

CRIMINAL JUSTICE/CORRECTIONS

Table 9.24
CAPITAL PUNISHMENT
(As of Winter 2002)

<i>State or other jurisdiction</i>	<i>Capital offenses</i>	<i>Minimum age</i>	<i>Prisoners under sentence of death</i>	<i>Method of execution</i>
Alabama	Intentional murder with 1 of 18 aggravating factors.	16	188	Electrocution
Alaska	...	...	...	...
Arizona	First degree murder accompanied by at least 1 of 10 aggravating factors. Capital sentencing excludes persons determined to be mentally retarded.	16	128	Lethal gas or lethal injection (a)
Arkansas	Capital murder with 1 of 9 aggravating circumstances. Capital sentencing excludes persons determined to be mentally retarded.	16	40	Lethal injection or electrocution (b)
California	First-degree murder with special circumstances; train-wrecking; treason; perjury causing execution.	18	607	Lethal gas or lethal injection
Colorado	First-degree murder with at least 1 of 13 aggravating factors. Capital sentencing excludes persons determined to be mentally retarded.	18	6	Lethal injection
Connecticut	Capital felony with 9 categories of aggravated homicide. Capital sentencing excludes persons determined to be mentally retarded.	18	7	Lethal injection
Delaware	First-degree murder with certain aggravating circumstances.	16	19	Hanging or lethal injection (c)
Florida	First-degree murder; felony murder; capital drug-trafficking. Capital sentencing excludes persons determined to be mentally retarded.	17	386	Electrocution or lethal injection
Georgia	Murder; kidnapping with bodily injury or ransom where the victim dies; aircraft hijacking; treason. Capital sentencing excludes persons determined to be mentally retarded.	17	127	Lethal injection
Hawaii	...	...	...	...
Idaho	First-degree murder; aggravated kidnapping.	16	21	Firing Squad or lethal injection (d)
Illinois (l)	First-degree murder with 1 of 18 aggravating circumstances.	18	173	Lethal injection
Indiana	Murder with 15 aggravating circumstances. Capital sentencing excludes persons determined to be mentally retarded.	16	39	Lethal injection
Iowa	...	...	...	...
Kansas	Capital murder, with 7 aggravating circumstances. Capital sentencing excludes persons determined to be mentally retarded.	18	4	Lethal injection
Kentucky	Murder with aggravating factors; kidnapping with aggravating factors. Capital sentencing excludes persons determined to be mentally retarded.	16	41	Electrocution or lethal injection (e)
Louisiana	First-degree murder; aggravated rape of victim under age 12; treason.	16	93	Lethal injection
Maine	...	...	...	...
Maryland	First-degree murder, either premeditated or in the commission of a felony, provided that certain death eligibility requirements are satisfied. Capital sentencing excludes persons determined to be mentally retarded.	18	15	Lethal injection or gas chamber (i)
Massachusetts	...	...	...	...
Michigan	...	...	...	...
Minnesota	...	...	...	...
Mississippi	Capital murder; aircraft piracy.	16	68	Lethal injection
Missouri	First-degree murder. Capital sentencing excludes persons determined to be mentally retarded.	16	75	Lethal injection or lethal gas
Montana	Capital murder with 9 aggravating circumstances.	16	6	Lethal injection
Nebraska	First-degree murder with a finding of at least 1 statutorily-defined aggravating circumstance. Capital sentencing excludes persons determined to be mentally retarded.	18	7	Electrocution
Nevada	First-degree murder with 10 aggravating circumstances.	16	88	Lethal injection
New Hampshire	Capital murder.	17	0	Lethal injection or hanging (f)
New Jersey	Purposeful or knowing murder by one's own conduct; contract murder; solicitation by command or threat in furtherance of a narcotics conspiracy.	18	18	Lethal injection
New Mexico	First-degree murder. Capital sentencing excludes persons determined to be mentally retarded.	18	4	Lethal injection
New York	First-degree murder with 1 of 10 aggravating factors. Capital sentencing excludes persons determined to be mentally retarded.	18	6	Lethal injection
North Carolina	First-degree murder.	17	226	Lethal injection
North Dakota	...	...	...	...
Ohio	Aggravated murder with at least 1 of 8 aggravating circumstances.	18	204	Lethal injection
Oklahoma	First-degree murder in conjunction with a finding of at least 1 of 8 statutorily defined aggravating circumstances.	16	120	Lethal injection, electrocution or firing squad (h)
Oregon	Aggravated murder.	18	30	Lethal injection
Pennsylvania	First-degree murder with 17 aggravating circumstances.	16	247	Lethal injection
Rhode Island	...	...	...	...
South Carolina	Murder with 1 of 10 aggravating circumstances.	16	76	Electrocution or lethal injection

