

# Baumgartner, POLI 203

## Fall 2014

Background facts on the death  
penalty and its history

# Part 1. Numbers and Geography

- Different states in different periods of US history
  - Virginia always prominent
  - Northern states decline over time
  - Texas the new epicenter
  - NC a traditional center, but declining
- World-wide trends
- More on this later in the course: Geographical arbitrariness

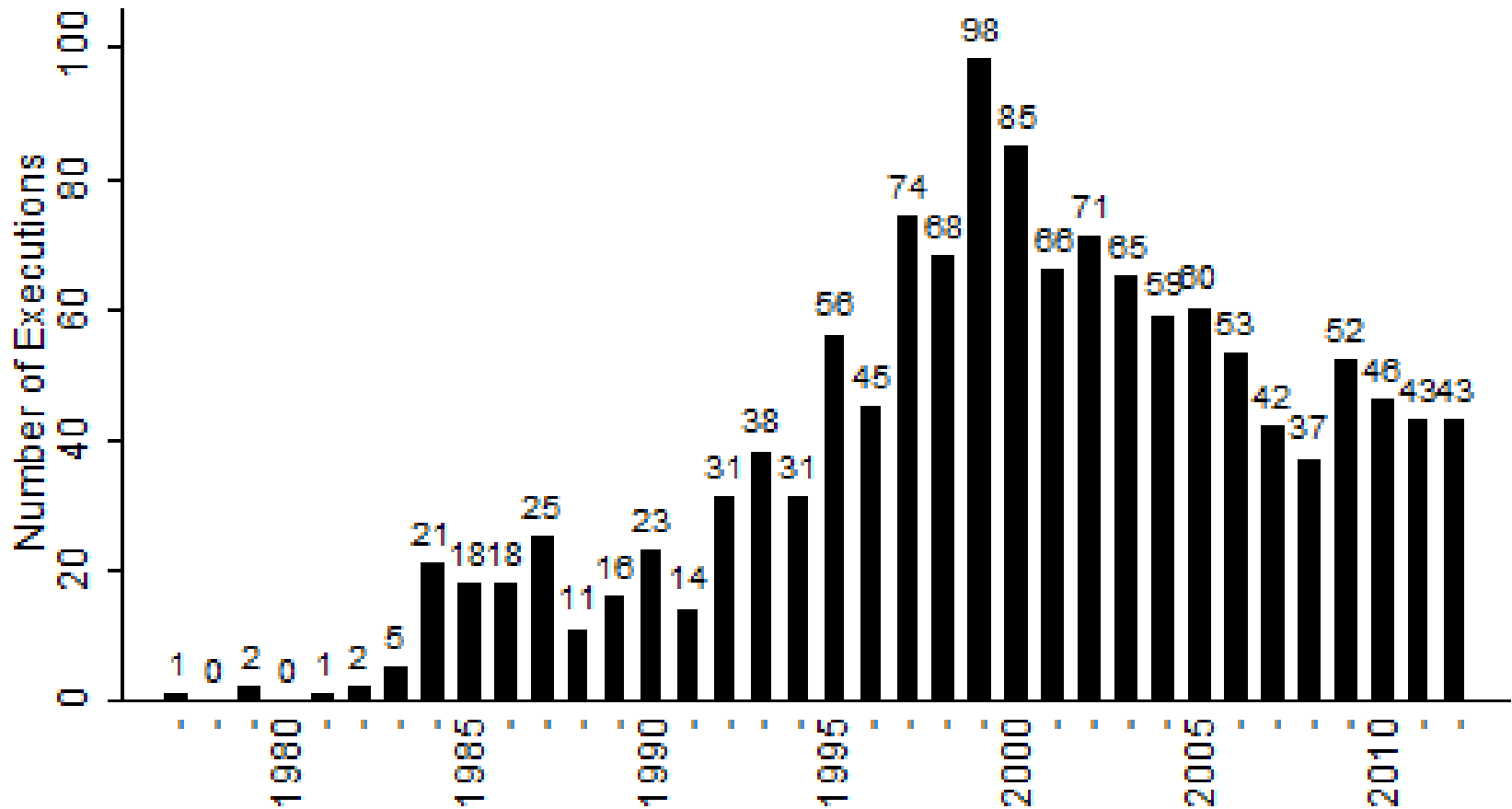
## Part 2. Reversals

- How many death sentences get overturned
- US
- NC

## Part 3. Exonerations

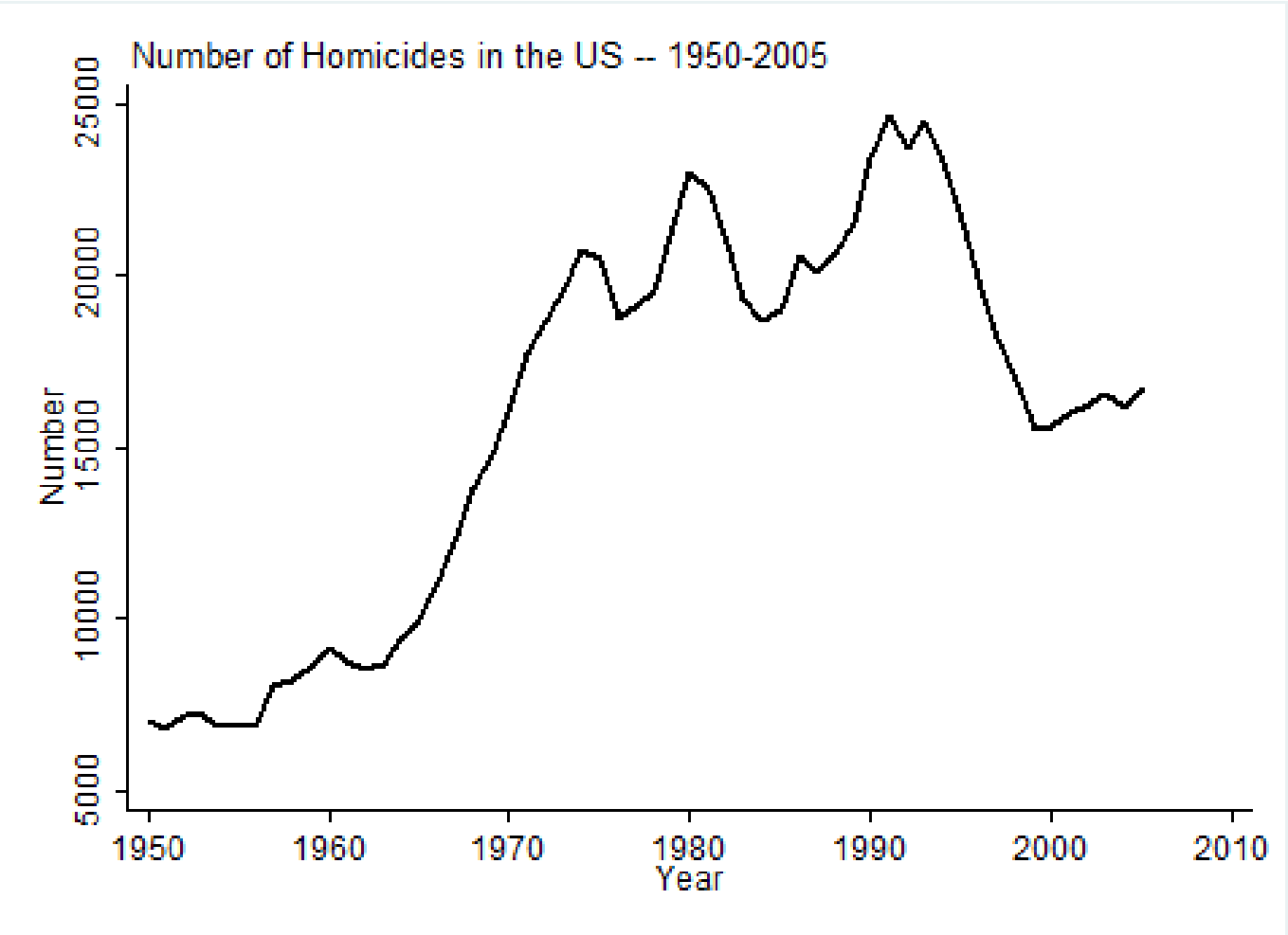
- Steady numbers, no huge surge in exonerations
- However, a big surge in public attention to this.

## US Executions 1977 to 2012



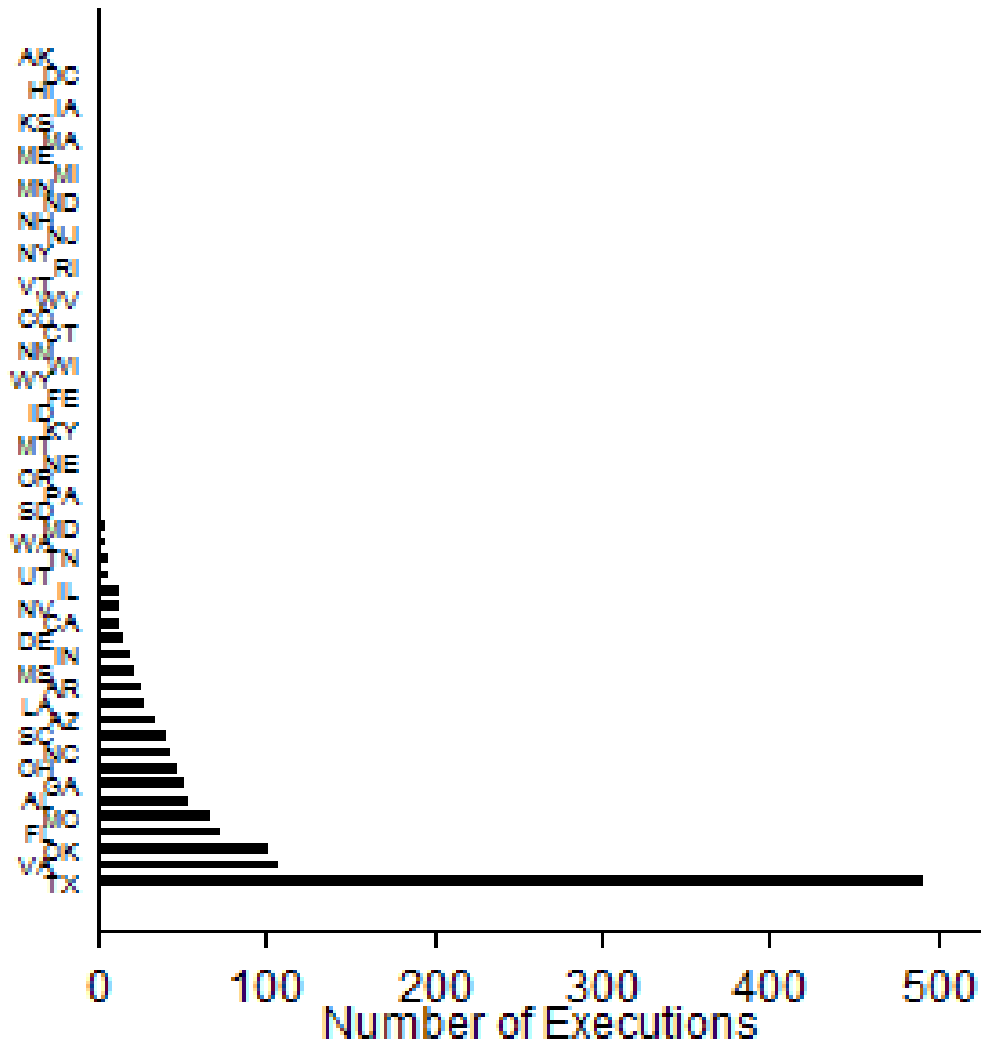
The US has executed 1320 inmates from 1977 to 2012.

