

# Baumgartner, POLI 195 Spring 2013

Background on the DP in NC

Reading: Welty

February 13, 2013

# From Monday's discussion

- <http://www.unc.edu/~fbaum/Innocence/NC/Racial-discrepancies-NC-homicides-executions.pdf>

# History in NC

- 1910: Executions centralized in Raleigh
  - Electric chair, no longer hangings
  - Gas chamber later
  - Lethal injections later
  
- Each innovation an attempt to create a safer, calmer, more humane method

# “Modern” Death Penalty

- Innovations required by US SC in Gregg v. Georgia (1976)
- Two-stage trials:
  - Guilt v. innocence
  - Death v. prison term (penalty phase)
  - Review of aggravating and mitigating circumstances (but no guidance on how to weight)
  - “proportionality review” by the state SC

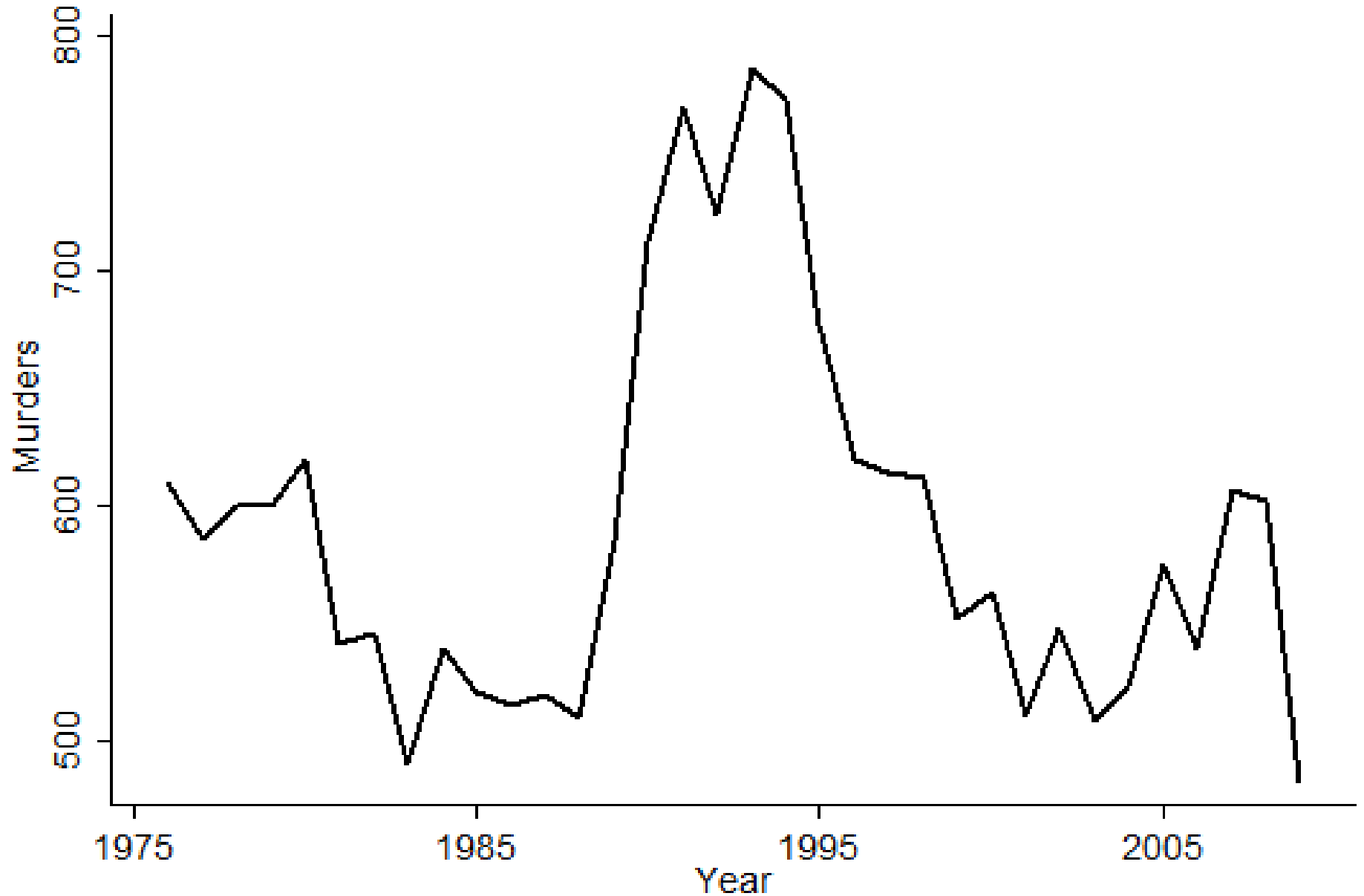
# Big reforms reducing the DP

- 1994: LWOP is the alternative to DP
- 2000: creation of Indigent Defense Services
- 2001: Prosecutors have discretion to seek DP
- 2002: no DP for mentally retarded (before US SC does same thing in *Atkins*, 2002)
- 2005: US SC rules in *Roper* against DP for juveniles
- 2006: Physicians oppose lethal injection, no more executions since then.
- 2009: RJA

