Women and the Death Penalty: Racial Disparities and Differences

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WOMEN AND THE DEATH PENALTY: RACIAL DISPARITIES
AND DIFFERENCES

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ABSTRACT

The death penalty in America has been studied, discussed, and written about extensively. The vast majority of researchers, however, have focused their study of the death penalty, or capital punishment, on male prisoners. This article examines the data related to women on death row since 1973, with particular attention to similar problems that have been documented for men, while highlighting racial differences and/or racial disparities where found. The subjects were 157 women who received death row sentences, forty-nine women currently on death row, and the eleven women executed since 1973. The data demonstrated that some racial disparities do exist with regard to women receiving death row sentences. However, definitive conclusions explaining why these differences exist are speculative due to the relatively small number of females receiving the death penalty.

INTRODUCTION

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INTRODUCTION

The death penalty in America has been studied, discussed, and written about extensively. The topic has been a part of the American

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landscape since the early days of the colonial settlements in the 1600s, with the first legal execution occurring in 1608, and the first execution of a woman in 1632. Even though the death penalty has been used as a form of punishment for close to 400 years, with a total of 20,000 executions, 568 of which were women, it has not been without controversy. In the 1970s, the death penalty came under its greatest degree of legal scrutiny, culminating in the 1972 United States Supreme Court case of *Furman v. Georgia*. In *Furman v. Georgia*, the Supreme Court held that the death penalty violated the Eighth Amendment as a form of cruel and unusual punishment. Further, the U.S. Supreme Court ruled that, as it was being administered at the time, the sentencing process in capital punishment cases was arbitrary and capricious. As a result, 120 cases before the court and 645 other cases were vacated. The ensuing series of constitutional challenges created an almost ten year moratorium on executions, lasting from 1968 to 1977. Four years later, in *Gregg v. Georgia*, the Court held that capital punishment was constitutional, provided that states instituted procedural safeguards to guide sentencing discretion.

The Court’s ruling in *Gregg* once again reignited the controversy surrounding the death penalty. Following the ruling in *Gregg*, more research was published showing, among other things, that the death penalty did not deter crime, was very expensive, and through DNA testing, many death row inmates were proven innocent. Also, a number of researchers and advocate groups attacked the death penalty as being racially biased. The American Civil Liberties Union (ACLU),

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6. See Baker, supra note 2, at 78-79.
7. Id. at 79.
8. Id.
10. See Baker, supra note 2, at 79.
Amnesty International, and numerous state investigatory commissions asserted the racial bias in the death penalty sentences suggested that the race of the victim and/or offender influenced who received the death penalty. These groups and state commissions have consistently argued that African Americans and people of color are more likely to receive the death penalty than whites.

The vast majority of researchers have focused their study of the death penalty, or capital punishment, as it is imposed on male prisoners. Even though women comprise over 50% of the American population, they commit far fewer capital offenses than men. Some scholars argue that the lack of research on women is actually due to the sparseness of female offenders in the criminal justice system. Others assert that the lack of women in the criminal justice system, particularly on death row, is due to the fact that “women are more likely to be dropped out of the system the further the capital punishment system progresses.” These findings are clearly supported by data collected by Victor Streib in an extensive study regarding the imposition of the death penalty on female offenders from January 1, 1973 to June 30, 2007. Streib reviewed the data for women offenders who were arrested for murder and found that women account for 10% of murder arrests, 2% of death sentences determined at the trial level, and 1.4% of persons on death row, although only 1.1% of women were executed. Whatever the explanation for the lack of research about female offenders, research remains sparse on the death penalty and female offenders.