CAPITAL PUNISHMENT — Continued

<i>State or other jurisdiction</i>	<i>Capital offenses</i>	<i>Minimum age</i>	<i>Prisoners under sentence of death</i>	<i>Method of execution</i>
South Dakota	First-degree murder with 1 of 10 aggravating circumstances.	16	5	Lethal injection
Tennessee	First-degree murder. Capital sentencing excludes persons determined to be mentally retarded.	18	104	Lethal injection or electrocution (j)
Texas	Criminal homicide with 1 of 8 aggravating circumstances.	17	455	Lethal injection
Utah	Aggravated murder; aggravated assault by a prisoner serving a life sentence if serious bodily injury is intentionally caused.	16	11	Lethal injection or firing squad
Vermont .....	.....	...	...	...
Virginia	First-degree murder with 1 of 9 aggravating circumstances.	16	29	Electrocution or lethal injection
Washington	Aggravated first-degree murder. Capital sentencing excludes persons determined to be mentally retarded.	18	15	Lethal injection or hanging
West Virginia .....	.....	...	...	...
Wisconsin .....	.....	...	...	...
Wyoming	First-degree murder.	16	2	Lethal injection or lethal gas (k)
Dist. of Columbia .....	.....	...	...	...

Source: NAACP Legal Defense and Educational Fund Inc., *Death Row, U.S.A.* Winter 2002 (February 2002).
 Note: There were 9 prisoners sentenced to death in more than one state, one prisoner in 3 states.
 Key:
 . . . — No capital punishment statute.
 (a) Arizona authorizes lethal injection for persons sentenced after 11/15/92; those sentenced before that date may select lethal injection or lethal gas.
 (b) Arkansas authorizes lethal injection for persons committing a capital offense on or after 7/4/83; those who committed the offense before that date may select lethal injection or electrocution.
 (c) Delaware authorizes lethal injection for those whose capital offense occurred after 6/13/86; those who committed the offense before that date may select lethal injection or hanging.
 (d) Idaho authorizes lethal injection and firing squad at the election of the Director of the Department of Corrections. The firing squad will be used if lethal injection is "impractical."
 (e) Inmates in Kentucky were given a choice between lethal injection and electro-

cution. Those sentenced after March 31, 1998 will be executed by lethal injection.
 (f) New Hampshire authorizes hanging only if lethal injection cannot be given.
 (g) The age required is 17 unless the murderer was incarcerated for murder when a subsequent murder occurred; then the age may be 14.
 (h) Oklahoma authorizes electrocution if lethal injection is ever held to be unconstitutional and firing squad if both lethal injection and electrocution are held unconstitutional.
 (i) Maryland authorizes lethal injection for those whose capital offenses occurred as of 3/25/94. People who committed the offense before that date may select lethal injection or gas chamber.
 (j) Tennessee authorizes lethal injection for those sentenced after January 1, 1999. As of May 3, 1998, those currently on death row will choose between the electric chair and lethal injection.
 (k) Wyoming authorizes lethal gas if lethal injection is ever held to be unconstitutional.
 (l) On January 31, 2000 Illinois Governor George H. Ryan declared a moratorium on executions until a commission conducts a review of the administration of the death penalty.