# Homicides: decline from 24,500 in 1993 to 15,500 in 2000



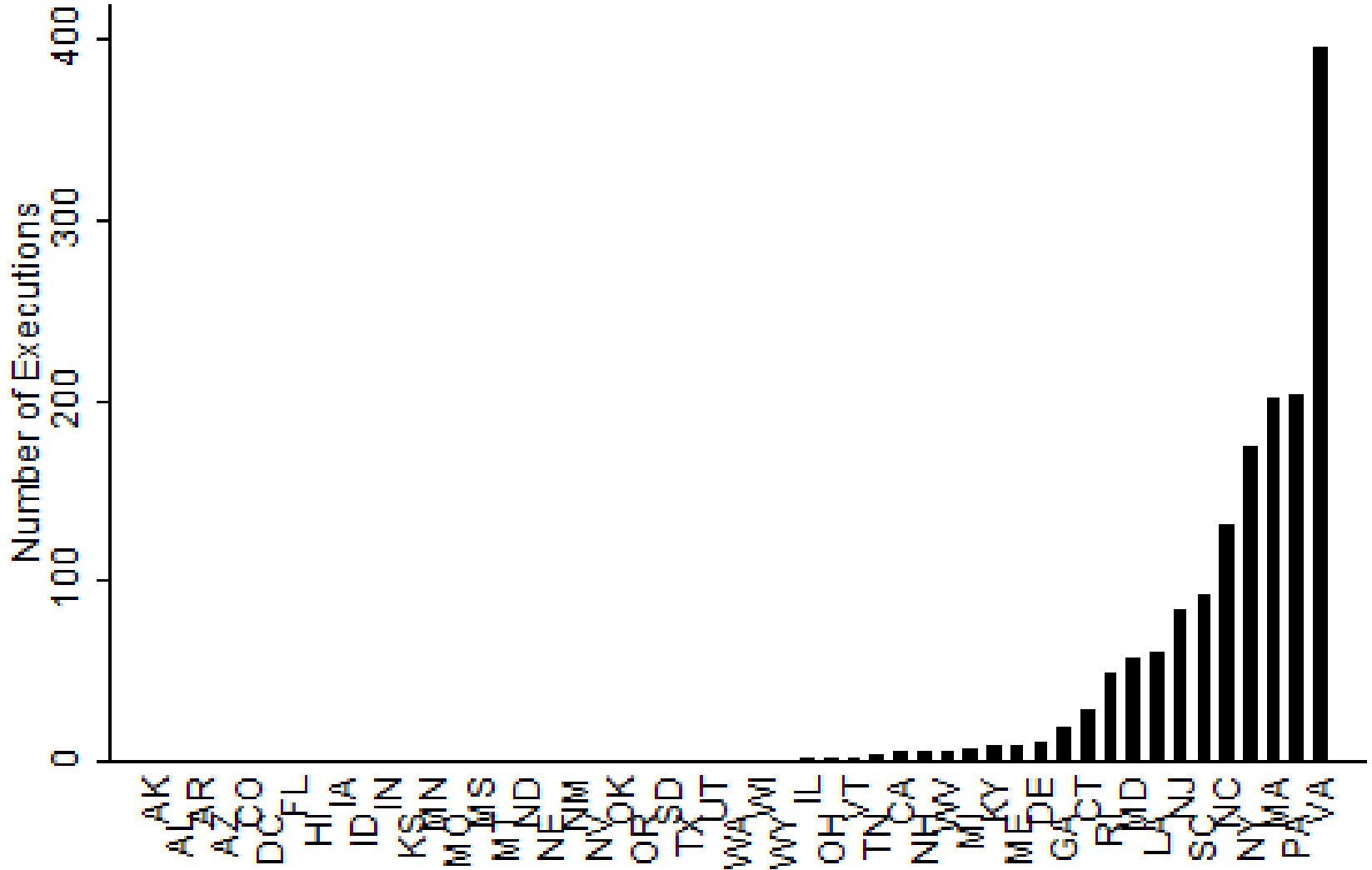
NB: France, UK, approx 400 per year

## Executions by State



Includes 