

Sourcebook of criminal justice statistics Online

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Table 6.87.2009

Methods of execution in States authorizing the death penalty

By State, 2009

State	Lethal injection	Electrocution	Lethal gas	Hanging	Firing squad
Total	36	9	4	3	2
Alabama	X	X			
Arizona ^a	X		X		
Arkansas ^b	X	X			
California	X		X		
Colorado	X				
Connecticut	X				
Delaware ^c	X			X	
Florida	X	X			
Georgia	X				
Idaho	X				
Illinois ^d	X	X			
Indiana	X				
Kansas	X				
Kentucky ^e	X	X			
Louisiana	X				
Maryland	X				
Mississippi	X				
Missouri	X		X		
Montana	X				
Nebraska	X				
Nevada	X				
New Hampshire ^f	X			X	
New York	X				
North Carolina	X				
Ohio	X				
Oklahoma ^g	X	X			X
Oregon	X				
Pennsylvania	X				
South Carolina	X	X			
South Dakota	X				
Tennessee ^h	X	X			
Texas	X				
Utah ⁱ	X				X
Virginia	X	X			
Washington	X			X	
Wyoming ^j	X		X		

Note: Thirty-six States and the Federal Government had death penalty statutes in effect during 2009. The U.S. military also has a death penalty provision, but the Bureau of Justice Statistics does not collect data for persons under military death sentence. The method of execution of Federal prisoners is lethal injection, pursuant to 28 CFR, Part 26. For offenses under the Violent Crime Control and Law Enforcement Act of 1994, the method is that of the State in which the conviction took place, pursuant to 18 USC 3596.

^a Arizona authorizes lethal injection for persons whose capital sentence was received after Nov. 15, 1992; for those who were sentenced before that date, the condemned prisoner may select lethal injection or lethal gas.

^b Arkansas authorizes lethal injection for those whose capital offense occurred on or after July 4, 1983; for those whose offense occurred before that date, the condemned prisoner may select lethal injection or electrocution.

^c Delaware authorizes lethal injection for those whose capital offense occurred on or after June 13, 1986; for those whose offense occurred before that date, the condemned prisoner may select lethal injection or hanging.

^d Illinois authorizes electrocution only if lethal injection is held illegal or unconstitutional.

^e Kentucky authorizes lethal injection for persons whose capital sentence was received on or after Mar. 31, 1998; for those sentenced before that date, the condemned prisoner may select lethal injection or electrocution.

^f New Hampshire authorizes hanging only if lethal injection cannot be given.

^g Oklahoma authorizes electrocution if lethal injection is held unconstitutional, and firing squad if both lethal injection and electrocution are held unconstitutional.

^h Tennessee authorizes lethal injection for those whose capital offense occurred after Dec. 31, 1998; for those whose offense occurred before that date, the condemned prisoner may select electrocution by written waiver.

ⁱ Utah authorizes firing squad if lethal injection is held unconstitutional. Prisoners who selected firing squad prior to May 3, 2004 may still be entitled to that method.

^j Wyoming authorizes lethal gas if lethal injection is held unconstitutional.

Source: U.S. Department of Justice, Bureau of Justice Statistics, *Capital Punishment, 2009 - Statistical Tables*, NCJ 231676, Table 2 [Online]. Available: <http://bjs.ojp.usdoj.gov/content/pub/pdf/cp09st.pdf> [Dec. 7, 2010].