

ICPSR 34366

Capital Punishment in the United States, 1973-2010

*United States Department of Justice.
Office of Justice Programs. Bureau of
Justice Statistics*

Codebook

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Political and Social Research
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Study Description

Citation

Title Statement

Title: Capital Punishment in the United States, 1973-2010

Identification No.: 34366

Responsibility Statement

Authoring Entity: United States Department of Justice. Office of Justice Programs. Bureau of Justice Statistics

Distribution Statement

Distributor: Inter-university Consortium for Political and Social Research

Series Statement

Series Name: Capital Punishment in the United States Series

Series Information:

These data collections provide annual data on prisoners under a sentence of death and on those whose offense sentences were commuted or vacated during the years indicated. Information is supplied for basic sociodemographic characteristics such as age, sex, race, ethnicity, marital status at time of imprisonment, level of education, and state of incarceration. Criminal history data include prior felony convictions for criminal homicide and legal status at the time of the capital offense. Additional information is available for inmates removed from death row by yearend of the last year indicated and for inmates who were executed. The universe is all inmates on death row since 1973 in the United States. The inmate identification numbers were assigned by the Bureau of the Census and have no purpose outside these data collections.

Years Produced: Annually (latest release contains all years)

Study Scope

Subject Information

Keyword(s): capital punishment , commuted sentences , criminal histories , death row inmates , demographic characteristics , executions , felony offenses , prison inmates , sentencing , states (USA)

Topic Classification(s): Social Institutions and Behavior, Crime and the Criminal Justice System, Corrections, Homicide Data, Crime

Abstract

CAPITAL PUNISHMENT IN THE UNITED STATES, 1973-2010 provides annual data on prisoners under a sentence of death, as well as those who had their sentences commuted or vacated and prisoners who were executed. This study examines basic sociodemographic classifications including age, sex, race and ethnicity, marital status at time of imprisonment, level of education, and State and region of incarceration. Criminal history information includes prior felony convictions and prior convictions for criminal homicide and the legal status at the time of the capital offense. Additional information is provided on those inmates removed from death row by yearend 2010.

The dataset consists of one part which contains 9,058 cases. The file provides information on inmates whose death sentences were removed in addition to information on those inmates who were executed. The file also gives information about inmates who received a second death sentence by yearend 2010 as well as inmates who were already on death row.

Summary Data Description

Time Period: 1973 - 2010

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Date(s) of Collection: 2010

Geographic Coverage: United States

Unit of Analysis: Individual

Universe: All inmates on death row since 1972 in the United States.

Kind of Data: event/transaction data

Methodology and Processing

Data Collection Methodology

Time Method: Longitudinal

Data Collector: United States Department of Commerce. Bureau of the Census.

Frequency of Data Collection: Annually

Sampling Procedure:

Capital punishment information is collected annually as part of the National Prisoner Statistics program (NPS-8). This data series is collected in two parts: data on persons under sentence of death are obtained from the department of correction in each jurisdiction currently authorizing capital punishment and are updated annually; information on the status of death penalty statutes is obtained from the Office of the Attorney General in each of the 50 States, the District of Columbia, and the Federal Government. Data collection forms and more detailed tables are available in Correctional Populations in the United States, published annually. NPS-8 covers all persons under sentence of death at any time during the year who were held in a State or Federal nonmilitary correctional facility. Included are capital offenders transferred from prison to mental hospitals and those who may have escaped from custody. Excluded are persons whose death sentences have been overturned by the court, regardless of their current incarceration status.

The statistics reported in this Bulletin may differ from data collected by other organizations for a variety of reasons: (1) NPS-8 adds inmates to the number under sentence of death not at sentencing but at the time they are admitted to a State or Federal correctional facility. (2) If in one year inmates entered prison under a death sentence or were reported as being relieved of a death sentence but the court had acted in the previous year, the counts are adjusted to reflect the dates of court decisions. (3) NPS counts are always for the last day of the calendar year and will differ from counts for more recent periods.

Data Access

Dataset Availability

Location: Inter-university Consortium for Political and Social Research

Extent of Collection: 1 data file + machine-readable documentation (PDF) + SAS setup file + SPSS setup file + Stata setup file + SAS Cport + SPSS system + Stata system files

Data Use Statement:

Restrictions: The data are restricted from general dissemination. Users interested in obtaining these data must complete a Restricted Data Use Agreement form and specify the reasons for the request. A copy of the Restricted Data Use Agreement form can be requested by calling 800-999-0960. Researchers can also download this form as a Portable Document Format (PDF) file from the download page associated with this dataset. Completed forms should be returned to: Director, National Archive of Criminal Justice Data, Inter-university Consortium for Political and Social Research, Institute for Social Research, P.O. Box 1248, University of Michigan, Ann Arbor, MI 48106-1248, or by fax: 734-647-8200.

