

## The Death Penalty in the United States

In the majority of nations around the world the death penalty is either not used, or has been abolished altogether. However, the United States continues to utilize the death penalty for the punishment of capital murder, which is the most serious category of felony. Capital murder typically involves special circumstances, such as killing a police officer or a child, or committing a murder while committing another serious felony like sexual assault or burglary. The death penalty is legal in 29 states, and is also allowed by the U.S. military and the federal government.<sup>1</sup> The majority of U.S. executions are carried out by lethal injection. Other methods include electrocution, the gas chamber, hanging, and firing squad. Recent Gallup polls show that a little more than half of Americans approve of the death penalty, with a 2018 poll showing 56 percent in favor and 41 percent not in favor.<sup>2</sup>

### Death Penalty Statistics

It is estimated that there are close to 2,700 people currently on death row awaiting execution in the United States.<sup>3</sup> The majority of these inmates are men. Only about 53 are women.<sup>4</sup> Juveniles under the age of 18 were sometimes executed prior to 2005, however that year the U.S. Supreme Court ruled that offenders who committed their crime when they were under the age of 18 cannot be executed. The state of Texas carries out the greatest number of executions in the United States, while California has the greatest number of death row inmates.

### Foreign Nationals

Executions in the United States are not limited to U.S. citizens. Some states also allow their courts to sentence foreign nationals to death. Since 1976 it is estimated that about 28 foreign nationals have been executed in the United States. The majority of these executions took place in Texas, and most of the people executed were Mexican citizens. Mexico, which has abolished the death penalty for its citizens, is strongly opposed to the execution of its citizens in the United States.

### A Recent Decline

While executions occur every year in the United States, the overall use of the death penalty has declined significantly in recent years. A number of states have recently abolished it. For instance, New Mexico did so in 2009, Illinois in 2011, Connecticut in 2012, Maryland in 2013, and New Hampshire in 2019.<sup>5</sup> Even among those states that allow it, the number of death sentences and executions have both steadily decreased. For instance, in 1999, executions were at a high point, with 98 people executed that year. In 2018, only 8 states carried out executions, for a total of 25 deaths.<sup>6</sup>

### Wrongful Executions

Sometimes, courts discover that a person has been wrongly imprisoned on death row, and that person is released. The Death Penalty Information Center estimates that more than 160 people have been released from death rows in the United States as a result of evidence that they were wrongly convicted.<sup>7</sup> In addition, there have been some cases where prisoners were executed before this evidence of innocence was discovered. Some of the reasons for wrongful conviction include inadequate legal representation, misinterpretation of evidence, incorrect testimony, and police misconduct.

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<sup>1</sup> <http://www.ncsl.org/research/civil-and-criminal-justice/death-penalty.aspx>

<sup>2</sup> <https://news.gallup.com/poll/1606/death-penalty.aspx>

<sup>3</sup> <https://deathpenaltyinfo.org/documents/FactSheet.pdf>

<sup>4</sup> <https://deathpenaltyinfo.org/documents/FactSheet.pdf>

<sup>5</sup> <http://www.ncsl.org/research/civil-and-criminal-justice/death-penalty.aspx>

<sup>6</sup> <https://deathpenaltyinfo.org/documents/FactSheet.pdf>

<sup>7</sup> <https://deathpenaltyinfo.org/documents/FactSheet.pdf>