



Cleveland-Marshall College of Law

1801 Euclid Avenue
Cleveland, Ohio 44115
Telephone: (216) 687-2344

CAPITAL PUNISHMENT FOR FEMALE OFFENDERS:
PRESENT FEMALE DEATH ROW INMATES AND
DEATH SENTENCES AND EXECUTIONS OF FEMALE OFFENDERS,
JANUARY 1, 1973, TO MAY 1, 1993

by

Victor L. Streib
Professor of Law

May 18, 1993

©

Victor L. Streib
1993

144401

**U.S. Department of Justice
National Institute of Justice**

This document has been reproduced exactly as received from the person or organization originating it. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the National Institute of Justice.

Permission to reproduce this copyrighted material has been granted by

Victor L. Streib

to the National Criminal Justice Reference Service (NCJRS).

Further reproduction outside of the NCJRS system requires permission of the copyright owner.

This twelfth issue of this report documents over twenty years of the death sentencing of female offenders under modern death penalty statutes in the United States. In 1988 I began to generate these reports in order to monitor this phenomenon. With the gracious assistance of so many people, more and more errors are edited out with each edition so that the data reported in each issue is intended to replace any inconsistent data reported in an earlier issue.

Both the female death sentencing rate and the female death row population remain very small in comparison to that for males. Actual execution of female offenders is quite rare, with only 503 documented instances beginning with the first in 1632. These 503 female executions constitute less than 3% of the total of approximately 18,500 confirmed executions since 1608. The last female offender executed was Velma Barfield in North Carolina on November 2, 1984, the only female among the 199 offenders executed in the post-Furman era (1973 - 1993). The annual rate of death sentences for female offenders had been around 5 (or 2% of the annual total) for many years but may be increasing significantly at this time.

FEMALE DEATH SENTENCES IMPOSED, 1973 - 1993:

The current American death penalty era began when new death penalty statutes were passed following the Supreme Court's decision in Furman in 1972, which in effect struck down all then-existing death penalty statutes. Sentencing began under the new statutes in 1973 and continues through today. Although the constitutionality of these current era statutes was not recognized formally by the United States Supreme Court until 1976 in Gregg and actual executions did not begin until 1977, the current era of sentencing began in 1973.

Table 1 on the next page lists the sentences imposed each year according to the Bureau of Justice Statistics and to my research. A total of 96 female death sentences have been imposed, only 2% of the total of about 4,824 death sentences for all offenders. Despite some fluctuations particularly in the early years of this period, the death sentencing rate for female offenders was typically about 5 per year beginning in the 1980s.

In 1989 this annual death sentencing rate doubled for reasons unknown. In 1990 and 1991, the sentencing rate seemed to have returned to just above the pre-1989 levels. Then the rate surged to 10 in 1992, portending an annual rate again nearly double that of the 1980s. This is apparently about 4% of the death sentences imposed in 1992, suggesting that a significant increase in the rate of the death sentencing of female offenders may be occurring. However, 4 of these 10 female death sentences in 1992 were imposed on the same person (Aileen Wuornos, Florida), leaving only 6 other female death sentences during 1992. In any event, the number of female offenders sentenced to prison death rows each year remains only 0.2% to 0.3% of the approximately 3,700 women sentenced to prison each year.

Of these 96 death sentences for female offenders, only 36 sentences (38%) (imposed upon 33 females) remain currently in effect (see Table 2 below). One such sentence (1%) resulted in

an execution (Velma Barfield) and the other 59 death sentences (61%) were reversed or commuted to life imprisonment. Thus, for the 60 death sentences finally resolved (excluding the 36 still in effect and still being litigated), the reversal rate for female death sentences in the current era is 98% (59/60).

Appendix A to this report (pp. 5-9) provides a more detailed listing of name, race, jurisdiction, dates of crimes and sentences, and current status for each female death sentence. While the sources of this information are many, the major sources are the outstanding data gathering effort of the NAACP Legal Defense and Education Fund, Inc. (particularly their newsletter, Death Row, U.S.A.), and the equally fine monitoring effort of the National Coalition to Abolish the Death Penalty.