ACLU, NATIONAL DEATH PENALTY FACT SHEET, supra note 11, at 2.
13. See supra note 12 and accompanying text.
15. Kathryn Ann Farr, Aggravating and Differentiating Factors in the Cases of White and Minority Women on Death Row, 43 CRIME & DELINQ. 260, 260 (1997); see also ACLU, THE FORGOTTEN POPULATION, supra note 1, at 1.
17. See Baker, supra note 2, at 79-80; see also STREIB, supra note 3, at 2.
20. See STREIB, supra note 3.
21. Id. at 3.
The Forgotten Population (2004), a project produced by three programs of the American Civil Liberties Union (ACLU) between April 2002 and December 2003, found that the problems women experience in the judicial system are similar to the problems men on death row suffer. For example, inadequate defense counsel, official misconduct, poverty, alcoholism, drug abuse, and domestic violence are common problems for women in prison. This paper will examine the data related to women on death row since 1973, with particular attention to similar problems that have been documented for men, while highlighting racial differences and/or racial disparities, where found. Data for this report was extracted from Streib's report on Death Penalty for Female Offenders, the Death Penalty Information Center, and an NAACP Legal Defense Fund Report.

I. SUBJECTS AND METHODS

The 2007 Streib report was the major source of data for this article. The subjects are the 157 women who have received death row sentences, the forty-nine women currently on death row, and the eleven women who have been executed since 1973. Based on this data, death sentences for female offenders constituted approximately 2% of all death sentences during this time period.

II. RESULTS AND DISCUSSION

A. Female Offenders by Status and Race

Table 1 of this article presents data on the 157 female offenders receiving death row sentences by race and status of the offender. Of the female offenders with death row sentences, 64.3% were Caucasian, 26.8% were African American, 6.4% were Latina, and 2.5%...
were Native American.34 No Asian American women were listed as receiving death sentences.35 These percentages are reasonably consistent with their level of racial representation in the female population.36 There is, however, a disparity as it relates to African American and Native American females receiving death sentences.37 The percentage of women of every race receiving death sentences is less than their percentage in the female population, except for African American and Native American women.38 The percentage of African American and Native American females receiving death sentences is more than double their percentage of the U.S. female population.39 Interestingly, this finding is not true for the other women of color.40 In fact, while Asian American women are roughly 3.7% of the female population,41 no Asian American women have ever received death sentences.42

The data also reveals some racial differences within each sentencing status.43 In general, the data shows that while women of color represent 36% of the population of women receiving death row sentences, they are more likely to receive commuted and/or reversed sentences.44 Caucasian women are granted commuted and/or reversed sentences approximately in the same proportion as they are represented in the total population of death-sentenced women.45 Although Caucasian female offenders receive commuted and/or reversed sentences at a rate proportionate to their representation in the total population of female offenders receiving death sentences (64%),46 their execution rate is definitively higher than other racial groups (82%).47 Only two women of color, both African American, have been executed.48 Comparatively speaking, African American women were executed at a much lower percentage (18%) than their percentage

34. Id.
35. See id.
36. See Office on Women's Health, U.S. Dep't of Health & Hum. Serv., The Health of Minority Women 2 (July 2003), available at http://www.womenshealth.gov/owh/pub/minority/minority.pdf (demonstrating that the female population is comprised of 70% Caucasian, 12.7% African American, 12.5% Latina, 3.7% Asian American and 0.87% Native American).
37. Id.
38. Id.
39. Id.
40. Id.
41. Id.
42. See infra Table 1 at p. 333.
43. Id.
44. Id. (compiling all non-white totals from row 5 equals 35.7%).
45. Id.
46. Id.
47. Id. (demonstrating that the percentage derived from the nine Caucasians executed compared to the total eleven women executed is approximately 82%).
48. Id.
of the total population of female offenders receiving death sentences (26.8%). One must exercise great caution in interpreting these findings, considering there is an extremely small sample of women of color on death row and even fewer being executed. Also, some of the data may be skewed as some of the women on death row are represented multiple times in the sample of women receiving death row sentences. For example, offenders Debra Brown, Leslie Nelson, Doris Foster, Kimberly McCarthy, and Pamela Perillo are each represented more than once in the population of women receiving death sentences.

