

**SURVEY OF THE FEDERAL DEATH PENALTY SYSTEM
(1988-2000)**

**U.S. Department of Justice
Washington, D.C.
September 12, 2000**

TABLE OF CONTENTS

| | <u>Page</u> |
|---|-------------|
| TABLE OF CONTENTS | i |
| INTRODUCTION | 1 |
| PART I: STATISTICAL OVERVIEW | 6 |
| A. Racial/Ethnic Distribution of Defendants Submitted by the United States Attorneys | 6 |
| B. Rates at Which Each Participant Recommended/Authorized the Death Penalty with Respect to Each Racial/Ethnic Group | 6 |
| C. Rates at which the Department of Justice Sought the Death Penalty With Respect to Each Racial/Ethnic Group | 7 |
| PART II: THE UNITED STATES ATTORNEYS | 9 |
| A. Background | 9 |
| B. Statistical Highlights | 11 |
| 1. Defendants | 11 |
| a. Recommendations in favor of seeking the death penalty | 11 |
| b. Recommendations against seeking the death penalty | 12 |
| 2. Offenses | 12 |
| 3. Victims | 14 |

| | <u>Page</u> |
|---|-------------|
| a. Victims' race/ethnicity | 14 |
| b. Intraracial and interracial homicides | 15 |
| c. Single- and multiple-victim cases | 16 |
| PART III: THE REVIEW COMMITTEE | 18 |
| A. Background | 18 |
| B. Statistical Highlights | 18 |
| 1. Defendants | 18 |
| 2. Offenses | 19 |
| 3. Victims | 19 |
| a. Victims' race/ethnicity | 19 |
| b. Intraracial and interracial homicides | 20 |
| c. Single- and multiple-victim cases | 21 |
| PART IV: THE ATTORNEY GENERAL | 23 |
| A. Background | 23 |
| B. Statistical Highlights | 23 |
| 1. Defendants | 23 |
| 2. Offenses | 24 |
| 3. Victims | 24 |
| a. Victims' race/ethnicity | 24 |
| b. Intraracial and interracial homicides | 25 |
| c. Single- and multiple-victim cases | 26 |

| | <u>Page</u> |
|---|-------------|
| PART V: POST-AUTHORIZATION ACTIVITY | 28 |
| A. Background | 28 |
| B. Statistical Highlights | 30 |
| 1. Plea Agreements | 30 |
| a. Pre-protocol cases | 31 |
| b. Post-protocol cases | 31 |
| 2. Trial Results | 32 |
| a. Pre-protocol cases | 32 |
| b. Post-protocol cases | 33 |
| 3. Federal Defendants Sentenced to Death | 34 |
| PART VI: AGREEMENTS AND DISAGREEMENTS IN THE FEDERAL DECISION-MAKING PROCESS | 38 |
| A. Background | 38 |
| B. Statistical Highlights | 38 |
| 1. Three-party comparisons | 38 |
| 2. Two-party comparisons | 40 |
| a. The United States Attorneys and the Attorney General | 40 |
| b. The United States Attorneys and the Review Committee | 41 |
| c. The Review Committee and the Attorney General | 42 |