TABLE 1

DEATH SENTENCES IMPOSED UPON FEMALE OFFENDERS,
JANUARY 1, 1973, TO MAY 1, 1993

<u>Year</u>	<u>Total Death Sentences*</u>	<u>Female Death Sentences</u>	<u>Portion of Total</u>
1973	42	1	2.4%
1974	167	1	0.6%
1975	322	7	2.2%
1976	249	3	1.2%
1977	159	1	0.6%
1978	209	4	1.9%
1979	172	4	2.3%
1980	198	2	1.0%
1981	245	3	1.2%
1982	264	5	1.9%
1983	259	4	1.5%
1984	280	8	2.9%
1985	273	5	1.8%
1986	297	3	1.0%
1987	299	5	1.7%
1988	296	5	1.7%
1989	251	11	4.4%
1990	244	7	2.8%
1991	265	6	2.4%
1992	250**	10	4.1%
1993***	83**	1	1.2%
-----	-----	---	-----
Totals:	4,824**	96	2.0%

* Source of data: U.S. Dept. of Justice, SOURCEBOOK OF CRIMINAL JUSTICE STATISTICS 1991 at 707 (1992); U.S. Dept. of Justice, CAPITAL PUNISHMENT 1991 AT 1 (1992).

**Estimates

*** As of May 1, 1993

CURRENT FEMALE DEATH ROW INMATES:

Of the 96 death sentences imposed upon 89 female offenders since 1973, only 33 females remain on the death rows of 14 states (see Table 2). These 33 female offenders on death row constitute only 1.2% of the total death row population of 2,729 and only 0.07% of the approximately 50,000 women in prison in the United States.

TABLE 2

CHARACTERISTICS OF OFFENDERS AND VICTIMS IN FEMALE DEATH PENALTY CASES CURRENTLY IN FORCE, MAY 1, 1993

Offenders

<u>Age at Crime</u>	<u>Race</u>
Under 21 = 2 (6%)	B = 11 (33%)
21-30 = 13 (39%)	H = 2 (6%)
31-40 = 10 (30%)	W = <u>20</u> (<u>61%</u>)
41-50 = 3 (9%)	33 (100%)
51-60 = 4 (12%)	
61-70 = <u>1</u> (<u>3%</u>)	
33 (100%)	

Victims

<u>Age</u>	<u>Race</u>	<u>Sex</u>
Under 18 = 9 (21%)	A = 1 (2%)	M = 31 (63%)
18 & over = <u>34</u> (<u>79%</u>)	B = 12 (26%)	F = <u>18</u> (<u>37%</u>)
43 (100%)	H = 3 (7%)	49 (100%)
Unknown = <u>7</u>	W = <u>30</u> (<u>65%</u>)	Unknown = <u>1</u>
50	46 (100%)	50
	Unknown = <u>4</u>	
	50	

Most of the women on death row are white. Half were age 30 or younger at the time of their crimes, with the total age range remarkably from 18 to 67. Nearly two-thirds of their victims were white and two-thirds were adult males (where these data are known). About one-third of these cases involved the murder of the offender's husband or lover.

The present ages of these 33 female death row inmates range from 21 to 73. They have been on death row from under 4 months to over 11 years. Despite the statistically high probability that death-sentenced female offenders will never be executed, some of these women have nearly exhausted their appeals. Another execution of a female offender seems likely within the next few years.

Appendix B to this report (pp. 10-13) sets forth the names of these offenders and some brief details about their crimes and sentences. Multiple sentencing dates mean that the earlier death sentence was reversed but then a new death sentence was imposed.