1320 executions from 1977 to 2012

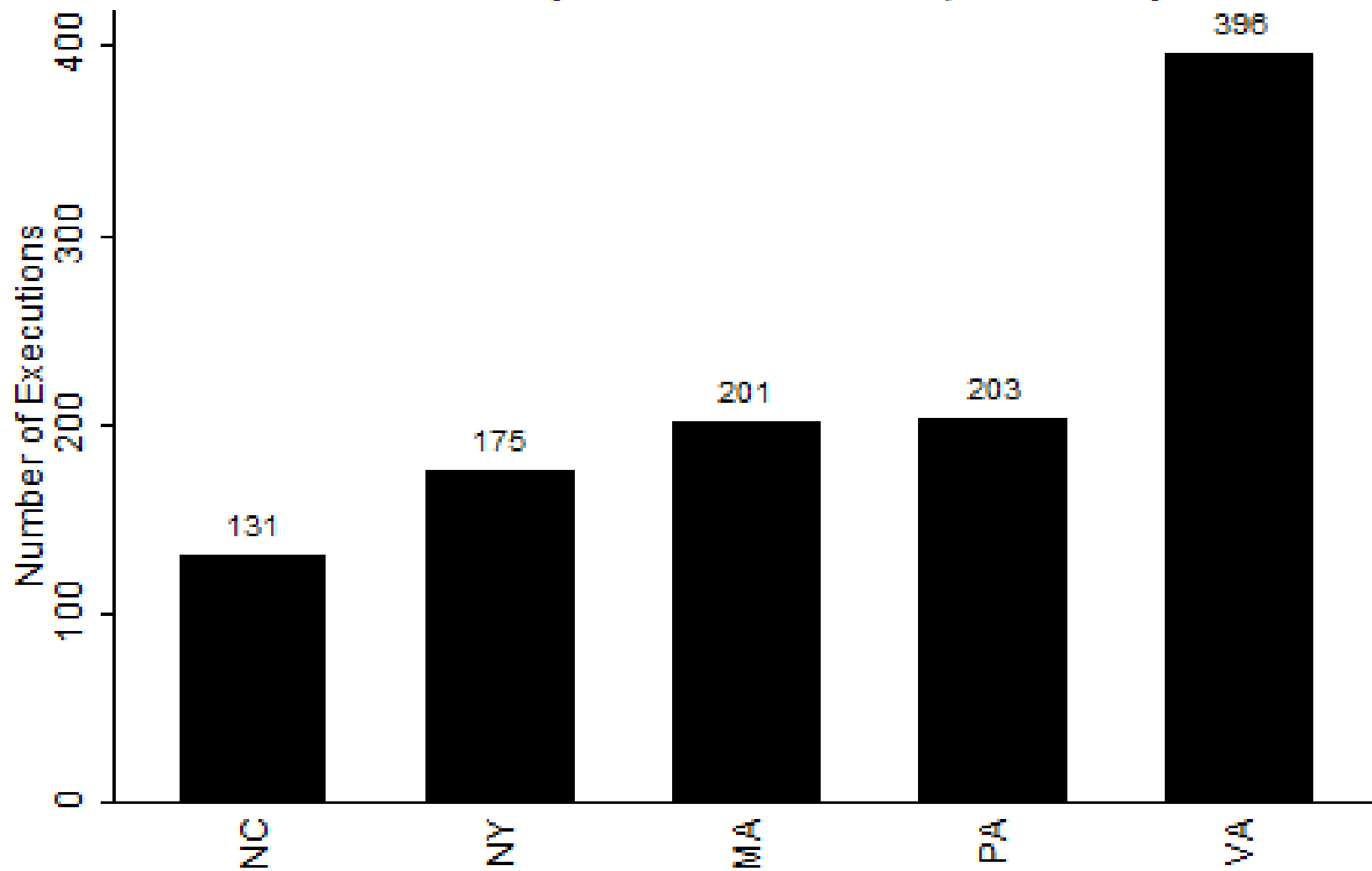
# Executions by State, 1600-1799



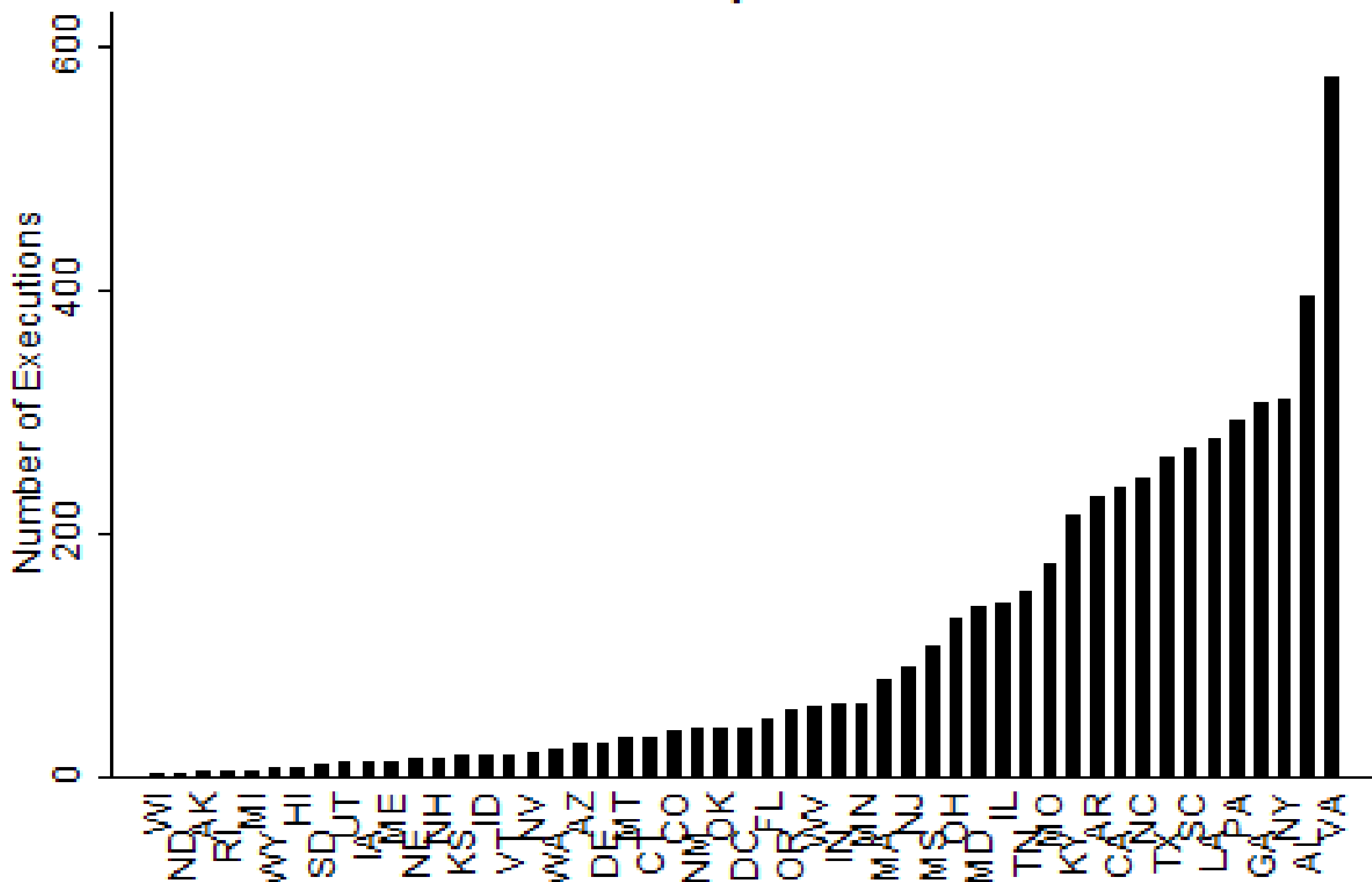
Espy file.