Citation Requirement: Publications based on ICPSR data collections should acknowledge those sources by means of bibliographic citations. To ensure that such source attributions are captured for social science bibliographic utilities, citations must appear in footnotes or in the reference section of publications.

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Deposit Requirement: To provide funding agencies with essential information about use of archival resources and to facilitate the exchange of information about ICPSR participants' research activities, users of ICPSR data are requested to send to ICPSR bibliographic citations for each completed manuscript or thesis abstract. Visit the ICPSR Web site for more information on submitting citations.

Data Files Description

File-by-File Description

File Name: Capital Punishment in the United States, 1973-2010

Contents of Files: The file provides information on inmates whose death sentences were removed in addition to information on those inmates who were executed. The file also gives information about inmates who received a second death sentence by yearend 2010 as well as inmates who were already on death row.

File Structure (rectangular)

File Dimensions:

- No. of Cases: 9058
- No. of Variables: 37
- Record Length: 82
- Records per Case: 1
- Overall No. of Records: 9058

Type of File: ASCII data file

Data Format: Logical record length

Extent of Processing Checks: The archive produced a codebook, checked for undocumented codes, performed recodes, and standardized missing values.

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Capital Punishment in the United States, 1973-2010

Capital Punishment in the United States, 1973-2010

Variable Description

Summary statistics (minimum, maximum, mean, median, and standard deviation) may not be available for every variable in the codebook. Conversely, a listing of frequencies in table format may not be present for every variable in the codebook either. However, all variables in the dataset are present and display sufficient information about each variable. These decisions are made intentionally and are at the discretion of the archive producing this codebook.

Capital Punishment in the United States, 1973-2010

Capital Punishment in the United States, 1973-2010

Variable List

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V1 - ICPSR STUDY NUMBER

Location: 1-5 (width: 5; decimal: 0)

Variable Type: numeric

V2 - ICPSR EDITION NUMBER

Location: 6-6 (width: 1; decimal: 0)

Variable Type: numeric

V3 - ICPSR PART NUMBER

Location: 7-7 (width: 1; decimal: 0)

Variable Type: numeric

V4 - ICPSR SEQUENTIAL IDENTIFICATION NUMBER

Location: 8-11 (width: 4; decimal: 0)

Variable Type: numeric

V5 - REPORT YEAR

Location: 12-15 (width: 4; decimal: 0)

Variable Type: numeric

<i>Value</i>	<i>Label</i>
0	prior to 1973

V6 - INMATE IDENTIFICATION NUMBER

Location: 16-19 (width: 4; decimal: 0)

Variable Type: numeric

V7 - STATE

Location: 20-21 (width: 2; decimal: 0)

Variable Type: numeric

<i>Value</i>	<i>Label</i>
1	Alabama
2	Alaska
4	Arizona
5	Arkansas
6	California
8	Colorado
9	Connecticut

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<i>Value</i>	<i>Label</i>
10	Delaware
11	District of Columbia
12	Florida
13	Georgia
15	Hawaii
16	Idaho
17	Illinois
18	Indiana
19	Iowa
20	Kansas
21	Kentucky
22	Louisiana
23	Maine
24	Maryland
25	Massachusetts
26	Michigan
27	Minnesota
28	Mississippi
29	Missouri
30	Montana
31	Nebraska
32	Nevada
33	New Hampshire
34	New Jersey
35	New Mexico
36	New York
37	North Carolina
38	North Dakota
39	Ohio
40	Oklahoma
41	Oregon
42	Pennsylvania
44	Rhode Island
45	South Carolina
46	South Dakota
47	Tennessee
48	Texas
49	Utah
50	Vermont
51	Virginia
53	Washington

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<i>Value</i>	<i>Label</i>
54	West Virginia
55	Wisconsin
56	Wyoming
57	Federal Prison System

V8 - Q3 SEX

Location: 22-22 (width: 1; decimal: 0)

Variable Type: numeric

<i>Value</i>	<i>Label</i>
1	Male
2	Female

V9 - Q4A RACE

Location: 23-23 (width: 1; decimal: 0)