APPENDIX A
 FEMALE DEATH SENTENCES IMPOSED, JANUARY 1, 1973, TO MAY 1, 1993

<u>YEAR</u>	<u>OFFENDER'S NAME</u>	<u>RACE</u>	<u>STATE</u>	<u>DATE OF CRIME</u>	<u>DATE OF SENTENCE</u>	<u>CURRENT STATUS</u>
1973	Ward, Mamie Lee	W	N.C.	?	9-?-73	reversed in 1976
1974	Hunt, Rozell O.	AI	N.C.	?	6-?-74	reversed in 1976
1975	Boykin, Margie	W	N.C.	?	12-?-75	reversed in 1976
	Dodds, Catherine	W	La.	1-?-75	?-?-75	reversed in 1976
	Lockett, Sandra	B	Ohio	1-15-75	4-?-75	reversed in 1978
	Osborne, Alberta	W	Ohio	12-15-74	6-2-75	reversed in 1978
	Sanders, Janet (AKA Miller)	W	Okla.	2-24-75	8-26-75	reversed in 1977
	Smith, Rebecca	W	Ga.	8-31-74	1-30-75	reversed in 1983
	Glenn, Mabel	B	Cal.	?	10-21-75	reversed in 1979
1976	Brown, Faye B.	B	N.C.	?	1-?-76	reversed in 1977
	Jacobs, Sonia	W	Fla.	2-20-76	8-20-76	reversed in 1981
	Wernert, Patricia	W	Ohio	11-18-75	11-22-76	reversed in 1978
1977	Smith, Benita	B	Ohio	?	12-?-77	reversed in 1978
1978	Anderson, Mary	W	Texas	1-3-78	8-29-78	reversed in 1982?
	Barfield, Velma	W	N.C.	2-1-78	12-2-78	executed 11-2-84
	Bracewell, Debra	W	Ala.	8-15-77	5-17-78	reversed in 1981
	Detter, Rebecca	W	N.C.	6-2-77	9-26-78	reversed in 1979
1979	Binsz, Michelle	W	Okla.	?	10-23-79	reversed in 1984
	Burnett, Linda	W	Texas	6-01-78	3-20-79	reversed in 1983
	Cunningham, Emma	W	Ga.	1-1-79	10-26-79	reversed in 1983
	Tyler, Shirley	B	Ga.	10-22-79	12-04-79	reversed in 1985

(continued)

<u>YEAR</u>	<u>OFFENDER'S NAME</u>	<u>RACE</u>	<u>STATE</u>	<u>DATE OF CRIME</u>	<u>DATE OF SENTENCE</u>	<u>CURRENT STATUS</u>
1980	O'Bryan, LaVerne	W	Ky.	7-5-79	9-12-80	reversed in 1982
	Perillo, Pamela	W	Texas	2-24-80	9-2-80 & 11-13-84	now on death row
1981	Buttrum, Janice	W	Ga.	9-3-80	8-31-81	reversed in 1989
	Stebbing, Annette	W	Md.	4-9-80	4-30-81	reversed in 1985
	Thomas, Patricia	B	Ala.	2-28-81	12-28-81	reversed in 1990
1982	Cannaday, Attina	W	Miss.	6-3-82	9-23-82	reversed in 1984
	Ford, Priscilla	B	Nev.	11-27-80	4-29-82	now on death row
	Foster, Doris	AI	Md.	1-29-81	2-8-82 & 4-4-84	commuted in 1987
	Smith, Nadean	W	Okla.	7-4-82	12-29-82	now on death row
	Whittington, Teresa	W	Ga.	1-2-82	5-7-82	reversed in 1984
1983	Grant, Rosalie	B	Ohio	4-1-83	10-21-83	commuted in 1991
	Neelley, Judith	W	Ala.	9-23-82	4-18-83	now on death row
	Summers, Sheila	W	Nev.	9-14-82	12-20-83	reversed in 1986
	Young, Sharon	W	Ohio	6-12-83	9-30-83	reversed in 1986
1984	Foster, Doris	A.I.	Md.	1-29-81	4-4-84 & 2-8-82	commuted in 1987
	Hendrickson, Pat.	W	Ark.	3-10-83	4-13-84	reversed in 1985
	Jackson, Andrea	B	Fla.	5-16-83	2-10-84 & 2-21-92	now on death row
	Moore, Marie	W	N.J.	1- -83	11-19-84	reversed in 1988
	Perillo, Pamela	W	Texas	2-24-80	11-13-84 & 9-2-80	now on death row
	Tucker, Karla	W	Texas	6-13-83	4-25-84	now on death row
	Williamson, Celia	W	Miss.	3-23-82	3-14-84	reversed in 1987
	Windsor, Karla	W	Idaho	9-6-83	2-28-84	reversed in 1985
1985	Beets, Betty	W	Texas	8-6-83	10-14-85	now on death row

(continued)

