

The Hierarchy of Victims in Death Penalty Processing

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North Carolina has a criminal justice system that is as multifaceted and complex as that found in any other American state. Pursuing justice in this state involves a series of difficult decisions by individuals at various stages of the criminal justice process. In the case of capital trials, law enforcement officers must investigate and solve crimes within the constraints of constitutional principles designed to safeguard rights and liberties. They must transmit any evidence they have collected to the district attorney who would determine, based upon technical and legal guidelines, whether to bring charges against the assailant and, if so, which charges to launch and what prosecutorial strategy to adopt. If necessary to satisfy justice, the prosecutor has the capacity to negotiate a plea agreement with the defendant and to determine the legal parameters of such an agreement. These decisional events takes place before the jury is selected and the trial

actually begins. At the end of the trial, the jury must determine whether to convict the defendant. If so, at the final sentencing phase, the jury must determine whether to impose a sentence of life in prison or death.

Described in this way, the criminal justice process appears simple and straightforward. Theoretically speaking, decisions made at each of these stages of the process are guided by law enacted by the North Carolina General Assembly, sanctioned by the people, and dutifully followed by criminal justice officials. In reality, however, there is considerable discretion that criminal justice actors exercise at each stage of the criminal justice process, including the prosecutorial stage. Research suggests that this discretion is a powerful source of indeterminacies, arbitrariness, and bias in the outcome of criminal justice processing (Baldus et al 1990; Nakell and Hardy 1997; Unah 2011). Whereas earlier analyses of death penalty outcomes have tended to focus on the characteristics of defendants (e.g., Johnson 1941; Garfinkel 1949; Bowers and Pierce 1980), recent years have witness a proliferation of studies stressing the importance of victim characteristics (Baldus, Woodworth, Pulaski 1990; Baumer, Messner, and Felson 2000; Songer and Unah 2006).

In this paper, we seek to place victim characteristics in proper theoretical perspective in order to demonstrate how crucial demographic features of the victims are in death penalty processing both at the prosecutorial stage and the jury decision stage. We address two fundamental questions. First, do victim characteristics determine the prosecutor's decision to seek the death penalty in death eligible cases? These are murder cases whereby based upon facts alone the crime is serious enough to qualify as death eligible irrespective of what the ultimate disposition might have been. Second, are *victims* classified within a gradient of social importance when determining legal procedure and punishment for defendants accused of committing murder?

These are some of the central questions of concern for social science researchers interested in issues of fairness in the distribution of justice. These questions are the centerpiece of this paper.

We examine these questions using county specific as well as statewide data focusing on various stages of death penalty processing. First, at the prosecutorial stage, we examine homicide data prosecuted in Durham County, North Carolina from 2003 to 2007. We examine the extent to which the choice of seeking the death penalty is determined by the race and gender characteristics of the homicide victim. In doing so, we control for several factors that the literature suggests are important in determining death penalty outcomes, including the nature of the crime, the race of the defendant, and the criminal background of the defendant (Paternoster 1984; Unah 2011). Finally, we examine North Carolina's death row populations to determine the extent to which the race of the homicide victim is associated with who is admitted into death row in North Carolina.

We argue that prosecutors and juries in North Carolina have unwittingly developed a racialized and gendered hierarchy of victims that is employed during the processing, disposition, and sentencing of homicide defendants. The dominant characteristic of this hierarchy is that it adheres to a gradient that places white women consistently at the top of the social value ladder and black men consistently at the bottom. We explore the implications of this hierarchical assignment of victims for the legitimacy of and confidence in the justice system.

Comparative Conflict Theory and the Racial Hierarchy of Victims

In this paper, we rely on comparative conflict theory to explain the hierarchy of victims in the criminal justice system. Researchers have long pointed to comparative conflict theory as a critical framework for explaining racial and ethnic differences and similarities in criminal justice policy and in individual-level behavior. V. O. Key (1949) was among the earliest to articulate

this theory when he analyzed the nature of electoral politics in the American South. The basic logic of the theory is captured succinctly by Huckfeldt and Sprague (1993): “White racial hostility is a common feature of American political life, and it frequently varies as a direct function of blacks’ presence in the population” (p. 284). At its genesis, the conflict perspective emphasized standard political and sociological concepts: social class, group threat, powerlessness and pursuit of interest in modern plural societies (Key 1949; Blalock 1969; Chamblis and Seidman 1971). The theory asserts that group threat to existing social, political and economic arrangements posed by disadvantaged groups can be used to explain why certain groups are more likely than others to have unfavorable encounters with the criminal justice system (Turk 1969; Hagan and Albonetti 1987).

Early emphasis was placed on people’s social class status and their attachment to the economic structure (Chambliss and Seidman 1971). Social scientists paid little attention to the effects of racial and ethnic cleavages on social organization. Following the Marxian tradition, many scholars simply assumed that race was merely a social form that in due course would be assimilated into larger social identities based upon class (Bonacich 1980). Given the overlap between social class and race, however, ascriptive group cleavages failed to disappear and even grew in theoretical and practical importance as subsequent investigations on the conflict perspective turned to the salience of race in grounding group conflicts and to help explain the differences in treatment of black and white victims and defendants in the criminal justice system (Hawkins 1987; Henderson et al. 1997; Hochschild 1995; Mitchell and Sidanius 1995; Sigelman and Welch 1991).