B. Sentencing Jurisdiction/Geography (Regions) by Race

The death penalty has been used in thirty-eight states/jurisdictions, excluding the military and federal government. Table 2 of Streib's report presents interesting data on the jurisdictions/geographic location of women receiving death row sentences by race. The table demonstrates that, in the modern era, the states that have sentenced women to death most frequently are California (eighteen women), Texas (eighteen women), North Carolina (sixteen women), Florida (twelve women), Ohio (eleven women) and Alabama (ten women). A close examination of this data reveals that four of the six jurisdictions that most often sentence women to death are in the South. Each of the six jurisdictions has significant minority populations.

A review of Table 2 of this article reveals that the southern region of the United States accounted for more than half (59.2%) of all of the women receiving death sentences. Relatively speaking, the percentage of women receiving death sentences from the southern

49. Id.
50. Id. (demonstrating that out of the 157 women, only fifty-six women were of color).
51. STREIB, supra note 3, at 11-16.
52. Id.
54. See infra Table 2 at p. 333 (compiling date from the Streib report, supra note 3).
55. STREIB, supra note 3, at 4 tbl.2.
56. Compare DPIC, Executions by State, supra note 53, with STREIB, supra note 3, at 5 tbl.2.
58. See infra Table 2 at p. 333.
region has increased only slightly since 1993. Sixty-five percent of the Caucasian women and 52% of the African American women were from the South.

Table 3 of this article presents similar data for women on death row. Over half (51%) of all the women currently on death row are also from the South. This finding is consistent with a similar study conducted by Kathryn Ann Farr that found that the majority (54%) of the women on death row were from the South. Whereas the women of color in the Farr study were evenly distributed across the four regions of the United States, the women of color who are currently on death row are concentrated in the South and West, at 32% and 39% respectively. When women of color are further divided, the data provide some interesting findings. In fact, approximately 58% of the African American women and 100% of the Native American women are from the South, whereas 100% of the Hispanic women are from the West. As well, 100% of the Latina women currently on death row are from California. Interestingly, the only Latina woman executed between 1973 and June 30, 2007, was from a southern jurisdiction in the United States. While only two of the eleven women executed in the United States from 1973 to June 30, 2007, were African American women, an overwhelming number of death penalty jurisdictions have significant minority populations.

Table 4 of this article shows the frequency and percentage of female offenders who have received commuted and/or reversed sentences by race and region. In general, the South granted the largest percentage (60%) of commuted and reversed sentences for female death row offenders. Almost two-thirds (66%) of the Caucasian women who received commuted and/or reversed sentences were from southern jurisdictions whereas African American women receiving commuted and/or reversed sentences were more evenly distributed between the

59. See Farr, supra note 15, at 265 (stating that the southern region accounted for 54.3% of female death sentences in 1993).
60. See infra Table 2 at p. 333.
61. See infra Table 3 at p. 334 (compiling data from the Streib report, supra note 3).
62. Id.
63. Farr, supra note 15, at 265.
64. Id.
65. See infra Table 3 at p. 334.
66. Id.
67. STREIB, supra note 3, at 11-16.
68. Id. at 12.
69. Id. at 9, 13.
70. See U.S. Census Bureau, supra note 57.
71. See infra Table 4 at p. 334.
72. Id.
South (48%) and the Midwest (41%).\textsuperscript{73} All Native Americans receiving commuted/reversed sentences were from the South.\textsuperscript{74}

To fully examine racial differences and/or disparities as they relate to commuted and reversed sentences, a comparative analysis using Tables 2 and 4 of this article was employed. In general, the percentage of female offenders receiving commuted and/or reversed sentences across races appears fairly consistent with the percentage of female offenders receiving the death penalty across races and by region.\textsuperscript{75} However, women of color, particularly Native Americans, appear to be more likely to receive commuted and/or reversed sentences.\textsuperscript{76} Although only four Native Americans have received death row sentences, three-quarters (75%) of them have received commuted/reversed sentences.\textsuperscript{77} This percentage is higher than for any other group.\textsuperscript{78}

