



## **Deadly Justice**

### **A Statistical Portrait of the Death Penalty**

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New York: Oxford University Press, 2017

### **Appendix C. Constructing the Database on Mental Illness used in Chapter 12.**

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#### **Part A. Instructions to Coders.**

First is a list of steps that our coders followed. After that is a list of variables. Also see the related Excel Spreadsheet with the corresponding data.

#### **Step 1: The Spreadsheet:**

1. Create an excel spreadsheet and add the following columns:
  - a. Execution date
  - b. Name
  - c. State
  - d. Sex
  - e. Race
  - f. Volunteer
  - g. Evidence of mental illness
  - h. Diagnosis
  - i. Evidence of mental retardation
  - j. Suicide attempt
  - k. Previously hospitalized for a mental illness
  - l. Physical abuse

- m. Sexual abuse
  - n. Neglect
  - o. Abuse not specified
  - p. Substance abuse
  - q. Substance abuse disorder
  - r. Drunk at time of murder
  - s. High at time of murder
  - t. Use at the time
  - u. Type of substance abuse
  - v. Notes
2. You will also create columns for the sources that you use:
    - a. Clark Sources
    - b. Justia Sources
    - c. DP.org
    - d. ACLU
    - e. Google 1
    - f. Google 2
    - g. Google 3
    - h. Google 4
    - i. Google 5
    - j. Google Date
    - k. Murderpedia

## Step 2: Clark

1. On the Clark database of executions “command find” and search the terms in each bullet point. If there are terms in parentheses, these are terms that you should be looking for but do not have to search directly. For example “Mental” you do not need to search “Mental capacity”, simply look for that term when you search “Mental”:
  - Mental (mental health, illness, capacity, competency, hospital, health official)
  - Psych (psychosis, psychologist, psychological, psychiatrist)
  - Diagnos (diagnosis, diagnose, diagnosed)
  - Hospital (mental hospital, hospitalized)
  - Suicid (suicide, suicidal)
  - Retard (retarded, retardation)
  - Abus (abusive, abuse)
  - Neglect
  - Abandon (abandoned)
  - Child (childhood, as a child)
  - Alcohol (alcohol, alcoholic)
  - Drug (drug, drugs)
  - Addict (addicted, addiction)
  - Depend (dependency, dependent)
  - Disorder (substance abuse disorder, or another type of mental disorder)

\*If you see evidence of mental illness or substance abuse, you can search specific disorders and substances if they are not obviously listed in the same section that evidence is mentioned, but otherwise don’t search for them.

2. There should be columns for the following factors. Directions on how to code for each factor are listed below them:
  - a. Evidence of a mental illness

- i. 1=evidence of mental illness diagnosed by psychological expert (including suicidal tendencies/thoughts, NOT including substance abuse disorders)
  - ii. 0=no evidence of a mental illness
- b. Diagnoses:
  - i. Write the exact wording of the diagnoses in this column
  - ii. If there are no diagnoses, leave it blank
  - iii. if they are diagnosed with a mental illness, put the vague wording such as “mental illness” or write “not listed” if it is not listed
- c. Evidence of mental retardation
  - i. 0=No mention
  - ii. 1=Claim of mental retardation made by attorney or psychologist
  - iii. 2=Evidence presented that the IQ was 70 or below (write the recorded IQ in the notes)
- d. Suicide Attempt
  - i. 0=no mention of a suicide attempt
  - ii. 1=the inmate attempted suicide (does not count if they had thoughts or tendencies, only if they make an actual attempt)
- e. Previously Hospitalized for Mental Illness
  - i. 0=no mention of being hospitalized for mental illness
  - ii. 1=evidence presented being hospitalized for mental illness (not including if they were hospitalized for a few days to get a formal assessment done for trial or if they were hospitalized in an addiction center)
- f. Physical Abuse
  - i. 0=no mention of physical abuse
  - ii. 1=evidence of physical abuse under the age of 18
- g. Sexual Abuse
  - i. 0=no mention of sexual abuse
  - ii. 1=evidence of sexual abuse, rape, or molestation under the age of 18, but does not include witnessing another’s sexual abuse
- h. Neglect
  - i. 0=no mention of neglect
  - ii. 1=evidence of neglect under the age of 18
  - iii. 1=evidence that they were abandoned resulting in a lack of a stable parental figure under the age of 18
  - iv. Note: this does not include things such as poverty that may often be associated with neglect. They must use the word neglect or abandoned.
- i. Abuse Not Specified
  - i. 0=no mention of abuse
  - ii. 1=Abused, but not specified if sexual or physical I
- j. Substance Abuse
  - i. 0=mention of being a drug dealer or drug associations, but no mention of substance abuse or use, or no mention of any substances
  - ii. 1=evidence of substance use
  - iii. 2=evidence of substance abuse (use the words abuse, disorder, dependency, problem, or addiction)
- k. Substance Abuse Disorder
  - i. 1=if diagnosed by a psychologist with
    - 1. Substance abuse disorder/dependency/problem/addiction
    - 2. Alcohol abuse disorder/dependency/problem/addiction
    - 3. Drug abuse disorder/dependency/problem/addiction