More recent analyses have turned toward a notable hypothesis generated from comparative conflict theory—the racial gradient thesis—which emphasizes a hierarchy or gradations of

experiences among groups in an ongoing competition for control over economic, political, and social structures in society (Hagan, Shedd, and Payne 2005; Unah and Wright 2014). The racial gradient thesis suggests that the experiences of defendants and victims follows an intensity level adhering to a black/Hispanic/white gradient, with blacks being most likely to be treated unjustly, whites being least likely to be treated unjustly, and Hispanics being sandwiched in-between blacks and whites in their unjust treatment within the criminal justice system (Hagan, Shedd, and Payne 2005; Gabiddon and Jordan 2013).

What are the causal antecedents of this apparent hierarchy in the experiences of racial and ethnic groups? One antecedent is the historical mistreatment of racial minorities by law enforcement. Social science research provides incontrovertible evidence that as a group, blacks have suffered the brunt of racial inequities and injustices in government policy concerning arrest (Tonry 1999), drug enforcement (Becket et al., 2006), mass incarceration (Clear, 2007; Unah and Coggins 2013; Smith 2004), escalation of criminal charges and punishment (Hagan and Albonetti 1982; Paternoster 1984; Unah 2011) and execution and wrongful convictions (Baumgartner, De Boef, and Boydston 2008). This painful reality is perceived by minority groups, particularly African Americans, as unfair and it contributes to a feeling of alienation and distrust of legal and criminal justice institutions.

Minority groups also perceive the police, courts, and other criminal justice institutions as instruments of “the system,” assembled primarily to guard, protect, and promote the interest of whites, while minimizing competition over valuable resources such as jobs and political power (Weitzer and Tuch, 1999; Giles and Evans 1986). Desmond King and Rogers M. Smith (2005) have gone as far as to argue that the justice system is deliberately biased and that it constitutes a

loosely coordinated racial order designed by whites to reassert social control over blacks and other racial minorities and minimize their “menace” to society.

Buttressing this rather bleak vision of the justice system by scholars in its treatment of blacks and other minorities is an analysis by Schneider and Ingram (1993) that suggests that law itself functions as a tool established by, and for the benefit of, the dominant group whose members control the levers of economic and political power that they use for subjugating and suppressing the interests of socially constructed minority populations. Therefore, contrary to minority groups, members of the dominant group are more likely to receive distinctly favorable treatment either as defendants or victims from the criminal justice system and its social agents (police, prosecutors, and jury).

Macro-level studies provide further support for this group threat argument by showing that, up to a certain threshold level, the size of the black population in a city or state is positively associated with increased spending on police (Jackson and Carroll 1981), police strength (Kent and Jacobs, 2005), incarceration rates (Jacobs and Carmichael 2001; Jacobs and Helms 2006; Yates and Fording 2005) and the likelihood that state governors would use aggressive language to describe the crime situation during their state-of-the-state addresses (Unah and Coggins 2013).¹ Thus the treatment and consideration of disadvantaged groups by the justice system is largely determined by the levels of perceived threat posed by blacks relative to their proportion in the population. Research suggests that within social and political contexts, the perceived threat to white interests is actually high and this often translates into escalated punishment for

¹ When the community has a sizeable black population, we would expect that nonwhites have more political power and more influence in running and directing the affairs of the community, including the legal system. This would be expected to reduce systemic discrimination and lead to relatively more severe treatment of defendants accused of killing nonwhite victims.

blacks convicted of murdering a white person (as opposed to a black person) and perfunctory investigation by police when blacks are the victim of murder.

Outside the criminal justice system, differences in perceptions of injustices remain. Minorities, particularly African Americans, are more likely to perceive that inequities in education, healthcare, and employment exist and that these problems are rooted in prejudice, discrimination, and denial of opportunity by Whites (Schuman, Steeh, and Bobo, 1985). Whites, however, tend to think that discrimination is a thing of the past and view the apparent inequality experienced by blacks and other minorities as primarily the result of low motivation and lack of effort (Bobo and Kluegel 1997; Sigelman and Welch 1991).

Compared to African Americans and Anglos, there has been little empirical attention given to the treatment of Hispanics in the justice system, although as the Hispanic population continues to explode, this dynamic will surely change. The reason for the scant attention to Hispanics is not because Hispanics are infrequent targets of mistreatment by courts and law enforcement personnel but because Hispanics occupy a “disadvantaged middle ground where they are a less comprehensive and intensive focus of criminalization efforts than African Americans” (Hagan et al. 2005, 384). We think this reduced intensity of focus is due to Hispanics’ lighter skin-tone, which makes them more socially acceptable, thus rendering their experiences not as bad as that of African Americans but not as good as that of whites. Supporting this account is a growing line of social science research that suggests that skin-tone is an incredibly important criterion of social acceptance and a strong indicator of how individuals are treated in socio-legal and political processes (Eberhardt et al. 2006; Terkildsen 1993; Portes and Rumbaut 2001). Indeed, according to Portes and Rumbaut, a “racial gradient continues to exist in U.S. culture so that the darker a

person's skin, the greater is the social distance from dominant groups and the more difficult it is to make his or her personal qualifications count" (2001, 47).

Previous Research on Victim Characteristics

Previous research on the influence of victim characteristics on death penalty outcomes focused on the number of victims involved in a crime, the pre-trial screening decisions of prosecutors and variation in sentencing outcomes. Empirical studies conducted in North Carolina (Nakel and Hardy 1987, 132) and South Carolina (Unah and Songer 2006, 194) indicate that a multiple murder transaction is significantly more likely to result in a death penalty charge and for the prosecutor to take the case to trial compared to murders of single individuals.