As there are so few women currently on death row, particularly minority women, statistical inferences by race are almost impossible.\textsuperscript{79} Still, a review of the racial differences by geographic region may provide some interesting insights into the importance of regional differences in the criminal justice system. As early as 1949, Harold Garfinkel questioned the justice system in the South.\textsuperscript{80} He wrote, “black and white justice systems in the South are administered by the same elite power structure, but justice for blacks is vindictive and emotional, while justice for whites is secular and rational.”\textsuperscript{81} Almost 30 years later, Laurence French found that black women were overrepresented in North Carolina’s criminal system.\textsuperscript{82} He indicated that the overrepresentation of black women in the North Carolina criminal system “may be the result of discrimination at various stages in the judicial process.”\textsuperscript{83} While French proffered that “the patterns of justice in North Carolina, and in the South in general, may be extreme,” he felt that “black women offenders may . . . [have] suffer[ed] similar forms of discrimination elsewhere in the United States.”\textsuperscript{84} If French’s

\textsuperscript{73.} Id.
\textsuperscript{74.} Id.
\textsuperscript{75.} Compare Table 4, infra p. 334, with Table 2, infra p. 333.
\textsuperscript{76.} Id.
\textsuperscript{77.} Id.
\textsuperscript{78.} Id.
\textsuperscript{79.} See infra Table 1 at p. 333 (listing 157 women sentenced to death between 1973 and 2007).
\textsuperscript{80.} Laurence French, \textit{An Assessment of the Black Female Prisoner in the South}, 3 \textit{SIGNS} 483, 483 (1977).
\textsuperscript{81.} Id.
\textsuperscript{82.} Id.
\textsuperscript{83.} Id. at 488.
\textsuperscript{84.} Id.
findings were accurate, now almost sixty years later, Garfinkel’s thesis may still hold true for other states with high minority populations. With 66% of the women of color sentenced to the death penalty between 1973 and June 30, 2007 from southern jurisdictions and jurisdictions with high minority populations, more extensive data on executions of women may provide sufficient data to examine racial differences with greater statistical accuracy.

C. Additional Racial Differences

Further analysis of Streib’s data, found in Appendix A and B of *Death Penalty for Female Offenders*, provides additional racial comparisons of women on death row. Overall, the data does not reveal significant racial differences in age for women on death row. For all women sentenced to death, the average age at which they committed the crime leading to their sentence was 30.75 years old. Caucasian women were on average 31.65 years old when they committed the crime leading to their death sentence, while women of color were only slightly younger at 29.22 years old at the time of crime. Table 5 of this article presents data on the race of the offender and the race of the victim for women currently on death row. A review of the data on the race of the victim of female offenders on death row also revealed interesting differences among offenders based on their race. Caucasian women (65%) were more likely to have murdered loved ones/relatives and/or acquaintances, while African American women were more likely to have murdered non-relatives/acquaintances (83%). Interestingly, Latina women (80%) were also more likely to have murdered loved ones/relatives.

The data for this report does not address the issue of abuse suffered by the offender or other mitigating circumstances related to the offender’s crimes. A review of the literature, however, provides support for the proposition that female offenders on death row suffered from abuse. The Death Penalty Information Center (DPIC) and others have found that a majority of the female offenders on death row suffered from abuse.

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85. See infra Table 2 at p. 333.
86. STREIB, supra note 3, at 11-22.
87. See id.
88. See id. at 17-22.
89. Id.
90. See infra Table 5 at p. 335.
91. STREIB, supra note 3, at 17-22.
92. Id.
93. Id.
row were in abusive relationships or had been victims of abuse. This finding may account for the large percentage of women, particularly Caucasian and Latina women, who murder loved ones and/or relatives.

As well, the data shows that Caucasian women were more likely to commit capital murder of males (65% murdered males only), while African American women were more likely to kill female victims (50% murdered females only). These findings are also consistent with Farr’s study of women on death row. With regard to the victim’s race, Caucasian and Latina women were more likely to commit intra-racial murders. On the other hand, African American women were less likely to commit intra-racial murders, with 47% of their victims being Caucasian and 27% being African American.