Variable Type: numeric

<i>Value</i>	<i>Label</i>
1	White
2	Black of African American
3	American Indian or Alaska Native
4	Asian
5	Native Hawaiian or other Pacific Islander
6	Additional racial category in your information system
9	Unknown/NA

V10 - Q4B ETHNICITY

Location: 24-24 (width: 1; decimal: 0)

Variable Type: numeric

Range of Missing Values (M): 9

<i>Value</i>	<i>Label</i>
1	Hispanic or Latino
2	Non-Hispanic or Non-Latino
3	Not known
9 (M)	Unknown/NA

V11 - Q5A DATE OF BIRTH - MONTH

Location: 25-26 (width: 2; decimal: 0)

Variable Type: numeric

Range of Missing Values (M): 99

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<i>Value</i>	<i>Label</i>
1	January
2	February
3	March
4	April
5	May
6	June
7	July
8	August
9	September
10	October
11	November
12	December
99 (M)	Unknown/NA

V12 - Q5B DATE OF BIRTH - YEAR

Location: 27-30 (width: 4; decimal: 0)

Variable Type: numeric

V13 - Q6A 3RD MOST SERIOUS CAPITAL OFFENSE

Location: 31-32 (width: 2; decimal: 0)

Variable Type: numeric

Range of Missing Values (M): 99

<i>Value</i>	<i>Label</i>
1	Murder
5	Kidnap or abduction
6	Forcible/attempted rape
10	Robbery
12	Aggravated assault
17	Hit & run - bodily injury
21	Burglary
22	Arson
29	Stolen property
99 (M)	No 3rd capital offense

V14 - Q6B 2ND MOST SERIOUS CAPITAL OFFENSE

Location: 33-34 (width: 2; decimal: 0)

Variable Type: numeric

Range of Missing Values (M): 99

<i>Value</i>	<i>Label</i>
1	Murder

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<i>Value</i>	<i>Label</i>
5	Kidnap or abduction
6	Forcible/attempted rape
10	Robbery
12	Aggravated assault
17	Hit & run - bodily injury
21	Burglary
22	Arson
29	Stolen property
99 (M)	No 2nd capital offense

V15 - Q6C 1ST MOST SERIOUS CAPITAL OFFENSE

Location: 35-36 (width: 2; decimal: 0)

Variable Type: numeric

<i>Value</i>	<i>Label</i>
1	Murder
5	Kidnap or abduction
6	Forcible/attempted rape
10	Robbery
12	Aggravated assault
17	Hit & run - bodily injury
21	Burglary
22	Arson
29	Stolen property

V16 - Q7 MARITAL STATUS AT 1ST IMPRISONMENT FOR CAPITAL OFFENSE

Location: 37-37 (width: 1; decimal: 0)

Variable Type: numeric

Range of Missing Values (M): 9

<i>Value</i>	<i>Label</i>
1	Married
2	Divorced or separated
3	Widowed
4	Never married
5	Not known
9 (M)	Unknown/NA

V17 - Q8 EDUCATION, HIGHEST AT 1ST IMPRISONMENT FOR CAPITAL OFFENSE

Location: 38-39 (width: 2; decimal: 0)

Variable Type: numeric

Range of Missing Values (M): 99

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<i>Value</i>	<i>Label</i>
1	7th grade or less
2	8th grade
3	9th grade
4	10th grade
5	11th grade
6	12th grade (GED included)
7	1st year of college
8	2nd year of college
9	3rd year of college
10	4th year of college
11	More than 4 years of college
12	Not known
99 (M)	Unknown/NA

V18 - Q9 LEGAL STATUS AT TIME OF 1ST CAPITAL OFFENSE

Location: 40-40 (width: 1; decimal: 0)

Variable Type: numeric

Range of Missing Values (M): 9

<i>Value</i>	<i>Label</i>
1	Not under sentence - no charges pending
2	Not under sentence - charges pending
3	On probation
4	On parole
5	On escape
6	Imprisoned
7	Under sentence - other
8	Unknown
9 (M)	Unknown/NA

V19 - Q10A PRIOR FELONY CONVICTIONS

Location: 41-41 (width: 1; decimal: 0)

Variable Type: numeric

Range of Missing Values (M): 9

<i>Value</i>	<i>Label</i>
1	Yes
2	No - skip to item 11 (V21)
3	Unknown - skip to item 11 (V21)
9 (M)	UK/NA - skip to item 11 (V21)

V20 - Q10B WERE PRIOR FELONY CONVICTIONS FOR HOMICIDE?