<u>YEAR</u>	<u>OFFENDER'S NAME</u>	<u>RACE</u>	<u>STATE</u>	<u>DATE OF CRIME</u>	<u>DATE OF SENTENCE</u>	<u>CURRENT STATUS</u>
(1985)	Brown, Debra	B	Ohio	7-13-84	6-18-85	commuted in 1991
	Buenoano, Judi	W	Fla.	9-16-71	& 6-23-86 11-26-85	now on death row
	Houston, Judy	W	Miss.	6-03-84	11-30-85	reversed in 1988
	Thacker, Lois	W	Ind.	11-03-84	06-27-85	reversed in 1990
1986	Brown, Debra	B	Ind.	6-18-84	6-23-86	now on death row
	Cooper, Paula	B	Ind.	5-14-85	& 6-18-85 7-11-86	reversed in 1989
	Owens, Gaile	W	Tenn.	2-17-85	1-15-86	now on death row
1987	Caillier, Carla	W	Fla.	11-20-86	3-19-87	reversed in 1988
	Casteel, Dee Dyne	W	Fla.	8-20-83	9-16-87	reversed in 1990
	Cox, Sue	W	N.C.	7-12-86	10-30-87	reversed in 1992
	Dudley, Kaysie	W	Fla.	9-30-85	1-27-87	reversed in 1989
	Foster, Lafonda	W	Ky.	3-9-86	4-24-87	reversed in 1991
1988	Green, Elizabeth	B	Ohio	1-4-88	7-11-88	commuted in 1991
	Haney, Judie	W	Ala.	1-1-84	11-18-88	now on death row
	Newton, Francis	B	Texas	4-7-87	11-17-88	now on death row
	Wacaser, Nila	W	Mo.	8-28-87	5-31-88	reversed in 1990
	Walker, Altione	W	Ala.	3-31-88	12-15-88	reversed in 1992
1989	Allen, Wanda	B	Okla.	12- -88	4-26-89	now on death row
	Balfour, Susie	B	Miss.	10-7-88	10-14-89	reversed in 1992
	Coffman, Cynthia	W	Cal.	11-7-86	8-30-89	now on death row
	Harris, Louise	B	Ala.	3-11-88	8-11-89	now on death row
	Jones, Patricia	W	Okla.	4- -88	12-7-89	now on death row
	Lampkin, Beatrice	B	Ohio	11-4-88	4-26-89	commuted in 1991

(continued)

<u>YEAR</u>	<u>OFFENDER'S NAME</u>	<u>RACE</u>	<u>STATE</u>	<u>DATE OF CRIME</u>	<u>DATE OF SENTENCE</u>	<u>CURRENT STATUS</u>
(1989)	Landress, Cindy	W	Ind.	4-23-88	6-26-89	reversed in 1992
	Plantz, Marilyn	W	Okla.	8- -88	3-31-89	now on death row
	Rivers, Delores	B	Pa.	1-30-88	3-16-89	now on death row
	Stager, Barbara	W	N.C.	2-1-88	5-19-89	reversed in 1991
	Twenter, Virginia	W	Mo.	5-4-88	1-6-89	reversed in 1991
1990	Butler, Sabrina	B	Miss.	4-11-89	3-14-90	reversed in 1992
	Hunt, Deidre	W	Fla.	10-20-89	9-13-90	reversed in 1992
	Jennings, Patricia	W	N.C.	9-19-89	11-5-90	now on death row
	MaHaley, Marilyn	W	N.C.	3-20-90	12-17-90	reversed in 1992
	McDermott, Maureen	W	Cal.	4-28-85	6-15-90	now on death row
	Moore, Blanche	W	N.C.	-39	11-16-90	now on death row
	Smith, Rebecca	W	S.C.	7-17-89	12-10-90	reversed in 1992
1991	Copeland, Faye	W	Mo.	1986-88	4-27-91	now on death row
	Gay, Yvette	B	N.C.	5-30-90	8-10-91	now on death row
	Isa, Maria	H	Mo.	11-6-89	12-19-91	reversed in 1993
	Milke, Debra Jean	W	Ariz.	12-2-89	1-18-91	now on death row
	Smith, Geraldine	B	Ill.	6-?-87	2-20-91	now on death row
	Williams, Dorothy	B	Ill.	7-31-89	4-18-91	now on death row