D. Justice System Decision Makers

To address the issue of racial disparities between female offenders sentenced to the death penalty, the role of key decision makers in the justice system is critical. While the data examined for this paper did not provide information to assess racial bias exhibited by justice system players, a review of the literature provides essential background on this topic. The literature shows that the key decision makers are primarily white — police officers make the arrests; prosecutors decide whether to prosecute and the penalties sought; and juries, along with the judges, determine truth and whether the burden of proof is satisfied. Each of these groups can play a significant role in the determination of whether an offender or accused offender ends up on death row and/or executed.

Very few individuals would dispute the assertion that racial bias exists in the judicial system. Richard Dieter, Executive Director of the Death Penalty Information Center, critically underscored the injustice that occurs in the application of the death penalty to different races.

94. See ACLU, The Forgotten Population, supra note 1, at 3.
95. Streib, supra note 3, at 17-22.
96. Farr, supra note 15, at 263.
97. See infra Table 5 at p. 335. Data revealed that 84% of Caucasian women and 89% of Latina women committed intra-racial murders. Id.
98. Id.
100. Id.
101. Id.
102. See id.
103. See id.
as a result of primarily white decision makers in death penalty determinations. \textsuperscript{104} In his report, Dieter cited numerous instances of racial slurs used by court decision makers and attempts to use race as a factor in decision making. \textsuperscript{105} Additionally, of the 1,794 district attorneys in death penalty states, only twenty-two are African American and only twenty-two are Hispanic. \textsuperscript{106} These numbers confirm the complete domination by whites of the very critical prosecutorial position. \textsuperscript{107} Since 1998, there has not been an appreciable difference in the race or sex of the decision makers. \textsuperscript{108} Particularly in the South, due to the history of slavery and Jim Crow in these jurisdictions, the perception of racial motives is naturally strong.

\textit{E. Inadequate Defense Counsel}

Our data resources did not address whether offenders on death row used a court-appointed/public defender as legal counsel. However, reports from the ACLU, \textit{New York Times}, \textit{Durham Independent Weekly}, and \textit{London Times} state that women have suffered due to poor representation. \textsuperscript{109} In many cases, the offender's representative did not legally perform. \textsuperscript{110} Bob Burtman, of the \textit{Independent Weekly}, highlighted a number of examples of incompetent or ineffective lawyers representing defendants facing the death penalty, many of whom provided substandard legal assistance. \textsuperscript{111} Burtman also cited numerous cases where offenders were represented by attorneys with their own drug or criminal offenses. \textsuperscript{112} As early as 2000, \textit{The Times} published an article addressing some of the injustices suffered by death row offenders due to poor legal representation. \textsuperscript{113} The article stated that approximately one quarter of the death row inmates in Texas

\textsuperscript{104} Id.

\textsuperscript{105} Id.

\textsuperscript{106} Id.

\textsuperscript{107} Id.


\textsuperscript{110} \textit{See} sources cited \textit{supra} note 109.

\textsuperscript{111} Burtman, \textit{supra} note 109.

\textsuperscript{112} Id.

\textsuperscript{113} Macintyre, \textit{supra} note 109.
had been represented by court-appointed lawyers disciplined for incompetence or misbehavior by the Texas Bar.\textsuperscript{114} These findings are significant given that Texas has executed the highest number of inmates since 1973,\textsuperscript{115} and reports the second highest number of women on death row.\textsuperscript{116} As late as 2004, the ACLU reported that women on death row often had ineffective counsel and were victims of misconduct by prosecutors and law enforcement officers.\textsuperscript{117} The significance of these findings is further compounded by the number of death row inmates who lack the assistance of legal counsel when planning an appeal.\textsuperscript{118} The New York Times published an article revealing that a dozen death row inmates lacked attorneys to assist them with appeals.\textsuperscript{119} As an aside, the article noted that Alabama and Georgia do not guarantee counsel for death-row inmates.\textsuperscript{120} This information is particularly disturbing when one considers that the number of women who have been on death row in Alabama (ten) and Georgia (six) since 1973 constitutes 10% of the females receiving death sentences.\textsuperscript{121}