A number of pre-trial screening studies focusing on prosecutorial decision making have examined demographic characteristics of victims. These studies have found that defendants are less likely to be prosecuted capitally when they are accused of killing nonwhites and more likely to be prosecuted capitally when accused of killing whites (Hawkins 1987; Kleck 1981; Songer and Unah 2006). Also at the trial stage, Myers (1979; 1980) reported that felony cases involving white victims are more likely to result in a murder conviction when the defendant is black rather than white. Nakell and Hardy (1987, 146) similarly reported that after accounting for the quality of evidence and the seriousness of the offense, white victim cases were "six times more likely" to result in guilty verdicts than cases in which the victim was nonwhite. At the penalty phase, numerous empirical accounts have also reported that defendants of whatever race convicted of first degree murder are more likely to be sentenced to death when their victim is white than when their victim is nonwhite (Baldus et al. 1990; Gross and Mauro 1989; Paternoster et al. 2004) .

Some studies have specifically examined the racial configuration of victims and defendants as independent variables and have concluded that the influence of victim's race is conditioned by the race of the defendant. Unah (2011) reported that black defendants who murder whites are significantly more likely to be sentenced to death compared to whites who murder other whites.

A few authors have examined victims through the lens of chivalric paternalism in society by comparing how female and male victims fare in the justice system. These studies have indeed reported large differences in the treatment of defendants based upon the victim's gender. Beaulieu and Messner (1999) find that defendants who murder females are significantly less likely to receive a reduction in charges than defendants who murder males. In their study of South Carolina prosecution of homicide cases, Songer and Unah (2006) found that female victim cases were usually considered more aggravated and therefore more likely to lead to a capital prosecution. In analysis of other predatory crimes such as sexual assault, Spohn and Spears (1994) reported that prosecution is significantly more likely to occur and prison sentences more severe when the victim is a white female compared to black female. These findings on the intersection of race and gender point to an interesting historical duality in which white women as a subgroup of victims are placed in a special protective class and identified as the groups most deserving of protection from crime and the group most likely to generate the most severe punishment for their assailants. In essence, white women carry highly significant symbolic power as victims that neither black women nor Hispanic women carry when they are victimized.

The perception of white women as a specially protected class of victims is, of course, not something of a recent vintage. It has been around through historical time, often resulting in differential policy responses to white female victimization. James W. Messerschmidt (2007) has argued in a book chapter entitled: "We must protect our Southern White Women" that the

organization and inception of the Ku Klux Klan constitutes a racial order conceptualized to boost not only hegemonic white male masculinity but also to “protect” white women against black men, especially in the South.

The symbolic value of white women as victims has also been used to generate a variety of government policies, many of them highly punitive. For example, Holcomb et al. (2004, 877-901) reported that the rape of white women has historically been treated as a more serious crime and given greater punishment than the rape of black women. Until the Supreme Court outlawed the death penalty for rape of adult women in *Coker v. Georgia* (1977), capital punishment for rape was reserved almost exclusively for cases involving white female victims and typically when the alleged attacker was from a different race or ethnicity (LaFree 1989). Moreover, *The White Slave Traffic Act* enacted by Congress on June 25, 1910 (alternatively known as The Mann Act) prohibits the transportation of women across state lines for immoral purposes. David Langum (1978) has examined the legislative history of the law and concluded that the law’s principal purpose was to protect white women from crimes of moral turpitude.

Overall, the literature clearly indicates that there are racial, ethnic, and gender-based differences among murder victims and how their assailants are treated in the criminal justice system. Although no one has yet made this argument, we believe and therefore hypothesize that the treatment of victims in North Carolina criminal justice system adheres to a racialized and gendered hierarchy in which white women are placed at the top of the victim pyramid and black men are placed at the bottom of that pyramid. We further hypothesize that the placement of black women and white men falls somewhere (sometimes interchangeably) between the placement of white women and black men.

Data

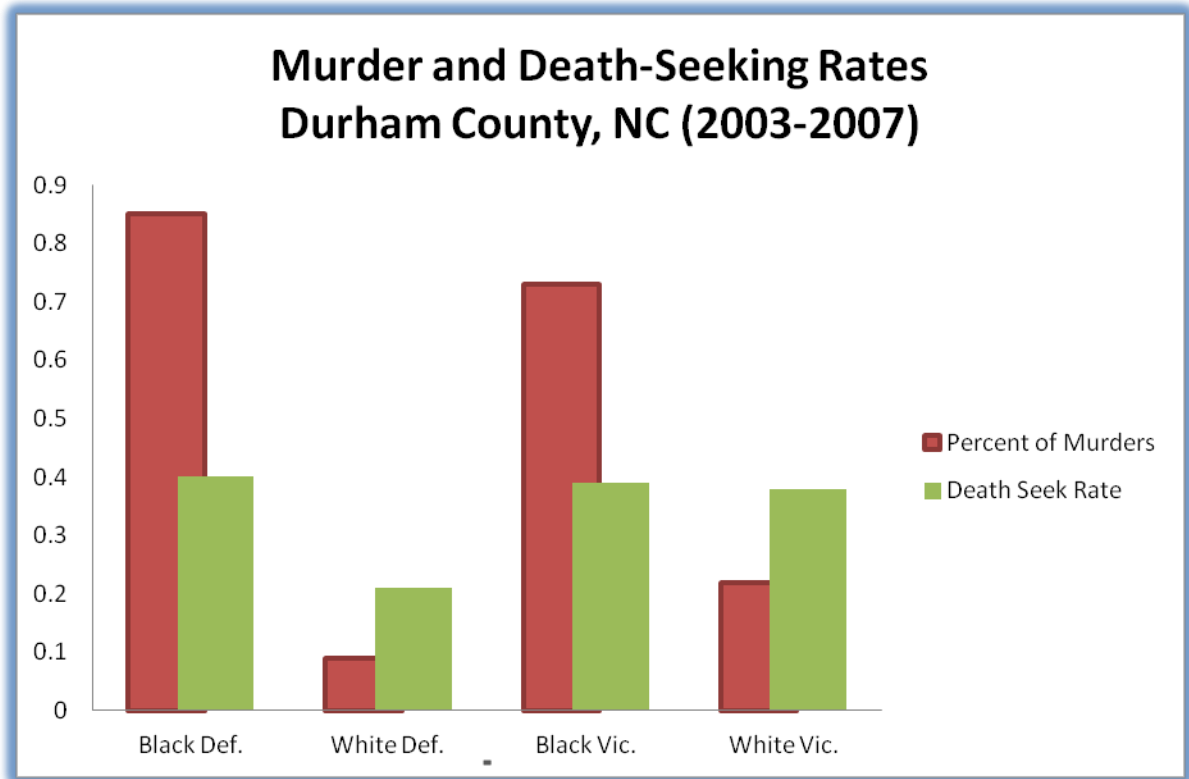
For purposes of this analysis, we rely on several different datasets to investigate these hypotheses. First, we collected data on murder cases in Durham County, NC in which the defendant was indicted between January 1, 2003 and December 31, 2007. Only death eligible cases were considered. These include cases in which there is at least one element of aggravation present and the defendant is at least 17 years of age under the rules set by the Supreme Court in *Roper v. Simmons* (2005) for death eligibility. During the 2003-2007 time period, 151 death eligible murders with known defendants occurred in Durham County. Second degree murders and manslaughter cases were not considered because they are death ineligible under the state criminal code. Our second dataset is statewide and concern various statistics derived from the North Carolina Department of Corrections about the characteristics of death row inmates and of the victims they have been convicted of killing. We believe these two datasets will allow us to test the hierarchy of victims in the North Carolina criminal justice system using graphical and associational methods.