Executions by State, 1600-1799, top states only

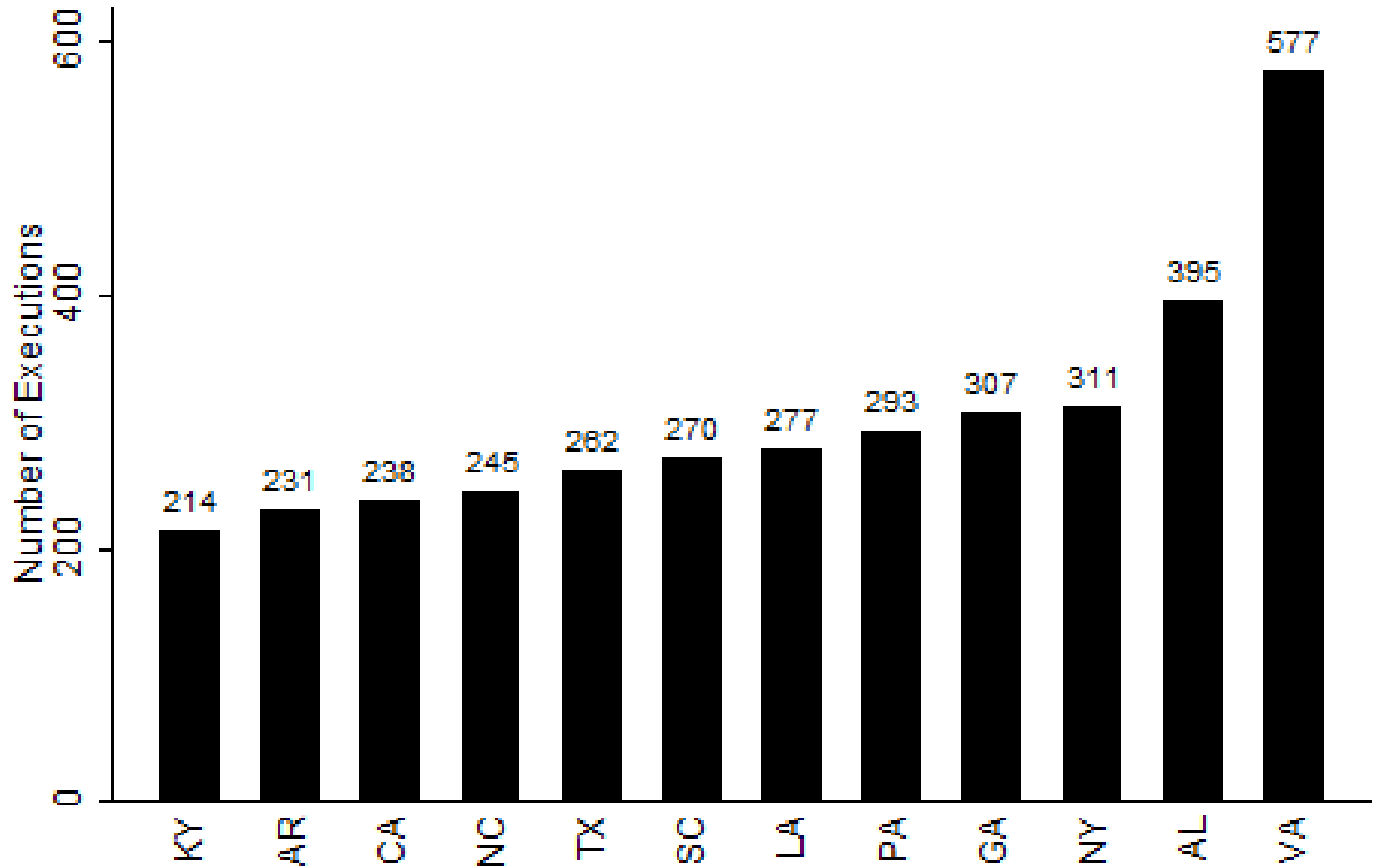


# Executions by State, 1800s

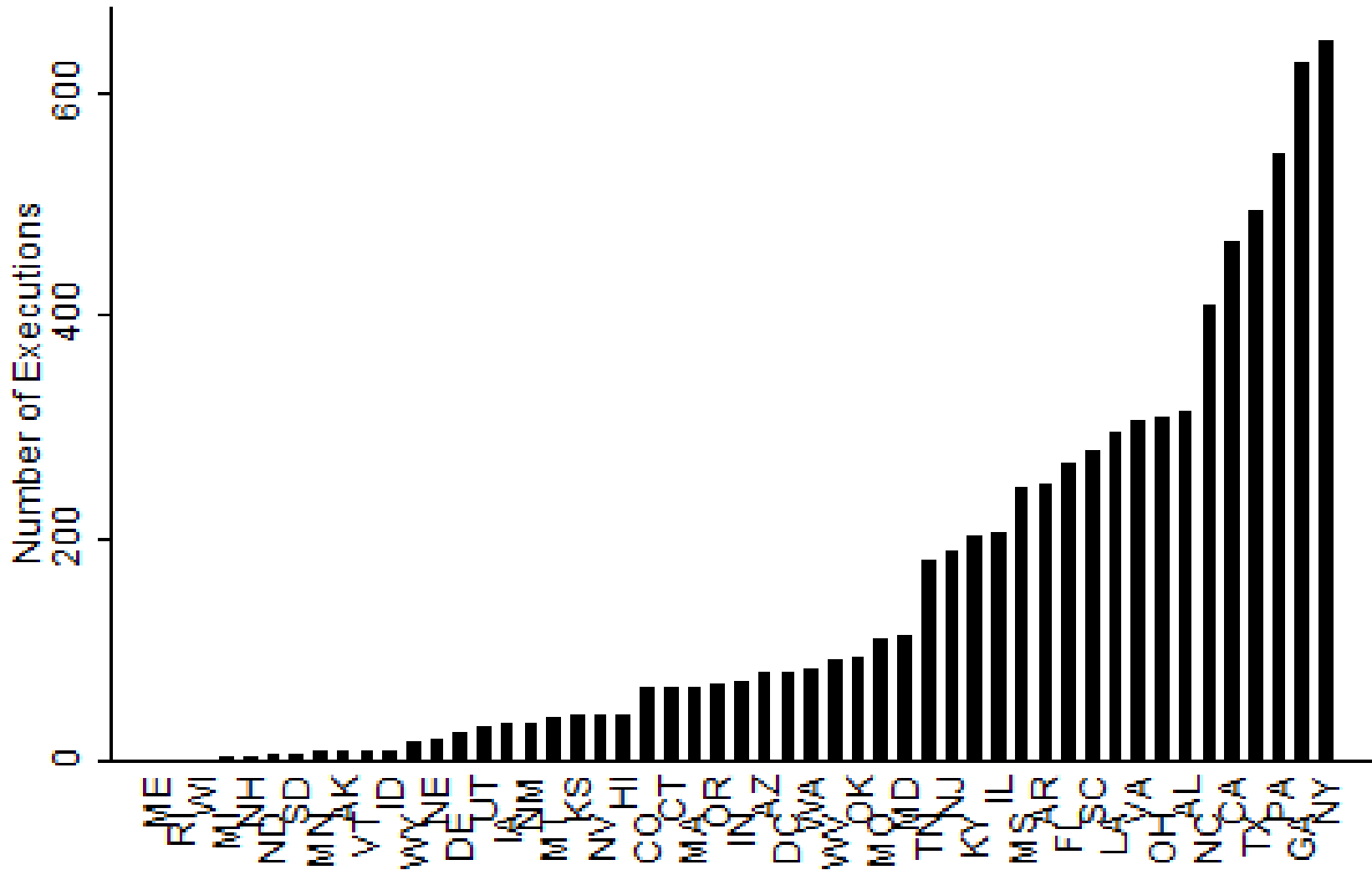


Espy file.