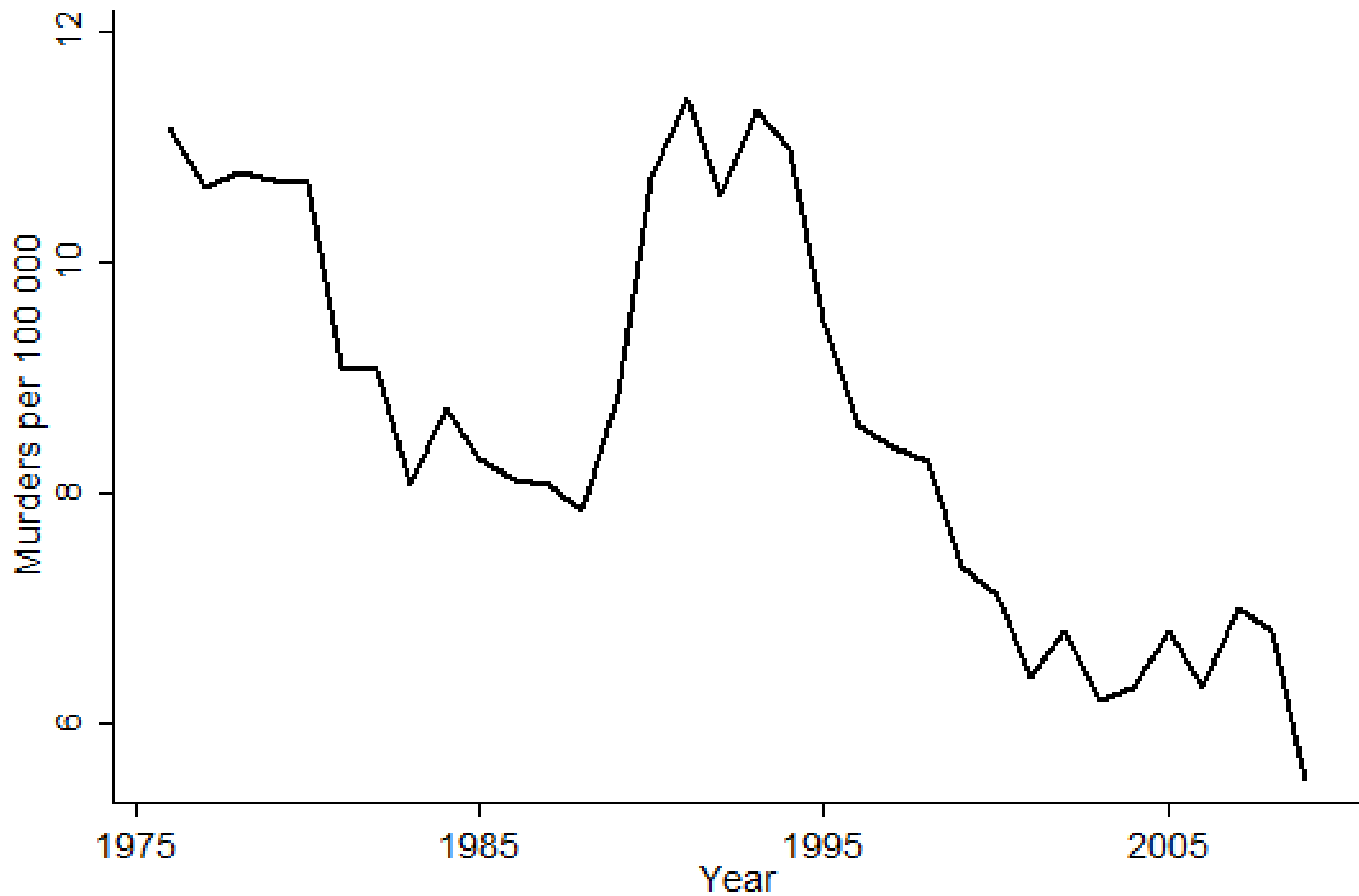
# NC as Innovator

- Centralized Indigent Defense Services (still either unique or very rare)
  - LWOP (now the case in every DP state)
  - Discretion to prosecutors (now common)
  - Mental handicap (now SC ruling)
  - RJA (still unique)
- 
- Lots of push-back on these reforms. IDS may have been the most significant.