Findings

We begin our examination of the results by looking closely at homicide victimization rates in Durham County only. It is instructive to recall that only death eligible cases are considered in this analysis. In this category of cases, the assailants are predominantly African American (85 percent) and the victims are also predominantly African American (71 percent). This trend is similar to homicide victimization trends found in other major cities. Whites constitute a small fraction of the murder victims in Durham County (22 percent) and an even smaller percent of murder defendants (9 percent). Figure 1 indicates that prosecutors are significantly more likely to

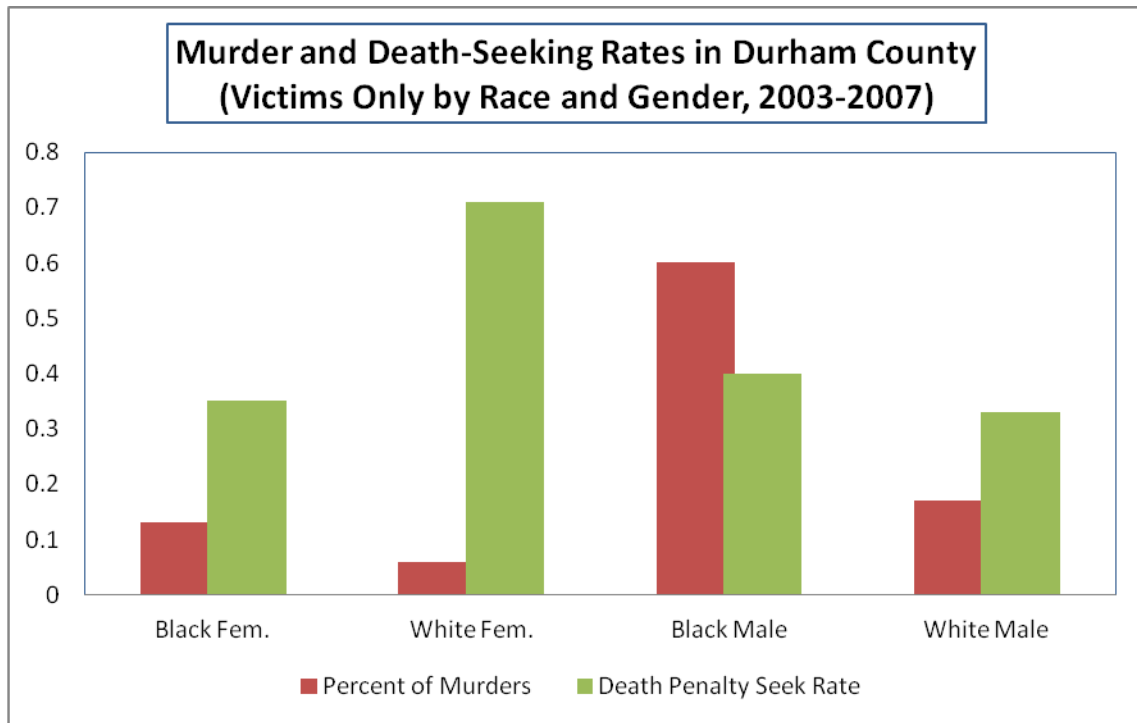
seek the death penalty in white victim cases even though the proportion of white victims is relatively small compared to the proportion of black victims.

Figure1



In Figure 2 we examine the race and gender of Durham County victims and find that black men are the most likely individuals to become homicide victims, followed by white men, then black women and white women as the least likely to be victims of murder. However, when it comes to the decision to seek the death penalty, women, especially white women are most favored. White women make up only six percent of the murder victims in death eligible cases. Yet the prosecutor seeks the death penalty in 71 percent of those murders. Black women constitute 17 percent of the murders. Prosecutors seek the death penalty in 33 percent of these murders, less than half the rate for white women.

