EXECUTIONS

Methods of Execution

Lethal injection is the most widely-used method of execution, but states still authorize other methods, including electrocution, gas chamber, hanging, and firing squad.

Overview

The primary means of execution in the U.S. have been hanging, electrocution, the gas chamber, firing squad, and lethal injection. The Supreme Court has never found a method of execution to be unconstitutional, though some methods have been declared unconstitutional by state courts. The predominance of lethal injection as the preferred means of execution in all states in the modern era may have put off any judgment by the Court regarding older methods.

Because of a resistance by drug manufacturers to provide the drugs typically used in lethal injections, some states now allow the use of alternative methods if lethal injection cannot be performed. Controversies surrounding the method to be used have delayed executions in many states, contributing to an overall decline in the use of the death penalty.

Authorized Methods

NOTE: [Brackets] around a state indicate that the state authorizes the listed method as an alternative method if other methods are found to be unconstitutional or are unavailable/impractical. Click on the state to obtain specific information about the methods authorized.

Method	
Lethal Injection	
# of executions by method since 1976	1354
# of states authorizing method	31 states ⁺ and U.S. Military and U.S. Gov't In South Carolina, lethal injection may be elected as an alternative method, if available. +includes 4 states that no longer have an active death penalty

Jurisdictions that Authorize	Alabama, Arizona, Arkansas, California, Colorado^, Delaware,* Florida, Georgia, Idaho, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire,** North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, [South Carolina], South Dakota, Tennessee, Texas, Utah, Washington*, Wyoming, U.S. Military, U.S. Government ^Colorado abolished the death penalty prospectively on March 23, 2020, and those on death row at that time had their sentences commuted. Lethal injection could only still apply if someone capitally charged before July 1, 2020 is sentenced to death. * Delaware and Washington have declared their capital sentencing procedures unconstitutional and have resentenced all death-row prisoners to life without parole. **New Hampshire abolished the death penalty but the repeal may not apply retroactively, leaving a prisoner on death row facing possible execution. To find the drug protocols used by states, see State-by-State-Lethal Injection .
Electrocution	
# of executions by method since 1976	163
# of states authorizing method	8 states (in South Carolina, electrocution is the primary method; the other 7 have lethal injection as primary method).
Jurisdictions that Authorize	[Alabama], [Arkansas], Florida, Kentucky, [Mississippi], [Oklahoma], South Carolina, [Tennessee] The supreme courts of Georgia (2001) and Nebraska (2008) have ruled that the use of the electric chair violates their state constitutional prohibitions against cruel and unusual punishment. Virginia had authorized the electric chair as a method of execution in some cases, but it repealed the death penalty in March 2021.
Lethal Gas	
# of executions by method since 1976	11
# of states authorizing method	7 states (all have lethal injection as primary method)
Jurisdictions that Authorize	[Alabama], Arizona, California, [Mississippi], Missouri, [Oklahoma], [Wyoming]
Hanging	
# of executions by method since 1976	3
# of states authorizing method	3 states* (all have lethal injection as primary method) *Includes one state that no longer has an active death penalty statute.
Jurisdictions that Authorize	Delaware, [New Hampshire],** Washington **New Hampshire abolished the death penalty but the repeal may not apply retroactively, leaving a prisoner on death row facing possible execution. Courts in Delaware and Washington struck down the states' death penalty statutes and applied those rulings to all prisoners on the states' death rows.
Firing Squad	

# of executions by method since 1976	3
# of states authorizing method	4 states (in South Carolina, electrocution is the primary method; the other states have lethal injection as primary method)
Jurisdictions that Authorize	[Mississippi], [Oklahoma], [Utah], [South Carolina]

IN THIS SECTION

Authorized Methods by State

Description of Each Execution Method

State by State Lethal Injection Protocols

Links to state execution protocols, status, and secrecy policies



PICTURES OF STATE EXECUTION CHAMBERS

The Daily Intelligencer has collected pictures of execution chambers around the country (May 16, 2014).

AUTOPSY FOLLOWING A BOTCHED LETHAL INJECTION [GRAPHIC]

<u>Autopsy photos</u> of a botched lethal-injection execution in Florida (*New Republic* May 29, 2014). (Warning: graphic images).

RESORTING TO OLDER METHODS OF EXECUTION [GRAPHIC]

Some legislators have advocated for a return to the electric chair as a mandatory method of execution because of the difficulty in finding lethal injection drugs. See <u>pictures in the aftermath of Florida's last electrocution of Allen Davis</u> in 1999 (Warning: graphic images).

QUOTE FROM PROSECUTOR

"They ought to just bring back the firing squad — I don't care. If they're going to have a death penalty in Ohio, they should carry it out. And if you don't want it, get rid of it. That's fine with me."

Joe Deters, Hamilton County (OH) Prosecutor, who has sought the death penalty 120 times
 Ohio Public Radio, Nov. 1, 2013

EXECUTION TAPES AUDIO

Listen to the audio "<u>Execution Tapes</u>" recorded by the Georgia Department of Corrections, which narrate the executions of 22 inmates in the electric chair. *(photo below: Florida's Electric Chair/Doug Magee)*



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