# NC Murders Since 1976

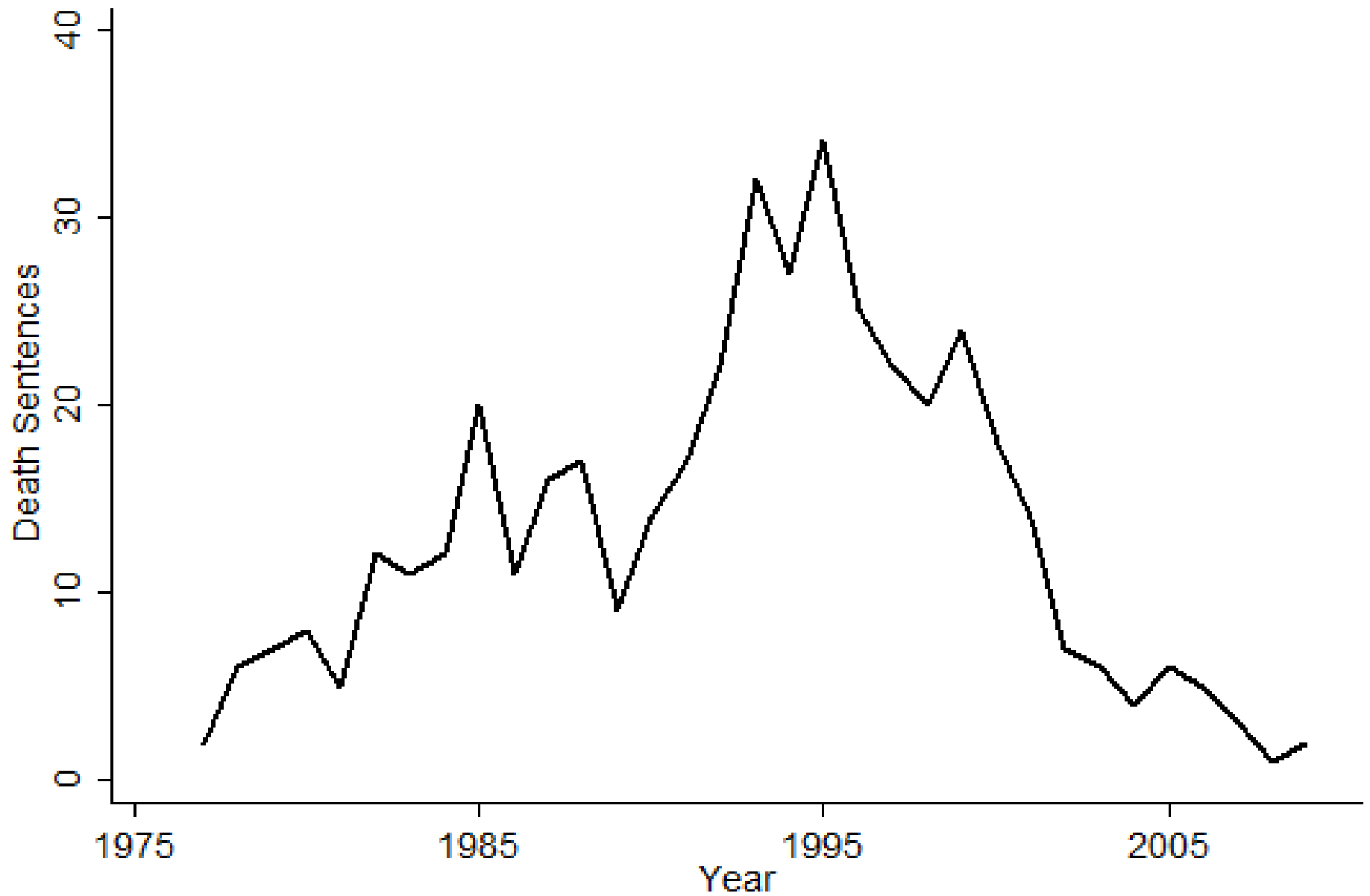


## NC Murder Rates Since 1976

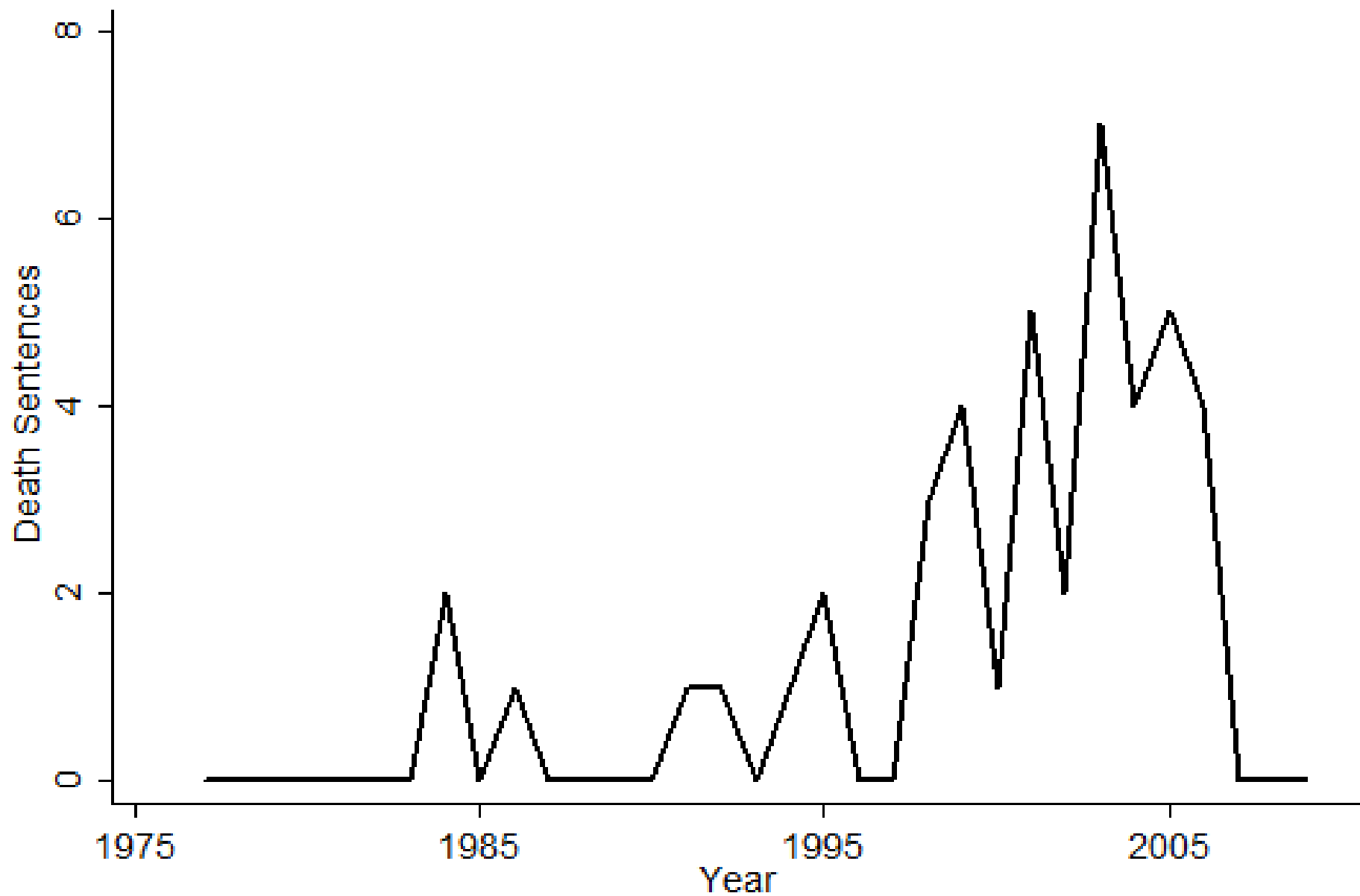