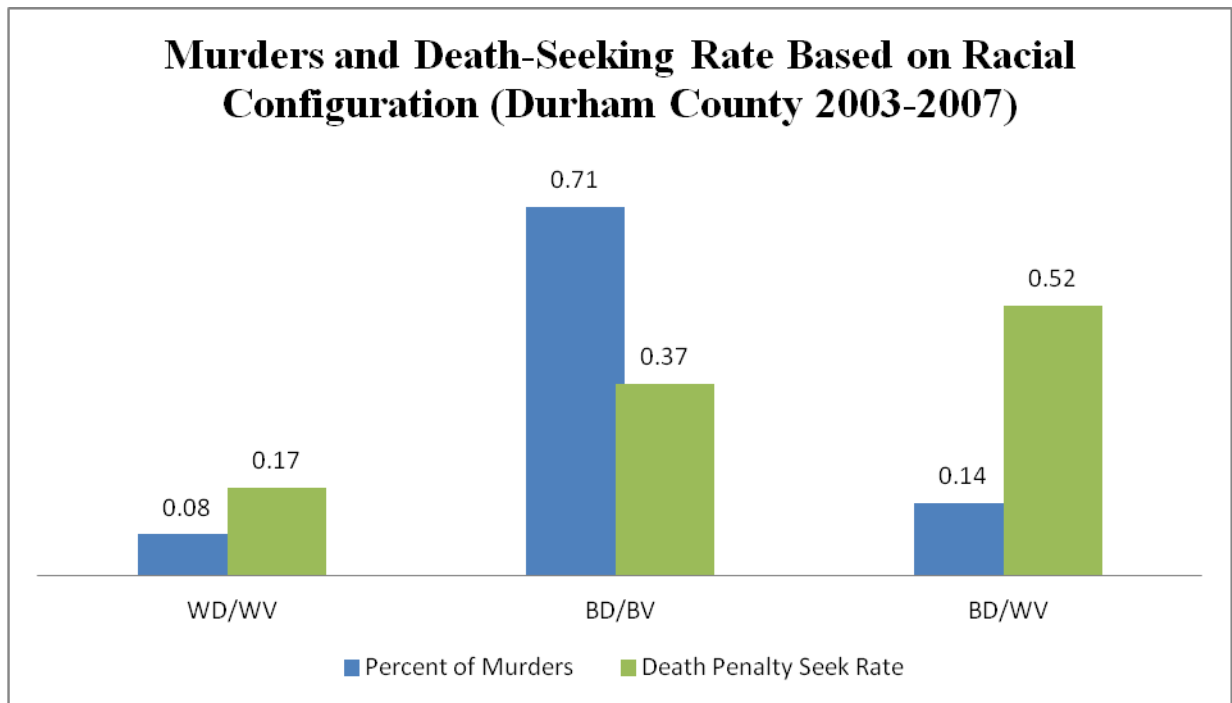
Figure 2



In Figure 3, we report the murder and death seeking rates by racial configurations. Some researchers (Kleck 1981) have claimed that the explanation for why African American victim cases are less likely to see the death penalty is that these cases are less aggravated because they are mostly acquaintance murders which often lack evidence of premeditation. We think this is nonsense. If this is true we should discover a similar trend in white-on-white murders. The proportions reported in Figure 3 suggest that this is not the case. More white-victim cases are processed for the death penalty irrespective of the race of the defendant. The undeniable conclusion from the Figure 3 is that white female victims definitely are at the top of the victim hierarchy when it comes to prosecutorial decision to seek the death penalty in Durham County, North Carolina. Below the top of that hierarchy, the story is less clear because the death penalty

seeking rate for black females, black males, and white males all hover around 33 percent, although black males clearly are the most likely victims of homicide.

Figure 3



We now turn our attention to analysis of statewide death penalty outcomes, beginning with an examination of the differential likelihood of execution based upon the race and gender of the victim.

Differential Likelihood of Execution by Race and Gender of the Victim

Homicide victimization statewide

Being a victim of homicide is heavily dependent on race, gender, and age (Rand, Lynch, and Cantor 1997). Young black males have extremely high rates of homicide victimization as compared to other demographic categories. On the other hand, these homicides are extremely

unlikely to be followed by a death sentence or execution for the perpetrators. Women constitute only a relatively small proportion of homicide victims but their deaths are much more likely to lead to a capital prosecution. In North Carolina, the difference in likelihood that the death of a black man versus a white woman will lead to the execution of the perpetrator is 40: 1. This extremely large gap calls into question the equal protection guarantee of the U.S. Constitution.