1. Drunk at time of murder
    - i. 1=if the articles mention use of alcohol at the time of the murder, but mention small dosages such as “he had 2 beers before killing her”. Because there are so many substances, it is hard to create a definite threshold. Use your best judgment to decide whether or not the use intoxicated or debilitated the individual. If it seems as though it did not, then put a 1.
    - ii. 1=If there is suggestion of use at the time, but the phrasing is not explicit such as “The psychologist testified about the drastic effects alcohol can have on aggression”.
    - iii. 2=if there was evidence that the alcohol impaired the defendant at the time of the crime.
    - iv. 0=if there is no indication of any alcohol consumption at the time of the crime.
  - m. High at time of murder
    - i. 1=if the articles mention use of any drug at the time of the murder, but mention small dosages such as “he took one hit of marijuana before killing her, but it did not impair his judgment”. Because there are so many substances, it is hard to create a definite threshold. Use your best judgment to decide whether or not the use intoxicated or debilitated the individual. If it seems as though it did not, then put a 1.
    - ii. 1=If there is suggestion of use at the time, but the phrasing is not explicit such as “the psychologist testified about the drastic effects cocaine can have on aggression”.
    - iii. 2=if there was evidence that the drug impaired the defendant at the time of the crime.
    - iv. 0=if there is no indication of any drug consumption at the time of the crime.
  - n. Use at time
    - i. Copy and paste the exact phrase used to in quotation marks indicate why you put a 1 or a 2 for high or drunk at the time of the murder.
  - o. Type of Substance
    - i. If there is a 1 or 2 for Substance Abuse, write the substance.
    - ii. Alcohol: if there is any mention of any kind of alcohol (e.g. alcohol, beer, liquor, wine, etc.)
    - iii. Drugs: if the type of drugs is not specified
    - iv. The specific name of the drug or street name of the drug used in the search if it is specified (e.g. methamphetamine, crack cocaine, cannabis, marijuana etc.)
  - p. Notes
    - i. Write anything related to mental illness such as mental health family history, if someone is a good case example, if someone had a learning disability, if something is close to meeting the criteria for a variable, but falls short, if something specific should be searched for in the next steps etc.
3. Copy and paste the URL into the **Clark Source** column
  4. If the inmate is not on Clark, write “NC” in the **Clark Source** column

## Step 3: Justia

1. Search the Justia website for: “[Name of the inmate], [State of execution], [death sentence]”.
2. If there are not any case records on the first page of results, make a note in the column **Justia Source** that says “NJ”.
3. If there is a case file that matches the executed inmate, check the database and read anything in the **Notes** column
4. Next, check each column and see if there are any 0’s written (or if a variable goes higher than one such as with substance use, check to see if there are any numbers less than the highest possible values) or notes that require attention. Search for the terms that correspond with that sections do not meet the highest possible criteria AND always search **diagnosis** and **suicid** even if there is a 1 at mental illness incase there are other diagnoses that we missed or they had suicidal tendencies. If there is already a 1, that one will not change regardless of what you find in Justia so you do not need to re-check it:
  - Mental
  - Psych (psychosis, psychologist, psychological, psychiatrist)
  - **Diagnosis**
  - Hospital
  - **Suicid (suicide, suicidal)**
  - Retard (retarded, retardation)
  - Abus (abusive, abuse)
  - Child
  - Neglect
  - Abandon
  - Alcohol
  - Drug
  - Addict
  - Depend
  - Disorder

\*If you see evidence of mental illness or substance abuse, you can search specific disorders and drugs, but otherwise don’t.