\textbf{CONCLUSION}

Racial disparities and other discrepancies exist among females sentenced to the death penalty.\textsuperscript{122} However, definitive conclusions explaining why these differences exist are speculative due to the relatively small number of females receiving the death penalty in comparison to males.\textsuperscript{123} Still, our data demonstrates that some racial disparities do exist with regard to women receiving death sentences.\textsuperscript{124} In general, the data shows that the percentage of African American and Native American women receiving death-row sentences greatly exceeded those percentages for women of other races, based on national female population percentages.\textsuperscript{125} Additionally, African American and Native American women receiving death sentences received a higher percentage of commuted and/or reversed sentences than women of

\textsuperscript{114} Id.
\textsuperscript{115} STREIB, supra note 3, at 7-8 tbl.3. Oklahoma has also executed the same number of women since 1973. \textit{Id.}
\textsuperscript{116} \textit{Id.} at 11-16. California currently has fifteen women on death row, while Texas currently has ten. \textit{Id.}
\textsuperscript{117} Press Release, American Civil Liberties Union, \textit{supra} note 109.
\textsuperscript{118} Hines, \textit{supra} note 109.
\textsuperscript{119} \textit{Id.}
\textsuperscript{120} \textit{Id.}
\textsuperscript{121} STREIB, \textit{supra} note 3, at 11-16.
\textsuperscript{122} \textit{See infra} Table 1 at p. 333.
\textsuperscript{123} \textit{See sources} cited \textit{supra} note 18.
\textsuperscript{124} \textit{See supra} text accompanying notes 33-42.
\textsuperscript{125} \textit{Id.}
other races.\textsuperscript{126} These findings suggest that while African American and Native American females may be sentenced to death row at a higher rate, they also have a greater chance of not being executed due to reversed or commuted sentences. The data also show some disparities for Caucasian women receiving death row sentences.\textsuperscript{127} Specifically, Caucasian females are executed at a much higher rate than minorities on death row.\textsuperscript{128} This percentage is higher than their representation in the general female population.\textsuperscript{129}

The data also reveals some general racial differences with regard to the murder victims of women receiving death row sentences.\textsuperscript{130} African American female offenders' murder victims were white almost 50\% of the time.\textsuperscript{131} The one Native American offender's murder victim was also white.\textsuperscript{132} Research suggests that the race of the victim may result in a greater chance of the offender receiving the death penalty.\textsuperscript{133} While our data cannot conclusively support this, it could explain why African American and Native American females are disproportionately represented in receiving the death penalty. The data also showed a difference in the murder victims' relationship to the offender.\textsuperscript{134} Caucasian females' murder victims were more likely to be a relative/intimate.\textsuperscript{135} However, African Americans and Native Americans were more likely to murder non-relatives or acquaintances than other offenders.\textsuperscript{136} This finding supports the finding in Farr's study of white and minority women on death row.\textsuperscript{137} Farr found that white women were more likely than non-white women to murder significant others.\textsuperscript{138}

In general, the region or sentencing jurisdiction significantly affected the chances of females receiving the death penalty.\textsuperscript{139} Specifically, the southern region of the United States accounted for over half of all women receiving death sentences.\textsuperscript{140} With regard to race, our data revealed some minor differences with respect to region/sentencing
The data revealed that while the southern region accounted for over half of all Caucasian and African American women sentenced to death, Latina women sentenced to death were mostly from the West. In fact, all Latina women currently on death row come from one state, California, which has a high population of Latinas.