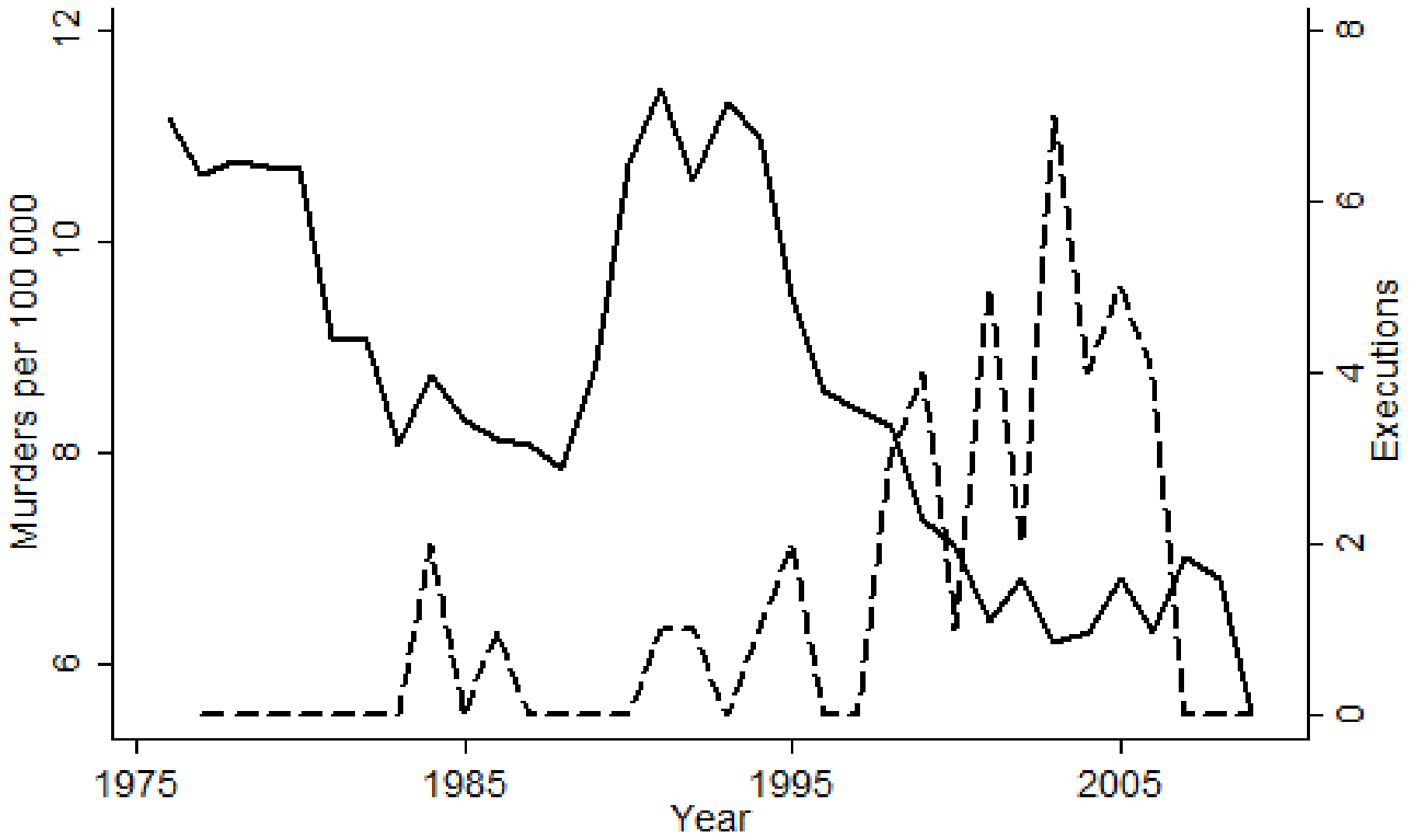
# NC Death Sentences Since 1976



# NC Executions Since 1976

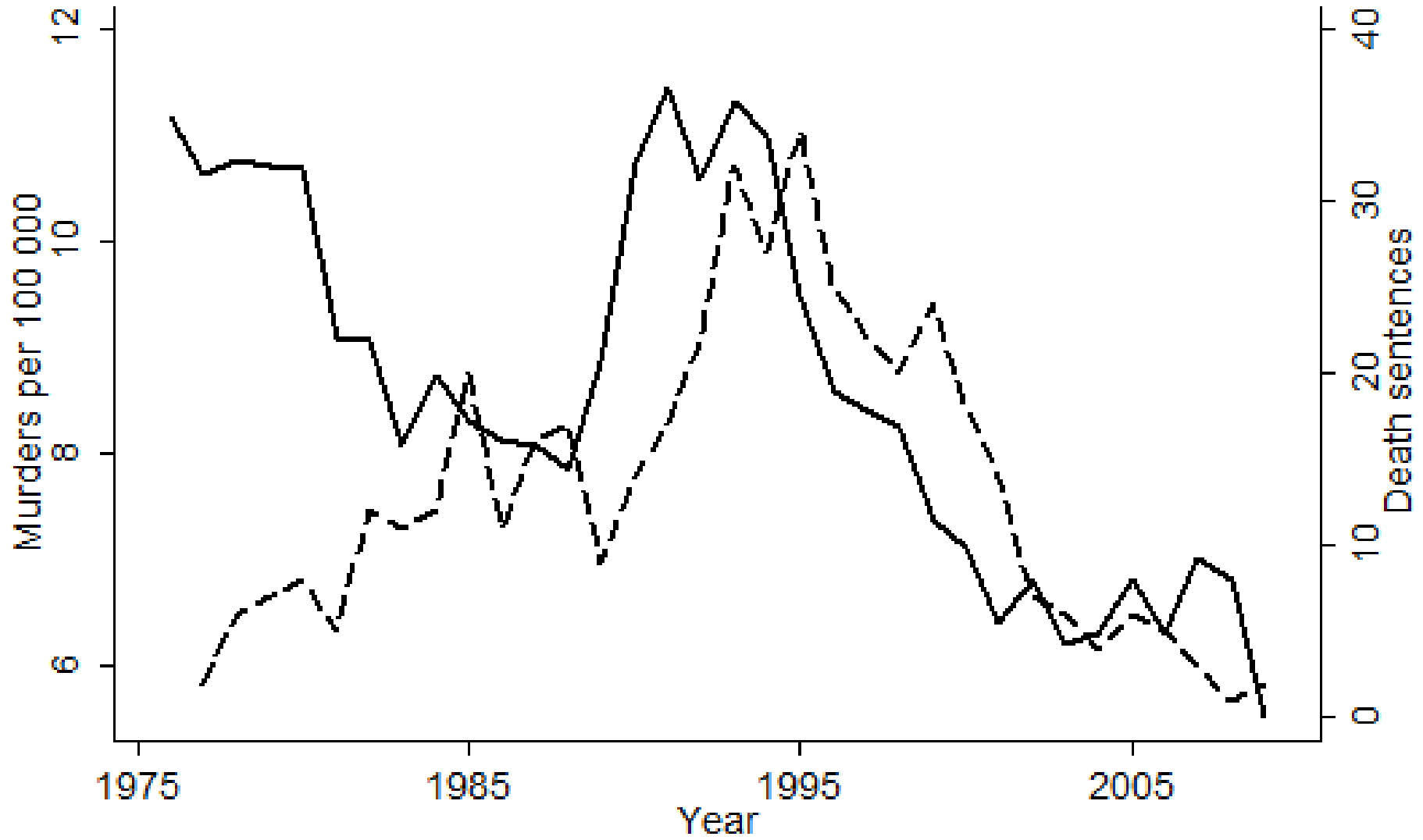