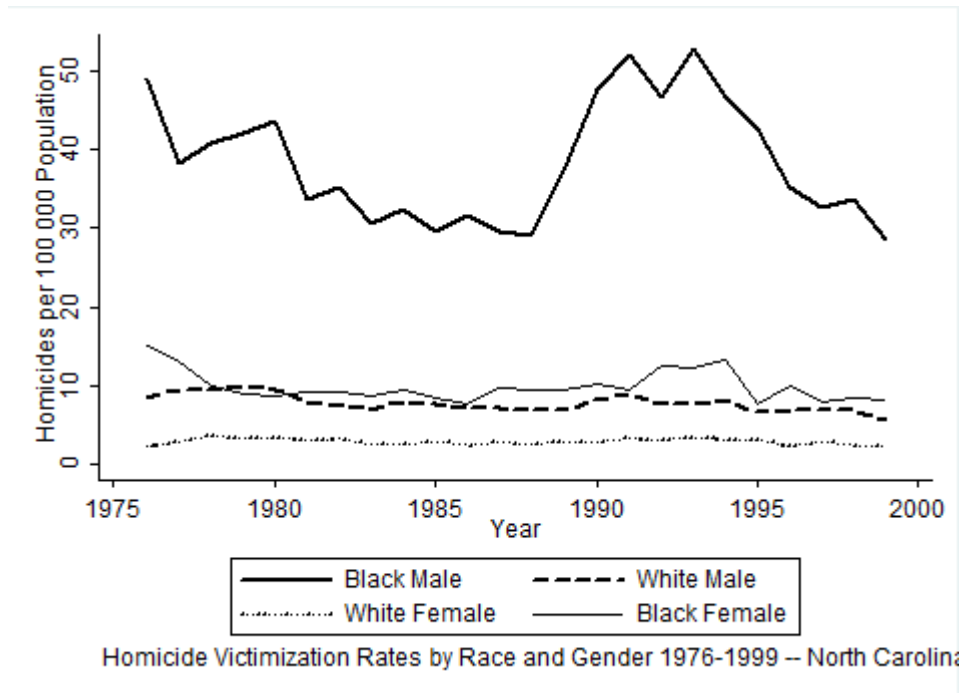
From 1976 through 2008, 19,591 North Carolinians have been the victims of homicide, almost 600 per year on average. Of these, about three-quarters are male, and 54 percent are African-American.² Table 1 shows the number of homicide victims by race and gender.

(Insert Table 1 about here)

The table shows that fully 42 percent of homicide victims in North Carolina since 1976 have been black males; 29 percent, white males; 14 percent, white females, 10 percent, black females, and 10 percent, persons of other or unknown race or gender. These numbers of course vary somewhat over time. Figure 4 shows the rate per population of being the victim of homicide from 1976 to 1999.

² In the 2000 US Census, blacks were 21.6 percent of the North Carolina population.

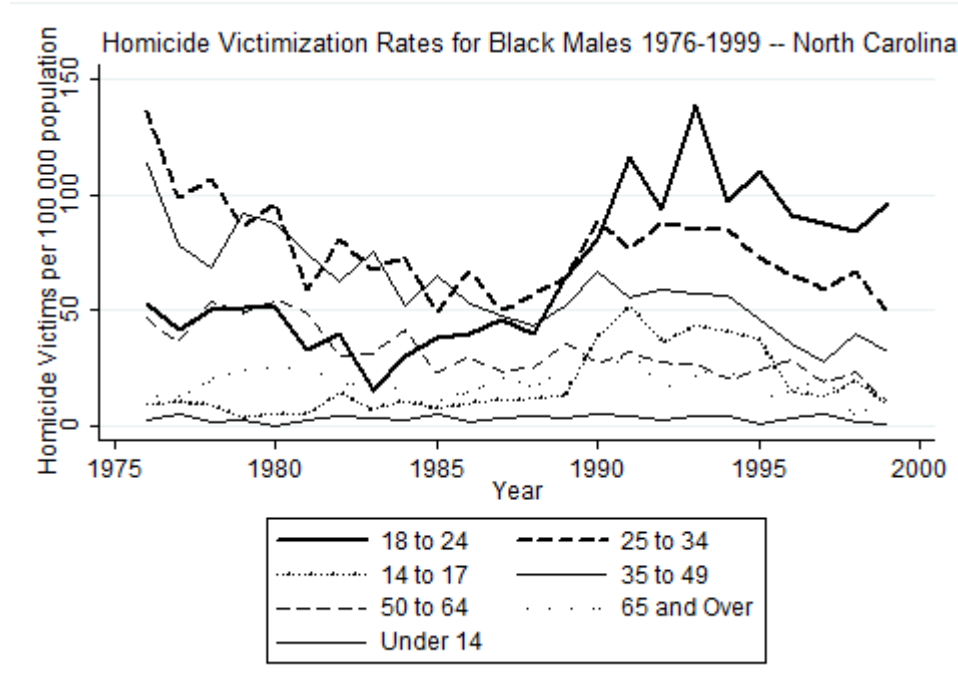
Figure 4. Homicide Rates by Race and Gender.



Across the US, victimization rates range from approximately 5 per 100 000 population (in 1999) to just over 10 (in 1980). In North Carolina, for the period studied here, the numbers are slightly higher, ranging from 7 to 11 per 100 000 population. The figure makes clear, however, that race and gender differentiate very strongly in a person's likelihood of being the victim of murder. For white women in North Carolina, the rate falls within the range of 2.3 to 3.5, whereas for black men the chances of being murdered are between 28 to 53 per 100 000 population: more than 10 times greater.

Interestingly, age also affects one's likelihood of homicide victimization, across all races and genders. Figure 5 shows the rates for black males of all ages.

Figure 5



Young men aged between 18 and 34 years are the heart of the homicide crisis in the United States as in North Carolina. Their rates of victimization are routinely more than 100 in 100,000 whereas the overall rate across all age and racial groups is 5 to 10. The killers of these different categories of victims have greatly varying chances of being executed for their crimes. If the death penalty were designed to be a deterrent to crime, one could imagine that it would be focused on where the homicides are occurring, but as we will see in the next section, it is not. In fact, it is focused on the killers of white women, statistically the least likely group in the population to be the victim of murder.

Executions Trend in North Carolina

The killers of 56 homicide victims have been executed in North Carolina since 1976, whereas 19,517 homicides have occurred. The rate of execution is therefore $56 / 19,517$ or 0.287

percent. First of all, we should note what a tiny proportion of all murders nationwide are punished by execution. For instance, Songer and Unah (2006) place this figure at approximately 2%; the figure here is even lower. Second, the disparities apparent in Figures 6 and 7 are truly remarkable, indicating that there is a racial hierarchy in the victims for whom an execution is most likely to be carried out. As with the Durham County analysis, black men are by far the largest category of victims of homicide in North Carolina, but the killing of white women has more than 40 times the likelihood of leading to an execution than does the killing of black men.