(continued)

<u>YEAR</u>	<u>OFFENDER'S NAME</u>	<u>RACE</u>	<u>STATE</u>	<u>DATE OF CRIME</u>	<u>DATE OF SENTENCE</u>	<u>CURRENT STATUS</u>
1992	Alfaro, Maria	H	Cal.	6-15-90	7-14-92	now on death row
	Cardona, Ana	H	Fla.	11-2-90	4-1-92	now on death row
	Garcia, Guinevere	W	Ill	7-24-91	10-9-92	now on death row
	Hill, Doneta	B	Pa.	6-20-90	4-9-92	now on death row
	Jackson, Andrea	B	Fla.	& 3-24-91 5-16-83	2-21-92	now on death row
	Phillips, Shirley	W	Mo.	10-?-89	& 2-10-84 4-6-92	now on death row
	Wuornos, Aileen	W	Fla	12-1-89 5-24-90 7-30-90 9-11-90	1-31-92 5-15-92 5-15-92 5-15-92	now on death row
1993*	Ballenger, Vernice	W	Miss.	7-10-83	1-13-93	now on death row

* As of May 1, 1993

APPENDIX B

CASE SUMMARIES FOR CURRENT FEMALE DEATH ROW INMATES, MAY 1, 1993

ALABAMA

Haney, Judy: White; age 32 at crime and now age 41 (DOB 6-29-51); murder of her white husband (hired her brother-in-law to commit killing) in Talladega County on 1-1-84; sentenced on 11-18-88.

Harris, Louise: Black; age 34 at time of crime and now age 39 (DOB 6-16-53); murder of her black husband (hired someone to commit killing) in Montgomery County on 3-11-88; sentenced on 8-11-89.

Neelley, Judith Ann: White; age 18 at time of crime and now age 28 (DOB 6-7-64); kidnapping and murder of white female age 13 in DeKalb County on 9-28-82; sentenced on 4-18-83.

ARIZONA

Milke, Debra Jean: White; age 25 at crime and now age 29 (DOB: 3-10-64); murder of white male age 5 (her son) in Maricopa County on 12-2-89; sentenced on 1-18-91.

CALIFORNIA

Alfaro, Maria del Rosio (Rosie): Hispanic; age 18 at crime and now age 21; burglary, robbery and murder of Hispanic girl age 9 in Anaheim on 6-15-90; sentenced 7-14-92.

Coffman, Cynthia: White; age 24 at crime and now age 31 (DOB 1-19-62); murder of white female age 20 in San Bernadino County on 11-7-86; sentenced on 8-30-89.

McDermott, Maureen: White; age 37 at crime and now age 45 (DOB 5-15-47); murder of white male adult in Van Nuys (Los Angeles County) on 4-28-85; sentenced on 6-8-90.

FLORIDA

Buenoana, Judias V. (AKA Judy Ann Goodyear): White; age 28 at crime and now age 50 (DOB 4-4-43); arsenic murder of white husband in Orlando on 9-16-71; sentenced on 11-26-85.

Cardona, Ana: Hispanic (Cuban); age 30 at crime and now age 32; murder of son age 3 in Miami Beach on 11-2-90; sentenced on 4-1-92.

Jackson, Andrea Hicks (aka Felice): Black; age 25 at crime and now age 35 (DOB 2-26-58); murder of black male police officer age 28 in Jacksonville on 5-16-83; sentenced on 2-10-84; reversed in July 1989; resentenced on 2-21-92.

(FLORIDA, continued)

Wuornos, Aileen: White; age 33 at crime and now age 37 (DOB: 2-29-56); murder of white male age 51 in Datona Beach on 12-1-89; sentenced 1-31-92; murder of white male age 43 on 5-24-90, white male age 50 on 7-30-90, and white male age 56 on 9-11-90 near Ocala; 3 additional death sentences imposed on 5-15-92.

ILLINOIS

Smith, Geraldine: Black, age 39 at crime and now age 45; hired man to kill her lover's wife (black female, age 37) in Chicago in June 1987; sentenced on 2-20-91.