# NC Murder Rate and Executions Since 1976



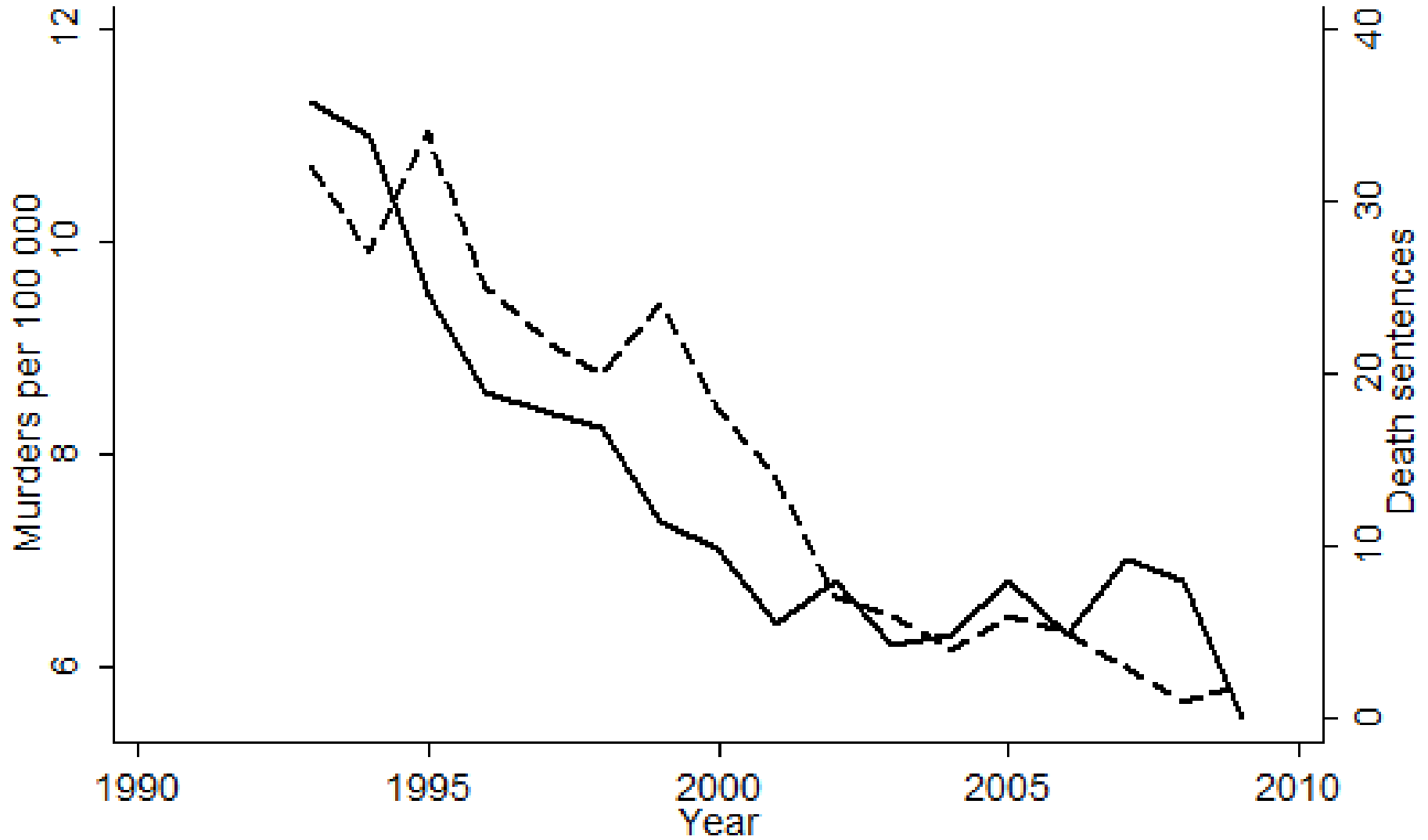
— Murders per 100,000      - - - Executions

# NC Murder Rate and Death Sentences Since 