As Friedman (1993) attests, this result speaks loudly about the symbolic power of white women in American culture. In the criminal justice arena, white females have historically been viewed as a subgroup most deserving of special protection in both traditional and institutional terms, and this hallowed status has led invariably to the escalation of punitive responses to their victimization. Historically, the death penalty was the favored punishment for individuals convicted of raping not just any woman but a white woman, and especially if the assailant was black. It is a mark of social advancement that the Supreme Court ended this practice in its Coker decision in 1977. It is a federal offense in the United States to transport women across statelines for purposes of prostitution. That policy rule was promulgated in the aptly named Mann Act, enacted in 1910 primarily to punish individuals of any gender but primarily men who transport a white woman across state lines for crimes of moral turpitude (Unah 2009 p. 161). Both the pre-1977 use of the death penalty in rape cases and the legislative goals of the Mann Act are a testament to the social value that society places on white women compared to women of other races.

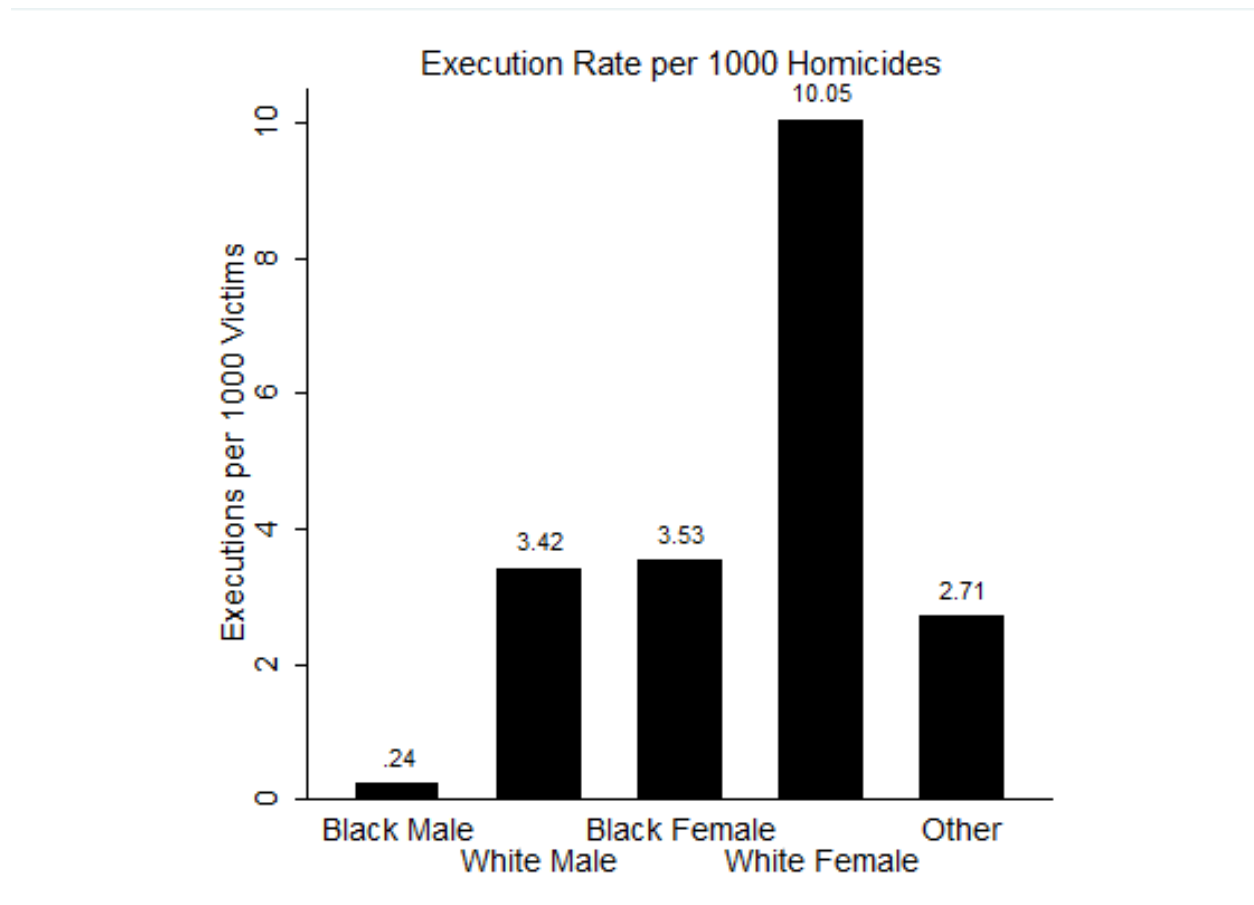
Figure 6 Race and Gender of Homicide Victims



These figures further illustrate the tensions underlying political and scholarly debate over capital punishment. Many political commentators (e.g., former Solicitor General Robert Bork) and many economists who advocate a communication theory of punishment, claim that a deterrent effect of executions on murders exists (Mocan and Gitling 2002; Sheppard, 2003). These claims often ignore the fact that criminal behavior, and especially murder, is not always a matter of careful rational calculation. They further ignore the ephemeral nature of emotions and the role they play in criminal activity. Our paper does not examine the soundness of these deterrence claims but one thing that is clear is that through executions, American society is communicating the values it places on different groups of individuals. As indicated in Figure 7,

there is clearly a racialized and gendered gradient in the social valuation of victims. Black men are clearly least valued whereas white women are most valued in the criminal justice system. Their respective chances of being the victim of homicide are in direct inverse proportion to the likelihood that their murderers will face capital punishment.