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Location: 42-43 (width: 2; decimal: 0)

Variable Type: numeric

Range of Missing Values (M): 99

Value	Label
1	Murder
2	Involuntary manslaughter
3	Vehicular manslaughter
4	Attempted murder
5	Yes - other
6	No
7	Unknown
8	Manslaughter
9	Voluntary manslaughter
99 (M)	Unknown/NA

V21 - Q11A ARREST DATE FOR CAPITAL OFFENSE MONTH

Location: 44-45 (width: 2; decimal: 0)

Variable Type: numeric

Range of Missing Values (M): 99

Value	Label
1	January
2	February
3	March
4	April
5	May
6	June
7	July
8	August
9	September
10	October
11	November
12	December
99 (M)	Unknown/NA

V22 - Q11B ARREST DATE FOR CAPITAL OFFENSE YEAR

Location: 46-49 (width: 4; decimal: 0)

Variable Type: numeric

Range of Missing Values (M): 9999

Value	Label
9999 (M)	Unknown/NA

V23 - Q12A CONVICTION DATE FOR CAPITAL OFFENSE - MONTH

Location: 50-51 (width: 2; decimal: 0)

Variable Type: numeric

Range of Missing Values (M): 99

Value	Label
1	January
2	February
3	March
4	April
5	May
6	June
7	July
8	August
9	September
10	October
11	November
12	December
99 (M)	Unknown/NA

V24 - Q12B CONVICTION DATE FOR CAPITAL OFFENSE - YEAR

Location: 52-55 (width: 4; decimal: 0)

Variable Type: numeric

Range of Missing Values (M): 9999

Value	Label
9999 (M)	Unknown/NA

V25 - Q13A SENTENCE DATE FOR CAPITAL OFFENSE - MONTH

Location: 56-57 (width: 2; decimal: 0)

Variable Type: numeric

Range of Missing Values (M): 99

Value	Label
1	January
2	February
3	March
4	April
5	May
6	June
7	July
8	August

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<i>Value</i>	<i>Label</i>
9	September
10	October
11	November
12	December
99 (M)	Unknown/NA

V26 - Q13B SENTENCE DATE FOR CAPITAL OFFENSE - YEAR

Location: 58-61 (width: 4; decimal: 0)

Variable Type: numeric

Range of Missing Values (M): 9999

<i>Value</i>	<i>Label</i>
9999 (M)	Unknown/NA

V27 - Q14A STILL ON DEATH ROW DEC 31, 2009

Location: 62-62 (width: 1; decimal: 0)

Variable Type: numeric

Range of Missing Values (M): 9

<i>Value</i>	<i>Label</i>
1	Under sentence of death
2	Sentence of death removed - skip to items c and d (V31 and V34)
9 (M)	Unknown/NA

V28 - Q14B1 ESCAPE OR MENTAL HOSPITAL, DEC 31, 2009

Location: 63-63 (width: 1; decimal: 0)

Variable Type: numeric

Range of Missing Values (M): 9

<i>Value</i>	<i>Label</i>
1	Yes, on escape
2	Yes, at a mental hospital
3	No
9 (M)	Unknown/NA

V29 - Q14B2 MONTH ESCAPE OR TRANSFER MENTAL HOSPITAL

Location: 64-65 (width: 2; decimal: 0)

Variable Type: numeric

Range of Missing Values (M): 99

<i>Value</i>	<i>Label</i>
1	January

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<i>Value</i>	<i>Label</i>
2	February
3	March
4	April
5	May
6	June
7	July
8	August
9	September
10	October
11	November
12	December
99 (M)	Unknown/NA

V30 - Q14B3 YEAR ESCAPE OR TRANSFER MENTAL HOSPITAL

Location: 66-69 (width: 4; decimal: 0)

Variable Type: numeric

Range of Missing Values (M): 9999

<i>Value</i>	<i>Label</i>
9999 (M)	Unknown/NA

V31 - Q14C1 REASON FOR REMOVAL FROM DEATH SENTENCE

Location: 70-70 (width: 1; decimal: 0)

Variable Type: numeric

Range of Missing Values (M): 9

<i>Value</i>	<i>Label</i>
1	Executed - skip to item 15 (V36)
2	Deceased - skip to item 16 (V37)
3	Capital sentence declared unconstitutional
4	Sentence commuted
5	Conviction affirmed, sentence overturned
6	Conviction and sentence overturned
7	Other
8	Info not available at this office
9 (M)	Unknown/NA

