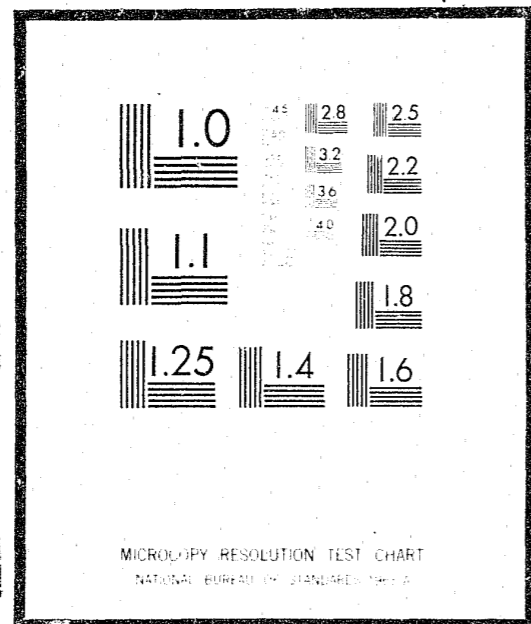


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ACQUISITIONS

Capital Punishment, 1976-

National Prisoner Statistics Bulletin
No. SD-NPS-CP-5A, issued April 1977

Advance Report

During 1976, a total of 233 persons who had received the death penalty for their crimes were admitted to State correctional systems, while 262 had their death sentences changed.

As a result, fewer prisoners under sentence of death were held in State and Federal correctional institutions on the last day of 1976 than 12 months earlier. The 444 in custody on December 31, 1976, represented a reduction of 6 percent from the 473 detained at the end of 1975.¹ Only 1 of the 444 was held in a Federal prison.

For the ninth year in a row there were no executions of prisoners under sentence of death.

As of December 31, 1975, 28 States held prisoners under sentence of death, whereas 22 States and the District of Columbia had no such inmates. A year later, 23 States had custody of at least one death-row inmate. During 1976, the number of prisoners held for execution increased in 19 States, including Idaho, which had no such prisoners 12 months earlier. The number of persons under sentence of death declined in eight States, including six--Delaware, New Mexico, North Carolina, Oklahoma, South Carolina, and Virginia--in which the number was reduced to zero. Seven of the eight States registering decreases were in the South. The decline in North Carolina, from 103 to 0, was the largest, and resulted from a U.S. Supreme Court decision in July declaring the State's death penalty statutes unconstitutional.

Regionally, the South held the largest proportion of death-row inmates, even though it

was the only region with a net decline during calendar year 1976.² Of the 443 prisoners under sentence of death in State correctional systems on December 31, 1976, 246, or 56 percent were under the jurisdiction of State authorities in the South. The proportion was 24 percent for the West, 18 percent for the North Central Region, and 2 percent for the Northeast. Nine of the 17 Southern jurisdictions had prisoners awaiting execution, compared with 3 of the 9 in the Northeast, 3 of the 12 in the North Central Region, and 8 of the 13 in the West. Five States in the South held 30 or more death-row inmates. In the other three regions, a single State accounted for a majority of all inmates. Pennsylvania accounted for 60 percent of all prisoners under sentence of death in the Northeast, Ohio for 85 percent of those in the North Central Region, and California for 63 percent of those in the West.

Among individual States, Florida, with 81 persons on death row, had the largest number of prisoners awaiting execution at the end of 1976. California, with 68 prisoners, and Ohio, with 67, ranked second and third. Collectively, these three States accounted for nearly one-half of the total death-row population in the United States.

Data for the National Prisoner Statistics program were collected for the Law Enforcement Assistance Administration by the U.S. Bureau of the Census. Additional data, including information on the status of the death penalty in each jurisdiction, will be contained in the final report, to be issued later this year.

¹The total of 473 reported for December 31, 1975, represents a revision in the figure for that date published in *Capital Punishment, 1975*, NPS Bulletin No. SD-NPS-CP-4, July

1976. See footnote 1 to the accompanying table for an explanation.

²For States included in each region, see accompanying table.