Figure 7 Execution Rates by Race and Gender of the Victim.



Conclusion

North Carolina is typical of many states in that it is engaged in a wrenching debate about the viability of its capital punishment system. In this paper we join that debate by proposing a

theoretical argument that there is a racialized and gendered gradient in the social valuation of victims of murder in the state's criminal justice system. We have employed basic graphical methods to analyze data from Durham County which is located in the Research Triangle Area and is one of the largest, most economically vibrant, and racially progressive areas of the state. We have also reviewed evidence from statewide sources on execution trends in the post *Furman* era in North Carolina. The evidence we have presented suggest that there are serious disparities based on race and gender in the prosecution and application of capital punishment.

We conclude that at least in one county, prosecutors are a significant source of these disparities. On a statewide level, the analysis presented here suggests that juries are also a key source of the problem of racial and gender disparities in the processing and outcomes of death penalty cases. Black victims are significantly less likely to see their murderers sentenced to death and executed. White victims have the opposite experience. The most clear and consistent finding is that white women enjoy what we call a most-favored-victim status in the North Carolina criminal justice system. We think that these findings have long run implications for the operation and legitimacy of the criminal justice system. Public support for government activity is a source of psychic income for individuals who work in our institutions of government. It is therefore a source of strength for government institutions. Discriminatory practices in the criminal justice system has a corrosive effect on the the public's willingness to support these institutions. Gregory Caldiera and James Gibson and others have carefully examined public perceptions of the legitimacy of American courts, especially the U.S. Supreme Court. They conclude that African Americans are the least likely to have confidence in the Supreme Court (Caldeira and Gibson 1986). Criminologists John Cochran and Mitchell Chamlin (2006) have arrived at a similar conclusion based on their analysis of the enduring racial divide in death

penalty support. It is the legitimacy of the justice system that is most imperilled by the racialized and gendered disparity that the system practices. In North Carolina reforms, including the establishment of the Office of Indigent Defence Services and the erstwhile North Carolina Racial Justice Act, were having the effect of reducing dramatically the likelihood that capital sentences will be carried out in a discriminatory manner. Unfortunately, the Racial Justice Act was repealed in 2012 following the election of a conservative legislature and a conservative governor, putting into motion the possibility of a resumption of executions in the state.

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Table 1. Homicide Victimization Rates in North Carolina.

Year	Total	Male	Female	Gender Unknown	White	Black	Other Races	Race Unknown	White Male	Black Male	White Female	Black Female	Race or Gender Other or Unknown
1976	609	465	142	2	222	370	15	2	174	278	48	92	17
1977	586	435	151	0	257	304	25	0	196	223	61	82	25
1978	600	446	144	9	276	306	8	9	199	242	78	65	17
1979	600	468	132	0	280	310	10	0	208	252	72	58	10
1980	619	483	136	0	281	327	11	0	206	268	75	59	11
1981	541	402	139	0	249	276	16	0	176	212	72	64	16
1982	545	401	144	0	243	288	14	0	167	224	76	64	14
1983	490	362	128	0	219	257	12	2	159	195	60	62	14
1984	539	405	133	1	245	277	14	3	184	209	61	68	17
1985	520	383	137	0	248	254	18	0	176	193	71	61	18
1986	515	391	124	0	228	266	19	2	168	208	60	57	22
1987	519	374	145	0	239	268	11	0	169	196	70	72	11
1988	510	374	136	0	231	266	12	0	167	195	65	72	12
1989	584	431	153	0	242	327	10	5	167	253	75	73	15
1990	711	548	163	0	278	405	24	4	204	325	74	80	28
1991	769	603	165	1	314	438	15	2	227	363	86	75	18

1992	723	534	189	0	272	433	18	0	191	332	81	100	18
1993	785	589	197	0	287	484	13	1	194	383	93	101	14
1994	772	570	201	1	295	455	18	4	210	344	85	111	22
1995	677	518	158	1	259	382	28	7	174	319	86	64	35
1996	619	466	150	3	248	352	17	2	182	267	63	86	21
1997	614	458	155	1	265	319	26	4	185	251	80	68	30
1998	612	463	149	0	255	337	15	5	187	262	69	75	20
1999	536	395	136	5	215	292	29	0	152	220	62	72	30
2000	551	422	128	1	231	295	25	0	164	239	67	56	25
2001	517	392	122	3	237	249	31	0	166	204	71	45	31
2002	543	396	147	0	239	275	29	0	157	219	82	56	29
2003	503	382	119	2	207	270	26	0	141	222	66	48	26
2004	503	380	121	2	213	254	36	0	149	202	64	52	36
2005	582	446	136	0	258	294	30	0	177	242	81	52	30
2006	534	384	130	20	216	293	25	0	138	227	68	57	44
2007	592	452	138	2	240	327	25	0	167	269	73	58	25
2008	597	429	168	0	267	296	34	0	172	234	95	62	34
Totals	19,517	14,646	4,816	55	8,254	10,547	663	53	5,851	8,271	2,388	2,267	739

Percent	100.00	75.04	24.68	0.28	42.29	54.04	3.40	0.27	29.98	42.38	12.24	11.62	3.79
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Notes: Data from 1976 through 1999 come from Fox 2001. From 2000 through 2008 they come from the North Carolina State Bureau of Investigation (<http://sbi2.jus.state.nc.us/crp/public/Default.htm>) accessed in January 2010. Numbers from both sources were available for 1999. The North Carolina numbers were approximately 3 percent lower than the Fox (US Department of Justice) numbers over all, with no discernible differences in relative ratios by race or gender.