V32 - Q14C2 MONTH REMOVED FROM DEATH SENTENCE

Location: 71-72 (width: 2; decimal: 0)

Variable Type: numeric

Range of Missing Values (M): 99

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<i>Value</i>	<i>Label</i>
1	January
2	February
3	March
4	April
5	May
6	June
7	July
8	August
9	September
10	October
11	November
12	December
99 (M)	Unknown/NA

V33 - Q14C3 YEAR REMOVED FROM DEATH SENTENCE

Location: 73-76 (width: 4; decimal: 0)

Variable Type: numeric

Range of Missing Values (M): 9999

<i>Value</i>	<i>Label</i>
9999 (M)	Unknown/NA

V34 - Q14D1 CURRENT STATUS OF INMATE REMOVED DEATH ROW

Location: 77-77 (width: 1; decimal: 0)

Variable Type: numeric

Range of Missing Values (M): 9

<i>Value</i>	<i>Label</i>
1	Under new sentence
2	Awaiting retrial to determine guilt
3	Awaiting resentencing (guilt affirmed)
4	Found not guilty in retrial
5	All charges on capital offense dropped
6	Other
7	No action has been taken since removal from sentence of death
8	Info not available at this office
9 (M)	Unknown/NA

V35 - Q14D2 UNDER NEW SENTENCE

Location: 78-80 (width: 3; decimal: 0)

Variable Type: character

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Range of Missing Values (M): 999

Value	Label
900	Dischg court ord
904	Life sentence
905	Murd-other inmate
906	New death sentence
908	Out-appeal/bond
909	On probation
911	Writ
912	Immg& Nat Sv cst
913	Time served
999 (M)	Unknown/NA

V36 - Q15 METHOD OF EXECUTION

Location: 81-81 (width: 1; decimal: 0)

Variable Type: numeric

Range of Missing Values (M): 9

Value	Label
1	Lethal injection
2	Electrocution
3	Lethal gas
4	Hanging
5	Firing squad
6	Other
9 (M)	Unknown/NA

V37 - Q16 OTHER CAUSE OF DEATH

Location: 82-82 (width: 1; decimal: 0)

Variable Type: numeric

Range of Missing Values (M): 9

Value	Label
1	Natural causes
2	Suicide
3	Murdered by another inmate
4	Other
9 (M)	Unknown/NA

FORM **NPS-8**
(11-29-2010)

U.S. DEPARTMENT OF JUSTICE
BUREAU OF JUSTICE STATISTICS
and ACTING AS COLLECTING AGENT
U.S. DEPARTMENT OF COMMERCE
Economics and Statistics Administration
U.S. CENSUS BUREAU

CENSUS USE ONLY

a. Report year

b.

Card ___ of ___ Cards

**REPORT OF INMATE UNDER SENTENCE OF DEATH
NATIONAL PRISONER STATISTICS**

RETURN TO

**U.S. Census Bureau
ATTN: Governments Division
Washington, DC 20233**

Important - Please read instructions on reverse before completing this form.

1. State _____ **Inmate's Dept. of Corrections ID.** _____

2. Inmate name
Last _____ First _____ Middle Initial _____

3. Sex - Mark (X) appropriate box.
1 Male 2 Female

4a. Ethnicity - Mark (X) appropriate box.
1 Hispanic or Latino 2 Non-Hispanic or Non-Latino 3 Not known

4b. Race - Mark one or more.
1 White 2 Black or African American 3 American Indian or Alaska Native 4 Asian
5 Native Hawaiian or other Pacific Islander 6 Additional racial category in your information system - Specify _____

5. Date of birth Month _____ Year _____

6. Capital offense(s) for which imprisoned
Number of death sentences imposed _____
 Murder Kidnap Rape Other - Specify _____

CENSUS USE ONLY

7. Marital status at time of first imprisonment for capital offense
1 Married - Include common law marriage
2 Divorced or separated
3 Widowed
4 Never married
5 Not known