Executions by State, 1800s, top states only

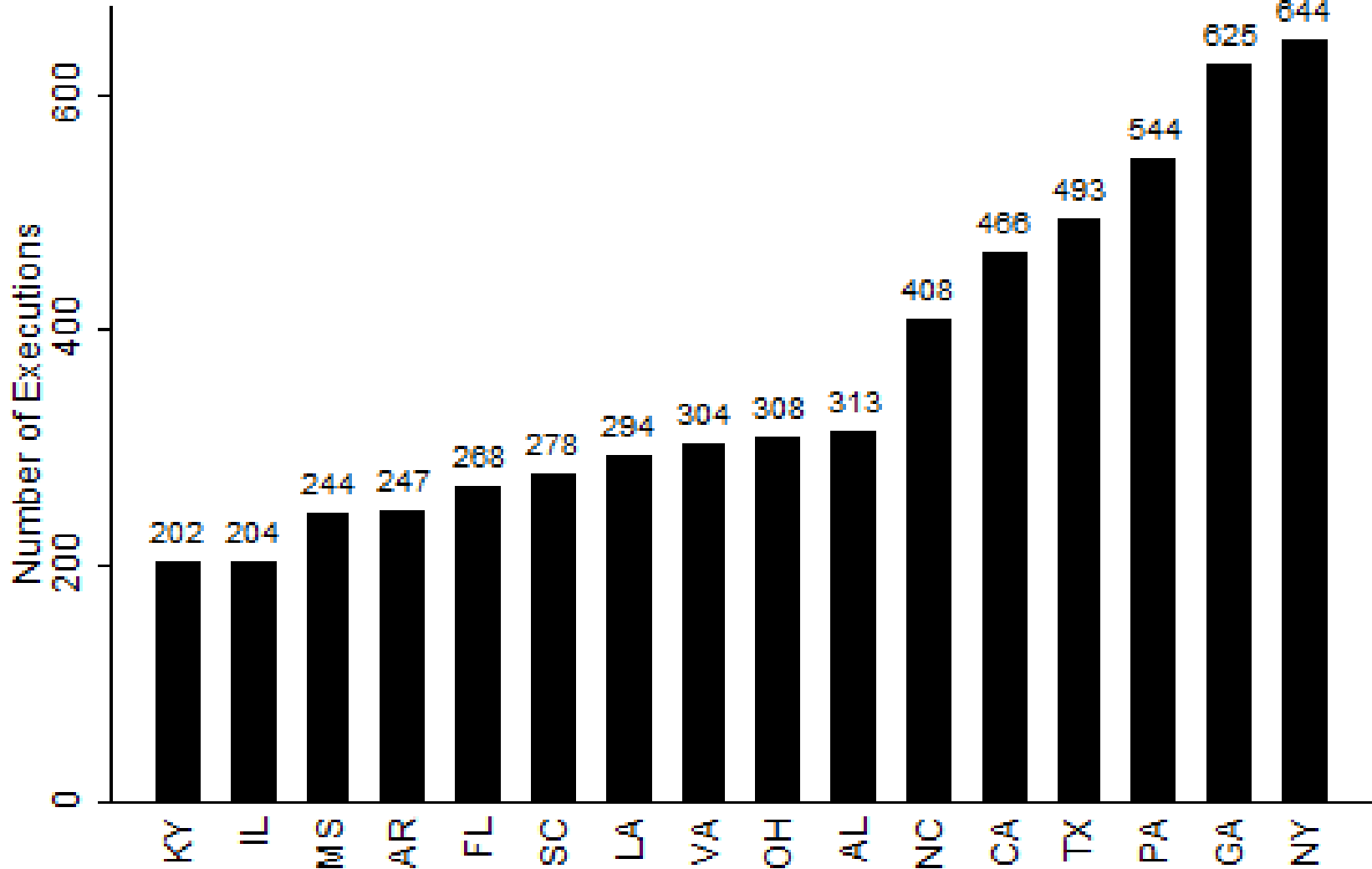


# Executions by State, 1900-1975



