

## Episode 13: Women

Hello and welcome to the Death Penalty Information Center's series of podcasts, exploring issues related to capital punishment. In this edition, we will be discussing women and the death penalty.

### **Have women always been represented on death row in the United States? When was the first woman executed?**

Yes, in theory women have always been eligible for the death penalty in the United States, though they have been executed far less often than men. The first woman executed in what is now the U.S. was Jane Champion, in 1632. She received the death penalty in Virginia for murder. The first woman executed in the modern era of the death penalty was Velma Barfield. She was given a lethal injection in North Carolina in 1984.

### **Do death penalty laws treat men and women differently?**

No. The laws are written in a gender-neutral way. However, the federal government forbids the execution of a woman who is pregnant. The U.S. has also ratified a treaty with a similar provision. In some countries, criminal laws are specifically written to affect women and men differently.

### **What percentage of death row inmates are women? What percentage of executions involve women?**

As of October 31, 2010, there were 55 women on death row. They made up 1.7% of all death row inmates. In all of American history, there have only been 569 documented executions of women, out of over 15,000 total executions. Since 1976, twelve women have been executed, accounting for about 1% of executions during that time. Of those twelve, three had given up their appeals, making them volunteers for execution.

### **Does gender bias affect whether women are sentenced to death? Are women less likely than men to get the death penalty for similar crimes?**

About 10% of people who are arrested for murder are women, but only about 2% of death sentences are imposed on women. However, not all murders are eligible for the death penalty. The murder has to be particularly aggravated in some way.

The crimes for which men and women are typically sentenced to death are different. Most women who have been executed, and a large proportion of those currently on death row, were convicted of murdering their spouse, romantic partner, or their children. The same is not true of men on death row. Their murders are typically committed in the course of another felony, such as robbery or rape.

Some studies of women and capital punishment have suggested that the death penalty is applied to women who break traditional gender roles. In an Oregon Law Review article

called "Executing White Masculinities: Learning from Karla Faye Tucker," Joan W. Howarth found, "Some women on death row seem to represent the gender transgressions of a woman appropriating male roles... Other women embody the danger of a stereotypically female role gone bad, such as the many women on death row who killed their husbands and mothers who killed their children."

In general, it is difficult to know whether gender bias plays a role in death sentences because the pool of women sentenced to death is small. Statistical studies require a larger number of comparable cases.

There may be a gender bias based on the gender of the victim of the underlying crime. A 2011 study by Steven and Naomi Shatz found that in cases in California where the victim was a woman, the death sentence rate was seven times the rate as when men were victims.

### **Is there any gender difference in support of the death penalty?**

Yes. In public opinion polls, women are almost always less supportive of the death penalty than men. For example, a 2007 Gallup poll found a gap of 12% between men and women's support for the death penalty.

### **What are some notable examples of women who were executed?**

The 1998 execution of Karla Faye Tucker received extensive media coverage largely because of her religious conversion while on death row. Tucker became a born-again Christian and attracted attention from celebrities including evangelist Pat Robertson. Despite clemency requests from Robertson, Newt Gingrich, and Pope John Paul II, Texas Governor George W. Bush denied clemency for Tucker. She was the first woman executed in Texas since 1863.

Another famous case is that of Aileen Wuornos, who confessed to the murders of seven men. She was called "America's first female serial killer," although she said the murders were committed in self-defense. The media coverage of the case created conflicts of interest when police officers involved in the investigation accepted book and movie deals, and an inexperienced lawyer took on Wuornos' case because he wanted publicity. Wuornos also suffered from mental illness, raising questions of whether she should be allowed to drop her appeals, as she requested. Psychologists appointed by Florida's governor found her competent to waive her appeals and be executed, and Wuornos was put to death in 2002. The Oscar-winning movie "Monster" was based on her life.

The most recent woman to be executed was Teresa Lewis. She was executed in Virginia in 2010 for the murder of her husband and stepson in an attempt to claim life insurance money. The murder was carried out by two men, who both received life sentences. Lewis was portrayed as the mastermind of the murders at her trial, though later analyses suggested that, with her low IQ and dependency disorder, she was manipulated by the gunmen.

Earlier in U.S. history, Ethel Rosenberg was executed for espionage in 1953. She was accused of sharing secrets of the atomic bomb with the Russians. Mary Surratt was hung in 1865 for taking part in the conspiracy to assassinate President Abraham Lincoln. She was the first woman executed by the federal government. Her story inspired the movie "The Conspirator."

Thank you for listening to the Death Penalty Information Center's podcast. To learn more about women and the death penalty, and other issues related to capital punishment, visit [deathpenaltyinfo.org](http://deathpenaltyinfo.org).