4. Do NOT change any 1’s to 0’s based on Justia. Clark is done so anything found in Justia is added information, not contradictory.
5. Copy and paste the URL of the case file into the column **Justia Source**

### Step 4: Women and Death penalty information center.org

1. To be consistent with other chapters, we coded a few extra sources
2. Check the article on the following URL and follow the coding steps in step 3 only for the women. Pay particular attention to abuse. If the inmate is mentioned, put the URL in the **ACLU** column. If not, put “NA” in the cell in this column.  
<http://scholarship.law.wm.edu/cgi/viewcontent.cgi?article=1035&context=wmjowl>
3. Check the list of inmates that are listed as examples on the mental illness section of the Death Penalty information center website. Enter any new 1’s into the data that is necessary and copy and paste the URL into the column **DP.org**. If an inmate is not listed on this website, put NDP in the cell in this column.  
<http://www.deathpenaltyinfo.org/mental-illness-and-death-penalty>

### Step 5: 2015 and last 2 of 2014 coding

1. Because the Clark website stops in 2014, all executed inmates that were not on Clark will be coded with other sources.
2. The ACLU article was written before 2014 so you do not need to check the women to see if they are in this article.
3. Check the death penalty information center website (URL in step 4) for inmates in these years. Follow the steps in step 4 if the inmate is listed.
4. Open google.com
5. Search in the search box “death penalty [inmate’s full name]”
6. **Ignore:**
  - a. **Any links that you have already coded (Justia and DP.org sources).**
  - b. **Links that are not written about the executed inmate you are searching.**
  - c. **Wikipedia pages**
  - d. **Duplicate articles**
  - e. **Non-articles (things such a petitions, letters, and blog posts)**
  - f. **Murderpedia (you will do all of these separately)**
  - g. **Unreliable sources or sources that do not appear to be academic or professional such as the UK daily mail, the forgiveness foundation, cncpunishment, and execution watch. Use your best judgment. If the website has a lot of celebrity ads and other gossipy news, it is most likely not a source you want to rely on when filling out the spreadsheet.**
7. Click on the first usable link.
  - a. If previous articles have been coded for this inmate, code it the same way you did with Step 3 (not including #1).
  - b. If no previous articles have been coded for this inmate, code it in the same way that you did for Step 2.
8. Click on the next 4 useable Google results (in the end you will have coded the first 5 Google results excluding any website you previously coded before you Google search) and code them the same way as instructed in #7 of this step.
9. Post each URL in the corresponding Google column for example: the column titled **Google 2** should have the URL of the second link of the Google results that use used.
10. Post the date of the Google search in the column titled **date**
11. Code Justia the same way you coded it in step 3.
12. Go to google and search: “[First and Last name of inmate] Murderpedia]” If there is a Murderpedia page for this inmate, code it as you coded Justia in step 3 (not including step #1) and post the URL in the column titled **Murderpedia**. If there is not a Murderpedia page, put “NM” in the column.

## Step 5: Diagnoses

- 1) IF A YEAR IS DONE with steps 1-4 (or step 5 if it is 2015/last 2 of 2014), create a column for the following diagnoses. Check the column titled **Diagnosis** and look to see if the inmate was diagnosed with any of these disorders. If yes, add a 1, if not, add a 0:
  - a) Depression 1 if:
    - i. Depression
    - ii. Major Depression
    - iii. Severe Depression
    - iv. Chronic depression
  - ii. Suicidal 1 if:
    - i. Suicidal tendencies
    - ii. Suicide attempt (check suicide attempt column for this)

- iii. Suicidal thoughts
  - iv. Suicidal
- iii. Schizophrenia 1 if:
  - i. Any type of schizophrenia (e.g. paranoid Schizophrenia, chronic schizophrenia) as long as it is actually schizophrenia and NOT another “schiz\_\_\_” disorder
  - ii. Schizophrenia
- iv. Antisocial Personality Disorder:
  - i. 1 if: Antisocial Personality disorder
  - ii. 1 if: Sociopath or psychopath
  - iii. NOT 1 if: personality disorder with antisocial features/behaviors, antisocial personality.
  - iv. Overall: it must be a **disorder** not personality or characteristic to be coded as 1
- v. Personality Disorder 1 if:
  - i. Any personality disorder ( a disorder with the name “\_\_\_\_\_ personality disorder”
  - ii. Examples:
    - (a) Borderline Personality disorder
    - (b) Dependent Personality Disorder
    - (c) Personality Disorder
    - (d) Personality Disorder with antisocial features
  - iii. Basically, any disorder that uses the phrase “personality disorder”. DO NOT put 1 if they are diagnosed with a personality (e.g. borderline personality) but do not classify it as a disorder
  - iv. Do NOT put a 1 if they have “multiple personality disorder”. This is the old name for Dissociative Identity disorder, which is a dissociative disorder, not a personality disorder.
- vi. Bipolar Disorder 1 if:
  - i. Bipolar I disorder
  - ii. Bipolar II disorder
  - iii. Bipolar Disorder
  - iv. Manic Depression
- vii. Anxiety 1 if:
  - i. Anxiety
  - ii. General anxiety disorder
  - iii. Obsessive compulsive disorder
  - iv. PTSD/Post Traumatic Stress disorder
  - v. Any other anxiety disorder labeled as such (e.g. social anxiety disorder)
- viii. Post Traumatic Stress Disorder 1 if:
  - i. PTSD
  - ii. Post Traumatic Stress Disorder
- b) Other disorder 1 if:
  - i. Any disorder mentioned that is not already coded for
  - ii. NOT if: someone accidentally coded ADD/ADHD, other learning disabilities, or conduct disorder (only diagnosable under the age of 15). If this is the case, take it out of the diagnosis section, and move it to the notes.