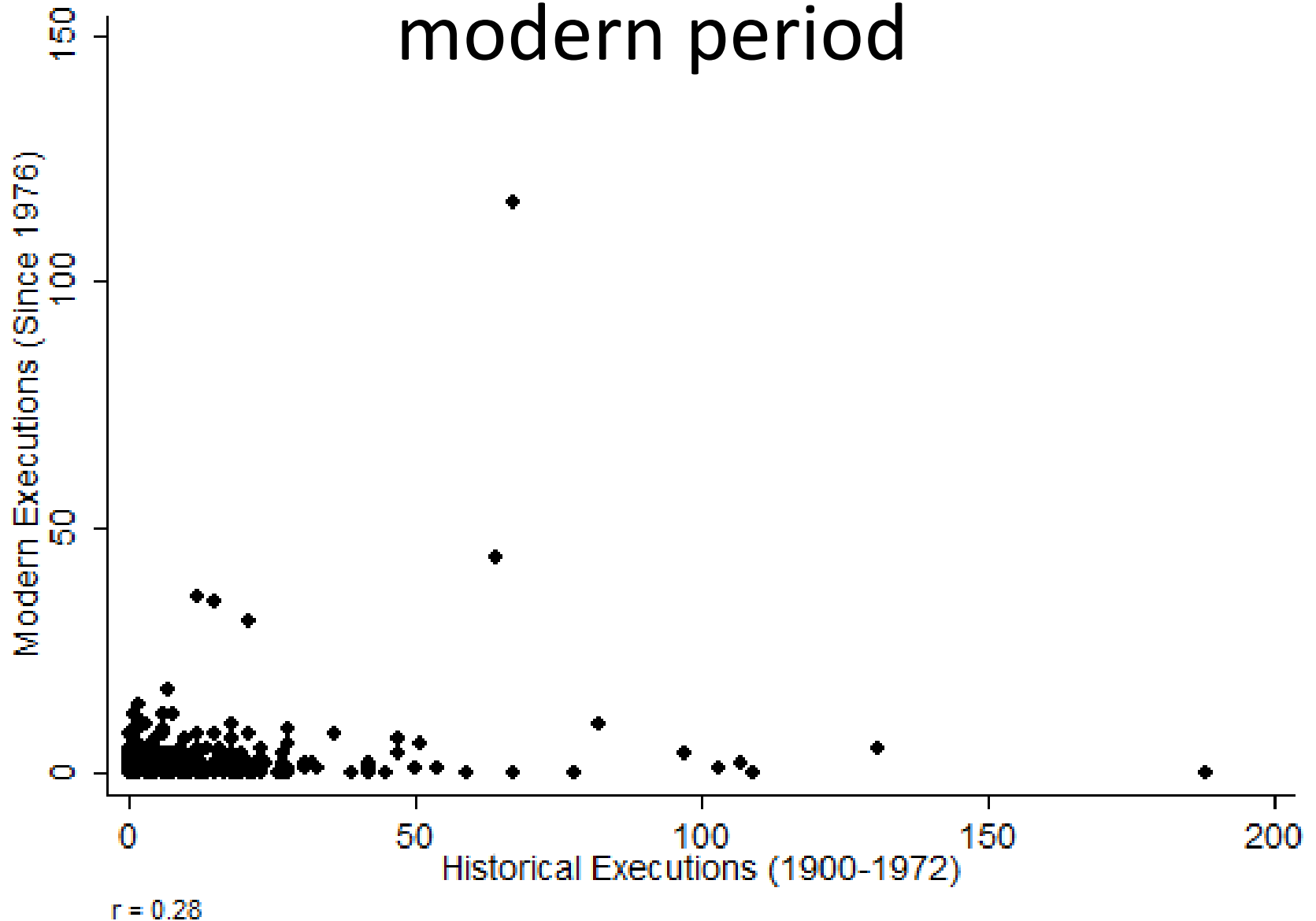
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Executions by State, 1900-1975, top states only