8. Highest year of education completed at time of first imprisonment for capital offense

01 <input type="checkbox"/> 7th grade or less	07 <input type="checkbox"/> 1st year of college
02 <input type="checkbox"/> 8th grade	08 <input type="checkbox"/> 2nd year of college
03 <input type="checkbox"/> 9th grade	09 <input type="checkbox"/> 3rd year of college
04 <input type="checkbox"/> 10th grade	10 <input type="checkbox"/> 4th year of college
05 <input type="checkbox"/> 11th grade	11 <input type="checkbox"/> More than 4 years of college
06 <input type="checkbox"/> 12th grade - (Include GED)	12 <input type="checkbox"/> Not Known

9. Legal status at time of capital offense
Mark (X) appropriate box.

NOT UNDER SENTENCE

1 No charges pending
2 Charges pending

UNDER SENTENCE

3 On probation
4 On parole
5 On escape
6 Imprisoned
7 Other - Specify legal status _____
8 UNKNOWN

10a. Prior felony conviction(s) - Mark (X) appropriate box.
1 Yes
2 No
3 Unknown } *Skip to item 11*

10b. Were any of these convictions for criminal homicide?
Yes, prior conviction for _____

01 <input type="checkbox"/> Murder	04 <input type="checkbox"/> Attempted murder
02 <input type="checkbox"/> Involuntary manslaughter	05 <input type="checkbox"/> Other - Specify _____
08 <input type="checkbox"/> Manslaughter	
09 <input type="checkbox"/> Voluntary manslaughter	06 <input type="checkbox"/> No
03 <input type="checkbox"/> Vehicular manslaughter	07 <input type="checkbox"/> Unknown

11. Date of arrest for capital offense Month _____ Year _____

12. Date of conviction for capital offense Month _____ Year _____

13. Date of sentence for capital offense Month _____ Year _____

14a. Inmate status on December 31, _____
Mark (X) appropriate box.
1 Under sentence of death - Continue with item b
2 Sentence of death removed - Skip to items c and d

14b. Was this inmate on escape or at a mental hospital on December 31?

1 Yes, on escape - Enter month and year of escape Month _____ Year _____
2 Yes, at a mental hospital - Enter month and year of transfer to mental hospital Month _____ Year _____
3 No

NO FURTHER INFORMATION REQUIRED FOR THIS INMATE

14c. Reason for inmate's removal from under sentence of death - Mark (X) appropriate box.

1 <input type="checkbox"/> Executed - Enter date and skip to item 15	Month _____ Year _____
2 <input type="checkbox"/> Deceased by other causes - Enter date and skip to item 16	Month _____ Year _____
3 <input type="checkbox"/> Capital sentence declared unconstitutional by State or U.S. Supreme Court	Month _____ Year _____
4 <input type="checkbox"/> Sentence commuted	Month _____ Year _____
5 <input type="checkbox"/> Conviction affirmed, sentence overturned by appellate or higher court	Month _____ Year _____
6 <input type="checkbox"/> Conviction and sentence over turned by appellate or higher court	Month _____ Year _____
7 <input type="checkbox"/> Other - Specify _____	Month _____ Year _____
8 <input type="checkbox"/> Information not available at this office	

14d. Current status of inmate removed from sentence of death - Mark (X) the one box showing the inmate's status as of the day you fill out this report, i.e., TODAY.

1 Under new sentence of _____
2 Awaiting retrial to determine guilt
3 Awaiting resentencing only (guilt affirmed)
4 Found not guilty in retrial
5 All charges on capital offense dropped
6 Other - Specify _____
7 No action has been taken since removal from sentence of death
8 Information not available at this office

15. Method of execution - Mark (X) one box showing how the inmate was executed.

01 Lethal injection
02 Electrocution
03 Lethal gas
04 Hanging
05 Firing squad
06 Other - Specify _____

16. Cause of death other than execution
Mark (X) the appropriate box.

01 Natural causes
02 Suicide
03 Murdered by another inmate
04 Other - Specify _____

INSTRUCTIONS

Please complete one card for each person who: (1) entered your State's correctional system under sentence of death at any time during the report year, or (2) had received a sentence of death in a previous year but was not previously reported. Attempt to answer all items.

Item b. Card of Cards. Complete this item to insure proper accounting of all persons under sentence of death in your correctional system who have not been previously reported.

Item 4a. Ethnicity. Hispanic or Latino persons are those of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.

Item 4b. Race

(1) White. A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

(2) Black or African American. A person having origins in any of the black racial groups of Africa.

(3) American Indian or Alaska Native. A person having origins in any of the original peoples of North America and South America (including Central America), and who maintains tribal affiliation or community attachment.