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Movement of prisoners under sentence of death,
by region and State: calendar year 1976

| Region and State | Reported under sentence of death on 12-31-75 ¹ | Received from court | Dispositions | Reported under sentence of death on 12-31-76 |
|----------------------|--------------------------------------------------------------|------------------------|--------------|-------------------------------------------------|
| United States | 473 | 233 | 262 | 444 |
| Federal | 1 | 0 | 0 | 1 |
| State | 472 | 233 | 262 | 443 |
| Northeast | 5 | 7 | 2 | 10 |
| Maine | xx | xx | xx | xx |
| New Hampshire | 0 | 0 | 0 | 0 |
| Vermont | 0 | 0 | 0 | 0 |
| Massachusetts | 0 | 0 | 0 | 0 |
| Rhode Island | 1 | 1 | 0 | 2 |
| Connecticut | 0 | 0 | 0 | 0 |
| New York | 1 | 1 | 0 | 2 |
| New Jersey | 0 | 0 | 0 | 0 |
| Pennsylvania | 3 | 5 | 2 | 6 |
| North Central | 42 | 38 | 1 | 79 |
| Ohio | 33 | 34 | 0 | 67 |
| Indiana | 7 | 1 | 1 | 7 |
| Illinois | 0 | 0 | 0 | 0 |
| Michigan | xx | xx | xx | xx |
| Wisconsin | xx | xx | xx | xx |
| Minnesota | xx | xx | xx | xx |
| Iowa | xx | xx | xx | xx |
| Missouri | 0 | 0 | 0 | 0 |
| North Dakota | 0 | 0 | 0 | 0 |
| South Dakota | 0 | 0 | 0 | 0 |
| Nebraska | 2 | 3 | 0 | 5 |
| Kansas | 0 | 0 | 0 | 0 |
| South | 355 | 134 | 243 | 246 |
| Delaware | 3 | 7 | 10 | 0 |
| Maryland | 0 | 1 | 1 | 0 |
| District of Columbia | 0 | 0 | 0 | 0 |
| Virginia | 2 | 3 | 5 | 0 |
| West Virginia | xx | xx | xx | xx |
| North Carolina | 103 | 22 | 125 | 0 |
| South Carolina | 13 | 13 | 26 | 0 |
| Georgia | 25 | 11 | 2 | 34 |
| Florida | 62 | 29 | 10 | 81 |
| Kentucky | 3 | 0 | 0 | 3 |
| Tennessee | 23 | 12 | 1 | 34 |
| Alabama | 1 | 3 | 0 | 4 |
| Mississippi | 16 | 6 | 21 | 1 |
| Arkansas | 4 | 2 | 0 | 6 |
| Louisiana | 33 | 1 | 4 | 30 |
| Oklahoma | 30 | 8 | 38 | 0 |
| Texas | 37 | 16 | 0 | 53 |
| West | 70 | 54 | 16 | 108 |
| Montana | 4 | 1 | 0 | 5 |
| Idaho | 0 | 2 | 0 | 2 |
| Wyoming | 4 | 1 | 0 | 5 |
| Colorado | 1 | 3 | 1 | 3 |
| New Mexico | 7 | 3 | 10 | 0 |
| Arizona | 12 | 7 | 3 | 16 |
| Utah | 5 | 1 | 0 | 6 |
| Nevada | 1 | 2 | 0 | 3 |
| Washington | 0 | 0 | 0 | 0 |
| Oregon | xx | xx | xx | xx |
| California | 36 | 34 | 2 | 68 |
| Alaska | xx | xx | xx | xx |
| Hawaii | xx | xx | xx | xx |

xx States in which capital punishment has been abolished by legislative act or which traditionally have had no capital offenses.

¹Some of the above figures for December 31, 1975, disagree with those for that date published in *Capital Punishment, 1975*, NPS Bulletin No. SD-NPS-CP-4, July 1976, for the following reasons:

a) They exclude 5 inmates erroneously reported on death row at the end of 1975 (3 in Georgia, 1 in Massachusetts, and 1 in Texas).

b) They include 31 inmates sentenced to death before 1976 but either reported late to the NPS program or not admitted to the custody of the relevant correctional authorities by December 31, 1975

(9 in Tennessee, 7 in Texas, 5 each in Georgia and Louisiana, 2 in Oklahoma, and 1 each in Alabama, Pennsylvania, and the Federal correctional system).

c) They exclude 32 inmates sentenced to death under statutory provisions subsequently found unconstitutional. For NPS purposes, beginning in 1976, such inmates are removed from the death-row count as of the date of the finding rather than the date of administrative implementation of that finding, as had been the practice. This procedural change affected 8 inmates in Massachusetts, 6 in Louisiana, 3 each in California, Illinois, and Pennsylvania, 2 each in Georgia, Kentucky, Maryland, and Utah, and 1 in Virginia.