Lastly, our data did not allow us to address the issue of inadequate defense counsel or the role of key judicial decision makers on those receiving the death penalty. Numerous research studies, however, have identified the substandard legal assistance received by offenders given the death penalty. Bias of key decision makers in the justice system, such as by prosecutors, juries, or judges, unquestionably undermines the fairness in the administration of the death penalty. The findings in this study are not without limitations. The limited numbers of females receiving the death penalty, currently on death row, and executed in the United States since 1973 greatly hampered statistical analyses. As a result, the authors could not make definitive conclusions as to why the racial differences existed. Future research on this topic will need to explore more extensively all capital punishment trials for women before scholars can make definitive inferences about racial disparities.

141. Id.
142. Id.
143. STREIB, supra note 3, at 11-16.
144. See sources cited supra note 109.
145. Dieter, supra note 99.
146. See sources cited supra note 18.
147. Id.
TABLE 1*
SENTENCING STATUS OF FEMALE OFFENDERS BY RACE FROM 1973-MARCH 31, 2007 BY STATUS

<table>
<thead>
<tr>
<th>RACE</th>
<th>Sentence Status</th>
<th>Caucasian</th>
<th>African American</th>
<th>Latina</th>
<th>Native American</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Currently on Death Row</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Caucasian</td>
<td></td>
<td>31 (31%)</td>
<td>12 (29%)</td>
<td>5 (50%)</td>
<td>1 (25%)</td>
<td>49</td>
</tr>
<tr>
<td>African</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>American</td>
<td></td>
<td>9 (9%)</td>
<td>2 (5%)</td>
<td>0 (0%)</td>
<td>0 (0%)</td>
<td>11</td>
</tr>
<tr>
<td>Latina</td>
<td></td>
<td>61 (60%)</td>
<td>27 (64%)</td>
<td>4 (40%)</td>
<td>3 (75%)</td>
<td>95</td>
</tr>
<tr>
<td>Native</td>
<td></td>
<td>0 (0%)</td>
<td>1 (2%)</td>
<td>1 (10%)</td>
<td>0 (0%)</td>
<td>2</td>
</tr>
<tr>
<td>American</td>
<td></td>
<td>101 (64.3%)</td>
<td>42 (26.8%)</td>
<td>10 (6.4%)</td>
<td>4 (2.5%)</td>
<td>157</td>
</tr>
</tbody>
</table>


TABLE 2*
FEMALE OFFENDERS RECEIVING DEATH SENTENCES SINCE 1973 BY REGION AND RACE

<table>
<thead>
<tr>
<th>RACE</th>
<th>Sentencing Jurisdiction/Region**</th>
<th>Caucasian</th>
<th>African American</th>
<th>Latina</th>
<th>Native American</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(n = 101)</td>
<td>(n = 42)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>South</td>
<td>66 (65%)</td>
<td>22 (52%)</td>
<td>1 (10%)</td>
<td>4 (100%)</td>
<td>93 (59.2%)</td>
<td></td>
</tr>
<tr>
<td>West</td>
<td>15 (15%)</td>
<td>4 (10%)</td>
<td>6 (60%)</td>
<td>0 (0%)</td>
<td>25 (16.0%)</td>
<td></td>
</tr>
<tr>
<td>Midwest</td>
<td>13 (13%)</td>
<td>12 (29%)</td>
<td>3 (30%)</td>
<td>0 (0%)</td>
<td>28 (17.8%)</td>
<td></td>
</tr>
<tr>
<td>Northeast</td>
<td>7 (7%)</td>
<td>4 (10%)</td>
<td>0 (0%)</td>
<td>0 (0%)</td>
<td>11 (7.0%)</td>
<td></td>
</tr>
</tbody>
</table>


**Regions were aligned with the Death Penalty Information Center's designations.
TABLE 3*
FEMALES ON DEATH ROW BY REGION AND RACE