Williams, Dorothy: Black, age 35 at crime and now age 39; robbery and murder of black female age 97 in Chicago on 7-31-89; sentenced on 4-18-91.

Garcia, Guinevere: White, age 32 at crime and now age 34; murder of Hispanic male (her husband) age 60 on 7-24-91 in Du Page County; sentenced on 10-9-92.

INDIANA

Brown, Debra Denise: Black; age 21 at crime and now age 30 (DOB 11-11-62); murder of black female age 7 in Gary on 6-18-84; sentenced on 6-23-86.

MISSISSIPPI

Ballenger, Vernice: White; age 55 at crime and now age 56; arson and murder of white female age 75 in Leake County on 7-10-83; sentenced on 1-13-93.

MISSOURI

Copeland, Faye: White; age 67 at crime and now age 73; murder of four white male adults in Livingston County from 1986 through 1988; sentenced on 4-27-91.

Phillips, Shirley Jo: White; age 53 at crime and now age 56; murder of white female age 66 in Springfield (Greene County) in Oct. 1989; sentenced on 4-6-92.

NEVADA

Ford, Priscilla: Black; age 51 at crime and now age 64 (DOB 2-10-29); murder of 3 white females and 3 white males in Reno on 11-27-80; sentenced on 4-29-82.

NORTH CAROLINA

Gay, Yvette: Black; age 27 at crime and now age 30; murders of a black female age 40, a black female age 16, and a black male age 13 in Beaufort County on 5-30-90; sentenced on 8-10-91.

(NORTH CAROLINA, continued)

Jennings, Patricia JoAnn [Wells]: White; age 47 at crime and now age 50 (DOB: 8-24-42); murder of elderly white male adult (her husband) in Wilson County on 9-19-89; sentenced on 11-5-90.

Moore, Blanche [Taylor]: White; age 56 at crime and now age 59 (DOB: 6-?-33); murder of white male adult (her boyfriend) in Alamance County in late 1989; sentenced on 11-16-90.

OKLAHOMA

Allen, Wanda Jean: Black; age 29 at crime and now age 33 (DOB 8-17-59); murder of female adult in Oklahoma County in December 1988; sentenced on 4-26-89.

Jones, Patricia: White; age 36 at crime and now age 41; murder in Oklahoma County in April, 1988; sentenced on 12-7-89.

Plantz, Marilyn Kay: White; age 27 at crime and now age 32 (DOB 10-19-60); murder of white male adult (her husband) in Oklahoma County in August, 1988; sentenced on 3-31-89.

Smith, Lois Nadean: White; age 41 at crime and now age 52 (DOB 9-12-40); murder of white female adult in Gans (Sequoia County) on 7-4-82; sentenced 12-29-82.

PENNSYLVANIA

Hill, Doneta: Black; ages 23 and 24 at crimes and now age 26; murders of Asian male age 72 in Philadelphia on 6-20-90 and of Black male age 21 in Philadelphia on 3-24-91; sentenced on 4-9-92.

Rivers, Delores: Black; age 34 at crime and now age 39 (DOB 12-25-53); murder of female age 74 in Philadelphia on January 30, 1988; sentenced on 3-16-89.

TENNESSEE

Owens, Gaille Kirksey: White; age 32 at crime and now age 40 (DOB 9-22-52); hired someone to murder husband in Shelby County on 2-17-85; sentenced on 1-15-86.

TEXAS

Beets, Betty Lou: White; age 46 at crime and now age 56 (DOB 3-12-37); murder of adult white male (husband) in Athens (Henderson County) on 8-6-83; sentenced on 10-14-85.

Newton, Francis Elaine: Black; age 21 at crime and now age 28 (DOB 4-12-65); murder of husband (black male age 23), son (black male age 7), and daughter (black female age 1) in Houston on 4-7-87; sentenced on 11-17-88.

(TEXAS, continued)

Perillo, Pamela Lynn: White; age 24 at crime and now age 37 (DOB 12-3-55); robbery and murder of white (?) male age 26 in Houston on 2-24-80; sentenced on 9-2-80 and 11-13-84.

Tucker, Karla Faye: White; age 23 at crime and now age 33 (DOB 11-18-59); murder of white female age 32 and white male age 27 in Houston on 6-13-83; sentenced on 4-25-84.