1976



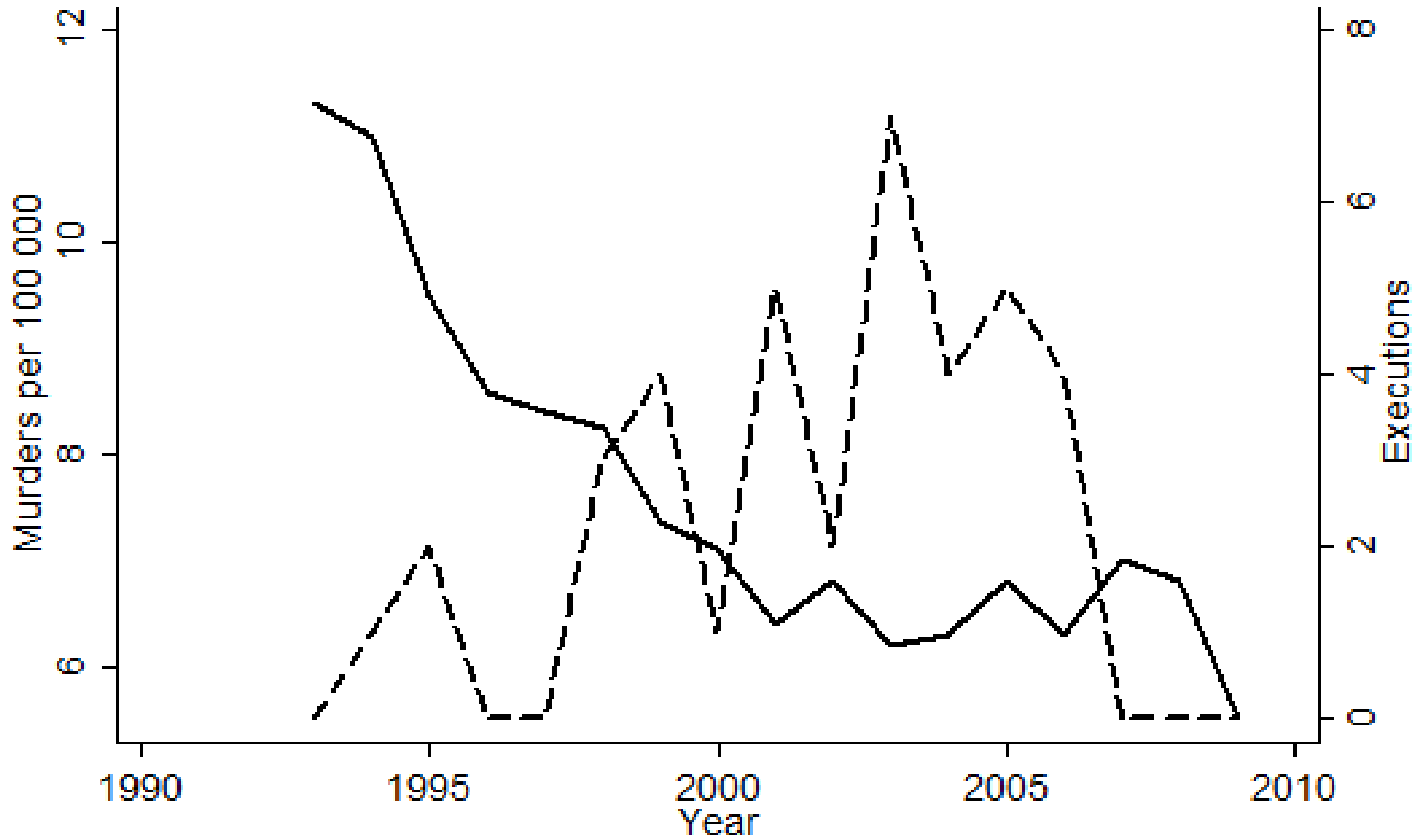
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# NC Murder Rate and Death Sentences Since 1993