<table>
<thead>
<tr>
<th>Region</th>
<th>Caucasian (n = 31)</th>
<th>African American (n = 12)</th>
<th>Latina (n = 5)</th>
<th>Native American (n = 1)</th>
<th>Total (n = 49)</th>
</tr>
</thead>
<tbody>
<tr>
<td>South</td>
<td>17 (54.8%)</td>
<td>7 (58.3%)</td>
<td>0 (0.0%)</td>
<td>1 (100%)</td>
<td>25 (51%)</td>
</tr>
<tr>
<td>West</td>
<td>11 (35.5%)</td>
<td>2 (16.7%)</td>
<td>5 (100%)</td>
<td>0 (0.0%)</td>
<td>18 (37%)</td>
</tr>
<tr>
<td>Midwest</td>
<td>2 (6.5%)</td>
<td>1 (8.3%)</td>
<td>0 (0.0%)</td>
<td>0 (0.0%)</td>
<td>3 (6%)</td>
</tr>
<tr>
<td>Northeast</td>
<td>1 (3.2%)</td>
<td>2 (16.7%)</td>
<td>0 (0.0%)</td>
<td>0 (0.0%)</td>
<td>3 (6%)</td>
</tr>
</tbody>
</table>


TABLE 4*
FEMALE OFFENDERS RECEIVING COMMUTED/REVERSED SENTENCES BY RACE AND REGION

<table>
<thead>
<tr>
<th>Region</th>
<th>Caucasian (n = 61)</th>
<th>African American (n = 27)</th>
<th>Latina (n = 4)</th>
<th>Native American (n = 3)</th>
<th>Total (n = 95)</th>
</tr>
</thead>
<tbody>
<tr>
<td>South</td>
<td>40 (66%)</td>
<td>13 (48%)</td>
<td>1 (25%)</td>
<td>3 (100%)</td>
<td>57 (60%)</td>
</tr>
<tr>
<td>Midwest</td>
<td>11 (18%)</td>
<td>11 (41%)</td>
<td>3 (75%)</td>
<td>0 (0%)</td>
<td>25 (26.3%)</td>
</tr>
<tr>
<td>West</td>
<td>4 (7%)</td>
<td>1 (4%)</td>
<td>0 (0%)</td>
<td>0 (0%)</td>
<td>5 (5.3%)</td>
</tr>
<tr>
<td>Northeast</td>
<td>6 (10%)</td>
<td>2 (7.0%)</td>
<td>0 (0%)</td>
<td>0 (0%)</td>
<td>8 (8.4%)</td>
</tr>
<tr>
<td>Total</td>
<td>101%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
</tr>
</tbody>
</table>

### Table 5*

**Female Offenders Currently on Death Row by Race of Victim and Offender**

<table>
<thead>
<tr>
<th>Victim Race</th>
<th>Caucasian</th>
<th>African American</th>
<th>Latina American</th>
<th>Native American</th>
<th>Asian American</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Caucasian</td>
<td>38</td>
<td>1</td>
<td>6</td>
<td>0</td>
<td>0</td>
<td>45</td>
</tr>
<tr>
<td></td>
<td>84.4%</td>
<td>2.2%</td>
<td>13.3%</td>
<td>0%</td>
<td>0%</td>
<td>99.9%</td>
</tr>
<tr>
<td>African American</td>
<td>7</td>
<td>4</td>
<td>2</td>
<td>0</td>
<td>2</td>
<td>15</td>
</tr>
<tr>
<td></td>
<td>47%</td>
<td>27%</td>
<td>13%</td>
<td>0%</td>
<td>13%</td>
<td>100%</td>
</tr>
<tr>
<td>Latina</td>
<td>1</td>
<td>0</td>
<td>8</td>
<td>0</td>
<td>0</td>
<td>9</td>
</tr>
<tr>
<td></td>
<td>11.1%</td>
<td>0</td>
<td>88.9%</td>
<td>0%</td>
<td>0%</td>
<td>100%</td>
</tr>
<tr>
<td>Native American</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>100%</td>
<td>0</td>
<td>0</td>
<td>0%</td>
<td>0%</td>
<td>100%</td>
</tr>
</tbody>
</table>