(4) Asian. A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

(5) Native Hawaiian or Pacific Islander. A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

(6) Additional categories in your system. Any designation not covered by the above categories. Please specify in the space provided.

Item 5. Date of Birth. Enter two digits for month (e.g., January=01) and four digits for year.

Item 6. Capital offense for which imprisoned. Mark **only** those offenses for which a capital sentence was levied in this jurisdiction. Enter the number of death sentences the inmate received in the space provided.

Item 7. Marital status at time of first imprisonment for capital offense. "Time of first imprisonment" refers to the inmate's original time of arrival **at prison** after his first sentencing to death. Separated does **not** include separation because of imprisonment.

Item 8. Highest year of education completed at time of first imprisonment for capital offense. Time frame as in Item 7 above. Include high school equivalency (GED) as "12th grade."

Item 9. Legal status at time of capital offense. If the person was known to be free in all states with no criminal charges pending at the time of the offense(s) in Item 6, mark "Not under sentence – no charges pending."

Item 10a. Prior felony conviction(s). If the person was known to have been convicted of any felony **before being convicted** of the offense(s) in Item 6, mark "Yes" and answer Item 10b.

Item 10b. Prior conviction for criminal homicide. If any prior felony conviction referenced in Item 10a was for criminal homicide, mark "Yes" and mark the type(s) of criminal homicide. If convicted of a type not listed, mark "other" and specify the type.

Item 12. Date of conviction for capital offense. Generally a person receives only one conviction for a single or multiple capital offenses. In this case, enter the month and year the inmate was found guilty of the capital offense(s) in Item 6. If a person was convicted of more than one capital offense and received more than one death sentence, not all on the same date, record the **earliest date** that the person was found guilty. If a person's previous conviction for the offense(s) shown in Item 6 was overturned, but the person was subsequently retried and found guilty, enter the **most recent** month and year of conviction. **Do not** enter the date an appeal was rejected or the person was admitted to prison.

Item 13. Date of sentence for capital offense. Enter the date the person was formally sentenced to death by the court. The date must be the same as or later than the conviction date in Item 12.

Item 14a. Inmate status on December 31, ____ . Indicate whether or not the inmate was under sentence of death at the end of the report year.

Item 14b. Indicate if the inmate was on escape or at a mental hospital. Enter the month and year of escape or transfer to mental hospital.

Item 14c. Reason for removal from sentence of death. Complete this item **only** if the sentence of death was removed during the report year or earlier. Mark the box which most accurately describes the means by which the death sentence was removed.

14d. Current status of Inmate removed from sentence of death. Mark the one box which best describes the inmate's legal status as of **THE DATE THIS REPORT IS COMPLETED**. If "Under new sentence", enter length of new sentence.

**RETURN
TO**

**GOVS – Criminal Justice
Statistics Branch**
NPS-8
U.S. CENSUS BUREAU
4600 Silver Hill Rd – Stop 6K248F
Washington, DC 20233-6800

FORM **NPS-8B**
(11-30-2010)

**STATUS OF
DEATH PENALTY STATUTES
NO STATUTE IN FORCE, 2009**
**National Prisoner Statistics
2010**

U.S. DEPARTMENT OF JUSTICE
BUREAU OF JUSTICE STATISTICS
and ACTING AS COLLECTING AGENT
U.S. DEPARTMENT OF COMMERCE
Economics and Statistics Administration
U.S. CENSUS BUREAU

(Please correct any error in name, mailing address, and ZIP Code)

DATA SUPPLIED BY

Name				Title		
TELEPHONE	Area code	Number	Extension	FAX NUMBER	Area code	Number
E-MAIL ADDRESS						Date completed

GENERAL INFORMATION

- If you need assistance in completing the questionnaire, please call **Garry Smith**, U.S. Census Bureau, toll-free at **1-800-352-7229**.
- Please mail your completed questionnaire to the **U.S. Census Bureau** in the enclosed envelope before **February 4, 2011**, or FAX **both sides** to **1-888-891-2099**.

Who receives this form?

This form is sent to jurisdictions that had no capital statute in effect on December 31, 2009.

What information is collected?

Items on the reverse side of this form relate to death penalty statutes in your jurisdiction during the period **January 1, 2010, through December 31, 2010**.

Burden statement

Under the Paperwork Reduction Act, we cannot ask you to respond to a collection of information unless it displays a currently valid OMB control number. Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspects of this collection of information, including suggestions for reducing this burden, to the Director, Bureau of Justice Statistics, Washington, DC 20531; and to the Office of Management and Budget, OMB No. 1121-0030, Washington, DC 20503.

