040	0.202	0.1242
N.H.	1,315,809	1	1	0.008	0.009	0.760	0.029
N.Y.	19,490,297	0	8	0.004	0.004	0	0.014

= **Alabama also has the largest current per capita death row population in the country.** Only California, Florida, Texas, and Pennsylvania have more death row inmates than Alabama has, but the overall populations of these states dwarf Alabama's and the per capita size of their death rows is smaller: California (18.2); Florida (21.3); Texas (14.6); and Pennsylvania (17.9).

**Table II: Current Death Row Populations**

<b>State</b>	<b>2008 Pop.</b>	<b>Inmates on Death Row in 2008</b>	<b>No. of Death Row Inmates per 1 Mil. Ppl.</b>
Ala.	4,661,900	205	43.973
Nev.	2,600,167	81	31.152
Okla.	3,642,361	85	23.337
Del.	873,092	20	22.907
Fla.	18,328,340	390	21.279
Miss.	2,938,618	60	20.418
La.	4,410,796	84	19.044
Ariz.	6,500,180	119	18.307
Cal.	36,756,666	669	18.201
Pa.	12,448,279	223	17.914
N.C.	9,222,414	161	17.457
Ohio	11,485,910	172	14.975
Tex.	24,326,974	354	14.552
Ark.	2,855,390	41	14.359
Tenn.	6,214,888	87	13.999
S.C.	4,479,800	58	12.947
Idaho	1,523,816	17	11.156
Ga.	9,685,744	105	10.841
Ore.	3,790,060	35	9.235
Mo.	5,911,605	50	8.458
Ky.	4,269,245	36	8.432
Neb.	1,783,432	9	5.046
S.D.	804,194	3	3.730
Utah	2,736,424	10	3.654
Conn.	3,501,252	10	2.856
Kan.	2,802,134	8	2.855
Mont.	967,440	2	2.067

Ind.	6,376,792	13	2.039
Va.	7,769,089	15	1.931
Wyo.	532,668	1	1.877
Wash.	6,549,224	8	1.222
Ill.	12,901,563	15	1.163
N.M.	1,984,356	2	1.008
Md.	5,633,597	5	0.888
N.H.	1,315,809	1	0.760
Colo.	4,939,456	2	0.405
N.Y.	19,490,297	0	0

= **Last year, Alabama had the highest per capita execution rate in the country.** Despite serious questions about the fairness of Alabama's death penalty, more people were executed in Alabama in 2009 than in any other single year in its history since 1946.

**Table III: Executions in 2009**

State	2008 Pop.	Number of Executions in 2009	Executions in 2009 / 2008 Pop. (per 1 Mil. Ppl.)
Ala.	4,661,900	6	1.287
Tex.	24,326,974	24	0.987
Okla.	3,642,361	3	0.823
S.C.	4,479,800	2	0.446
Ohio	11,485,910	5	0.435
Va.	7,769,089	3	0.386
Tenn.	6,214,888	2	0.322
Ga.	9,685,744	3	0.310
Mo.	5,911,605	1	0.169
Ind.	6,376,792	1	0.157
Fla.	18,328,340	2	0.109

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Equal Justice Initiative = 122 Commerce Street, Montgomery, Alabama, 36104 = 334-269-1803 = [www.eji.org](http://www.eji.org)