## Step 6: Substance columns

1. IF A YEAR IS DONE with steps 1-4 (or step 5 if it is 2015/last 2 of 2014), create a column for the following substances and code them as directed:

2. If there is a 0 in the **Substance abuse** column, put a 0 in all of the substance columns. Put a 1 or 2 for them depending on which number they were given in the **Substance abuse** column.
- a) Alcohol if:
    - i. Alcohol
    - ii. If someone put another form of alcohol (e.g. liquor, wine, beer) in the **Substance** column, change that to “alcohol” and code it with 1 or 2 in the alcohol column.
  - b) Drugs if:
    - i. Drugs
    - ii. Drug
    - iii. Any drug at all including unconventional ones such as gasoline or paint
    - iv. Drugs mentioned in the next columns (e.g. Cocaine)
    - v. Drugs that are not mentioned in the next columns (e.g. LSD)
  - c) Marijuana if:
    - i. Marijuana
    - ii. Cannabis
    - iii. Weed
    - iv. Another street name for marijuana
  - d) Cocaine if:
    - i. Crack Cocaine
    - ii. Cocaine
    - iii. Rock Cocaine
    - iv. Another street name for cocaine
  - e) Methamphetamine if:
    - i. Meth
    - ii. Methamphetamine
    - iii. Crystal
    - iv. Speed
    - v. Crank
    - vi. NOT if they just say amphetamines. This includes many other drugs
    - vii. Another street name for methamphetamine
  - f) Substance not listed if:
    - i. Substance not listed
    - ii. Substance
    - iii. Not listed
    - iv. Not specified



## **Part B. List of variables.**

Execution date: The date that the inmate was executed.

Name: The name of the executed inmate.

State: The state that the inmate was executed in.

Sex: Whether the inmate was male or female.

Race: The race of the executed inmate.

Volunteer: Whether or not the inmate volunteered to skip the appeals process.

Evidence of mental illness: Whether or not the inmate was diagnosed with a non-substance related mental illness by a mental health expert either at the trial or at some other point in his or her lifetime.

Diagnosis: The mental illnesses mentioned that an executed inmate was diagnosed with.

Depression: The inmate was diagnosed with either depression, major depression, severe depression, or chronic depression.

Suicidal: The inmate was diagnosed as suicidal, had suicidal tendencies, had suicidal thoughts, or had attempted suicide at some point in their life.

Schizophrenia: The inmate was diagnosed with schizophrenia, paranoid schizophrenia, chronic schizophrenia, or another type of schizophrenia but does not include other “schiz” disorders.

Bipolar Disorder: The inmate was diagnosed with either bipolar I disorder, bipolar II disorder, bipolar disorder, or manic depression.

PTSD: The inmate was diagnosed with either PTSD or post-traumatic stress disorder.

Antisocial Personality Disorder: The inmate was diagnosed with antisocial personality disorder, or diagnosed as a psychopath or sociopath.

Personality Disorder: The inmate was diagnosed with any personality disorder including Antisocial, but not if the inmate was diagnosed with personality features or just a personality with no specification of a disorder.

Anxiety Disorder: The inmate was diagnosed with anxiety, PTSD, or obsessive-compulsive disorder or another anxiety disorder.

Other disorder: The inmate’s diagnosis was not mentioned or they were diagnosed with a disorder that does not fit into one of the above categories.

Claim or Evidence of Mental Retardation: If reported as 2, the inmate had an IQ less than or equal to 70 on at least one IQ exam. If reported as 1, the attorney claimed that the inmate had an intellectual disability, but there was either not a supported IQ test or the IQ was not less than or equal to 70.

Suicide Attempt: The executed inmate attempted suicide at some point in his or her life either while incarcerated or in the community.