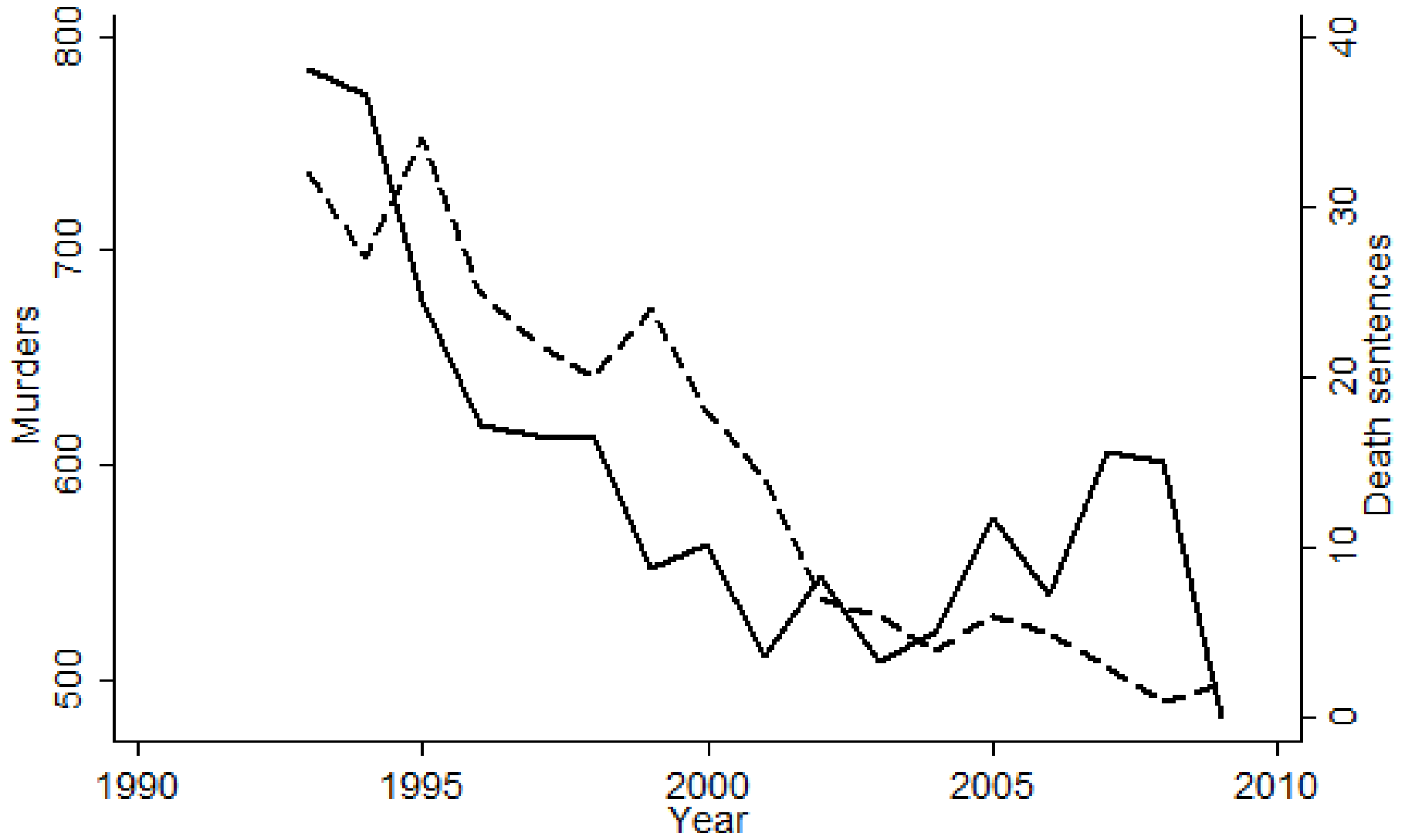
— Murders per 100,000      - - - - - Death Sentences