1. National Prisoner Statistics (NPS) records show that at the end of 2009 your State had NO CAPITAL PUNISHMENT STATUTE. At any time in 2010 was such a law established?

- No – Go to Question 4
- Yes

Effective date

Citation

Please provide a copy of the law.

2. During 2010, was that law explicitly struck by the U.S. or State Supreme Court?

- No – Go to Question 5
- Yes
 - Wholly struck
 - By U.S. Supreme Court
 - By State Supreme Court
 - Partially struck
 - By U.S. Supreme Court
 - By State Supreme Court

Effective date

Citation

Please provide a copy of the decision.

3. In the opinion of the Attorney General, what was the impact on persons sentenced under your State's statute?

- All were effectively removed from under sentence of death as of the decision date; that is, legally these persons could not be executed under that sentence.
- None were effectively removed from under sentence of death as of the decision date; that is, legally these persons could still possibly be executed under that sentence.
- Some were effectively removed from under sentence of death as of the decision date while others were not; that is, legally some could still possibly be executed under that sentence while others could not.

4. As of December 31, 2010, does your State CONSTITUTION specifically prohibit capital penalties?

- No
- Yes

Date

Citation

5. As of December 31, 2010, your State –

- Had no capital punishment statute – STOP HERE and return form.
- Had a capital punishment statute

6. For what offenses can the death penalty be imposed in your State?

7. Does your State provide for automatic appeal upon imposition of the death penalty, irrespective of the defendant's wishes?

- No
- Yes

8. What methods of execution are authorized in your capital punishment statute?

Mark (X) all that apply.

- Lethal injection
- Electrocution
- Lethal gas
- Hanging
- Firing squad
- Other – Specify ↴

**RETURN
TO**

**GOVS - Criminal Justice Statistics Branch
NPS-8
U.S. CENSUS BUREAU
4600 Silver Hill Rd - Stop 6K248F
Washington, DC 20233-6800**

FORM **NPS-8C**
(11-30-2010)

**STATUS OF
DEATH PENALTY STATUTES
STATUTE IN FORCE, 2009
National Prisoner Statistics
2010**

U.S. DEPARTMENT OF JUSTICE
BUREAU OF JUSTICE STATISTICS
and ACTING AS COLLECTING AGENT
U.S. DEPARTMENT OF COMMERCE
Economics and Statistics Administration
U.S. CENSUS BUREAU

(Please correct any error in name, mailing address, and ZIP Code)

DATA SUPPLIED BY

Name				Title		
TELEPHONE	Area code	Number	Extension	FAX NUMBER	Area code	Number
E-MAIL ADDRESS						Date completed

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Burden statement

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1. National Prisoner Statistics (NPS) records show that at the end of 2009 your State had a capital punishment statute. During 2010, was that law explicitly struck in whole or in part by the U.S. or the State Supreme Court?

- No – Go to Question 3
- Yes
 - Wholly struck
 - By U.S. Supreme Court
 - By State Supreme Court
 - Partially struck
 - By U.S. Supreme Court
 - By State Supreme Court

Effective date

Citation

Please provide a copy of the Law(s) cited in the box above.

2. In the opinion of the Attorney General, what was the impact on persons sentenced under your State's statute?

- All were effectively removed from under sentence of death as of the decision date; that is, legally these persons could not be executed under that sentence.
- None were effectively removed from under sentence of death as of the decision date; that is, legally these persons could still possibly be executed under that sentence.
- Some were effectively removed from under sentence of death as of the decision date while others were not; that is, legally some could still possibly be executed under that sentence while others could not.

3. During 2010, the capital punishment statute was:

- Not changed
- Revised or modified
- Replaced (entirely new statute)

Effective date

Citation

Please provide a copy of the revised sections. If revised more than once, please specify.

4. As of December 31, 2010, your State –

- Had no capital punishment statute – STOP HERE and return form.
- Had a capital punishment statute

5. For what offense(s) can the death penalty be imposed in your State?

6. Does your State provide for automatic appeal upon imposition of the death penalty, irrespective of defendant's wishes?

- No
- Yes

7. What methods of execution are authorized in your capital punishment statute?

Mark (X) all that apply.

- Lethal injection
- Electrocutation
- Lethal gas
- Hanging
- Firing squad
- Other – Specify ↗

NOTES