Previously Hospitalized for a Mental Illness: The inmate was hospitalized in the community in a mental institution and not a substance abuse institution for a mental illness that was either substance or non-substance related.

Evidence of Physical Abuse: Evidence was presented or there was unquestionable mention of physical abuse during the childhood. Physical abuse was defined as any unwanted physical force experienced under the age of 18 such as being beaten, hit, whipped, strangled, burned, or otherwise by a parent, sibling, classmate, relative, or other.

Evidence of Sexual Abuse: Evidence was presented or there was unquestionable mention of sexual abuse during the childhood. Sexual abuse was defined as any unwanted

sexual contact experienced under the age of 18 such as anal or vaginal rape, force of oral sex received or given, touching of genitals or other private areas by a parents, sibling, classmate, relative, or other. This did not include witnessing others being sexually assaulted or raped or being forced to watch sexual intercourse or masturbation by another person.

Evidence of Neglect: Evidence was presented or there was unquestionable mention of neglect during the childhood. This also includes abandonment in the case when a child is abandoned by one or more parents and as a result is living without any stable parental figure.

Abuse not specified: Evidence was presented or there was unquestionable mention of abuse, but the abuse was either emotional, psychological or not specified within one of our other three categories of childhood abuse.

Adult Abuse: The inmate was abuse physically or sexually over the age of 18. This includes domestic abuse, physical assault, rape and sexual assault either while incarcerated or in the community.

Evidence of Substance Abuse: If marked as 2, there was evidence or unquestionable mention of abusing either a drug or alcohol. Abuse of a substance includes dependence, a disorder, a problem with, or an addiction. If marked as 1, there was evidence or unquestionable mention of using either a drug or alcohol. Use of a substance means that the inmate used it at some point in their life, but there was no mention of actually abusing the substance.

Substance Abuse Disorder: Whether or not the inmate was diagnosed with substance related mental illness by a mental health expert either at the trial or at some other point in his or her lifetime. This includes a substance use disorder, an alcohol abuse disorder, a drug abuse disorder, drug dependency, alcohol dependency, or an addiction to a substance.

Drunk at the Time of the Murder: If marked as 2, the inmate drank enough alcohol that it impaired them in some way. If marked as 1, the inmate either drank a small amount of alcohol and was not impaired by it, or the wording of the statement is unclear if the inmate was drunk at the time of this specific offense.

High at the Time of the Murder: If marked as 2, the inmate consumed enough drugs that it impaired them in some way. If marked as 1, the inmate either consumed a small amount of drugs and was not impaired by them, or the wording of the statement is unclear if the inmate was high at the time of this specific offense.

Use at the time: The exact statement or statements used to decipher whether or not the inmate was under the influence of a substance at the time of the murder.

Type of Substance Abuse: The reported substance that the inmate either used or abused.

Alcohol: The identified substance in type of substance abuse included alcohol. The number (2 or 1) was taken from the evidence of substance abuse variable, not from each individual substance.

Drug: The identified substance in type of substance abuse included drugs or a specific substance that was not alcohol. The number (2 or 1) was taken from the evidence of substance abuse variable, not from each individual substance.

Marijuana: The identified substance in type of substance abuse included marijuana or cannabis. The number (2 or 1) was taken from the evidence of substance abuse variable, not from each individual substance.

Cocaine: The identified substance in type of substance abuse included cocaine, crack cocaine, or rock cocaine. The number (2 or 1) was taken from the evidence of substance abuse variable, not from each individual substance.

Methamphetamine: The identified substance in type of substance abuse included methamphetamine, meth, speed or crystal. The number (2 or 1) was taken from the evidence of substance abuse variable, not from each individual substance.

Substance Not Specified: If the substance was not specified whether it was alcohol or a drug.

Notes: Any notable mental health factor mentioned that either does not fit into one of our categories or a clarification of one of the variables.

Clark Sources: The URL for the Clark County Prosecutors page that we used.

Justia Sources: The URL for the Justia case that we read.

DP.org: The URL for the mental health page if the inmate was listed as an example there.

ACLU: The link to the ACLU article about women that is used in the women's chapter.

Google 1: The URL for the first Google search for the years that do not have Clark pages.

Google 2: The URL for the second Google search for the years that do not have Clark pages.

Google 3: The URL for the third Google search for the years that do not have Clark pages.

Google 4: The URL for the fourth Google search for the years that do not have Clark pages.

Google 5: The URL for the fifth Google search for the years that do not have Clark pages.

Google Date: The date that the Google search was done.

Murderpedia: The URL for the Murderpedia page that we used.