# NC Murder Rate and Executions Since 1993



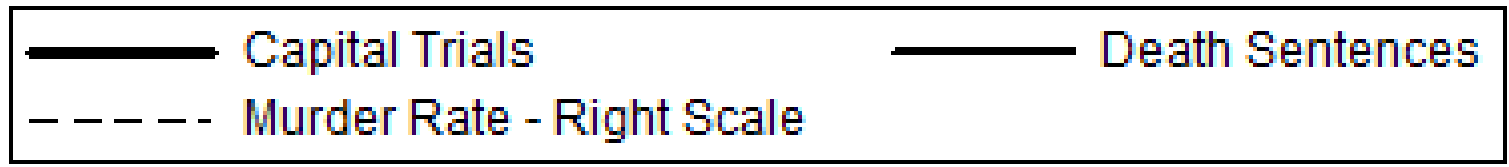
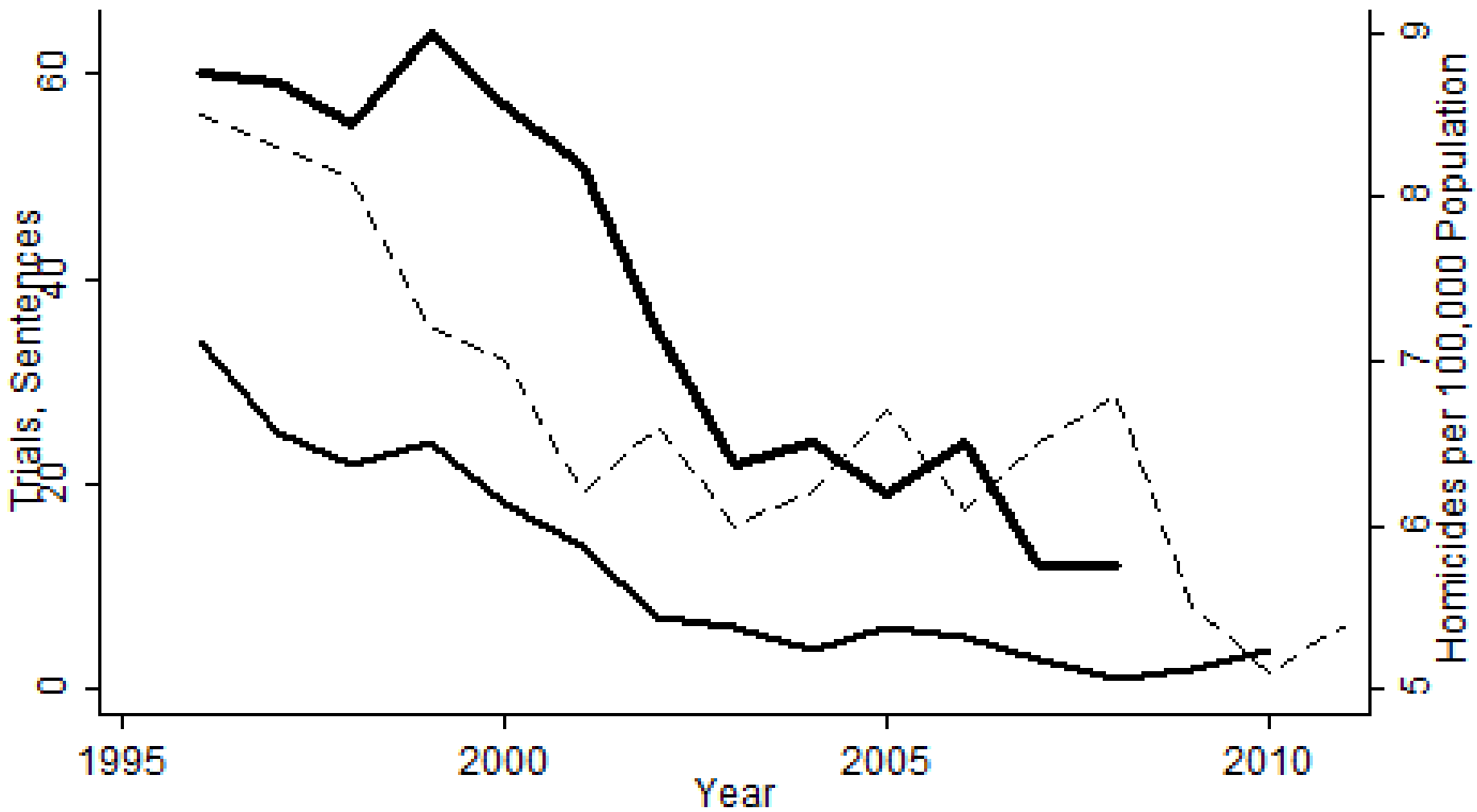
— Murders per 100 000      - - - Executions

# NC Murders and Death Sentences Since 1993



— Murders      - - - - - Death Sentences

# NC Murder Rates and Death Penalty Trends, 1996 to 2011





## NC Death Penalty Trends, 1996 to 2011