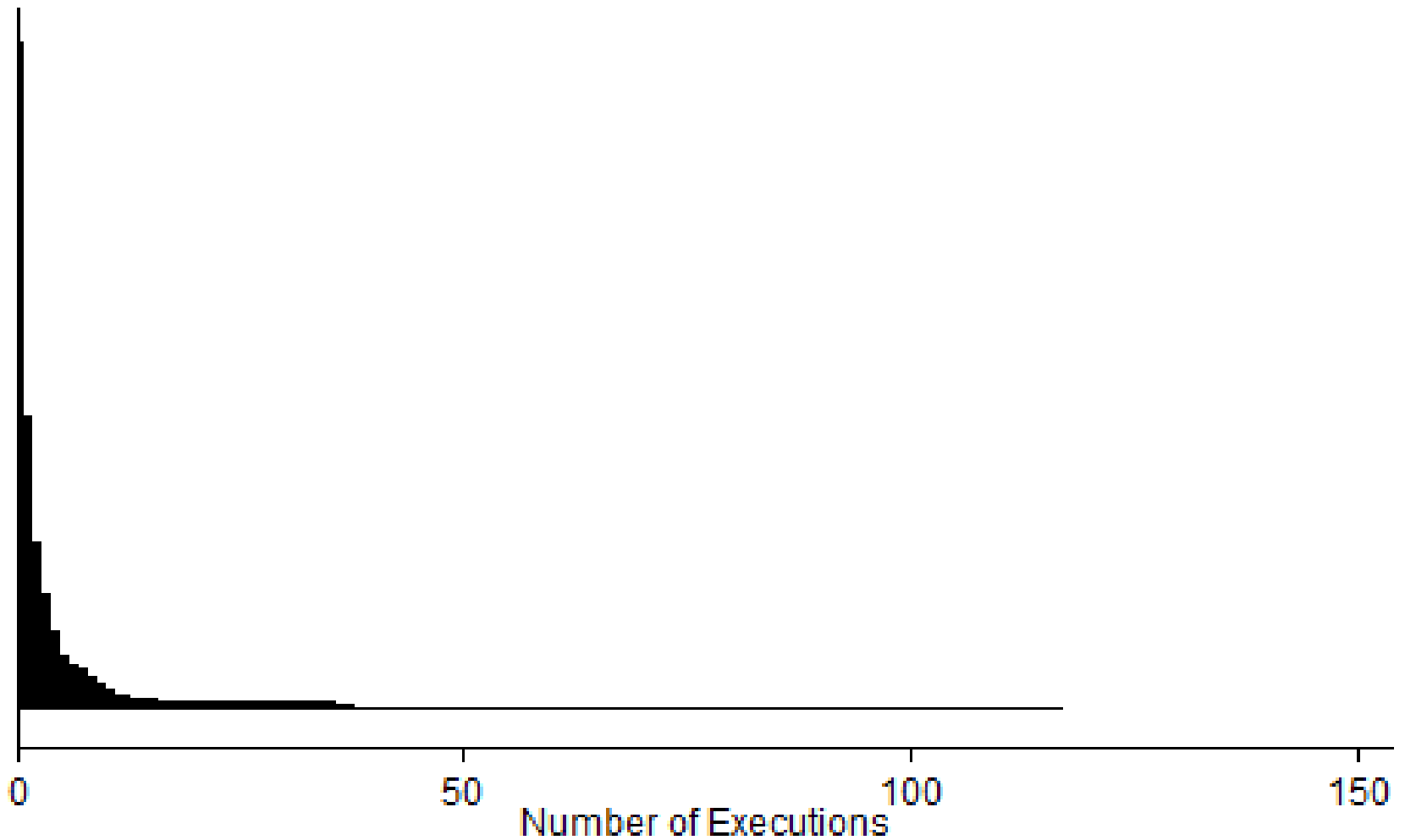


Espy file.

# Little correlation from early 20<sup>th</sup> c. to modern period



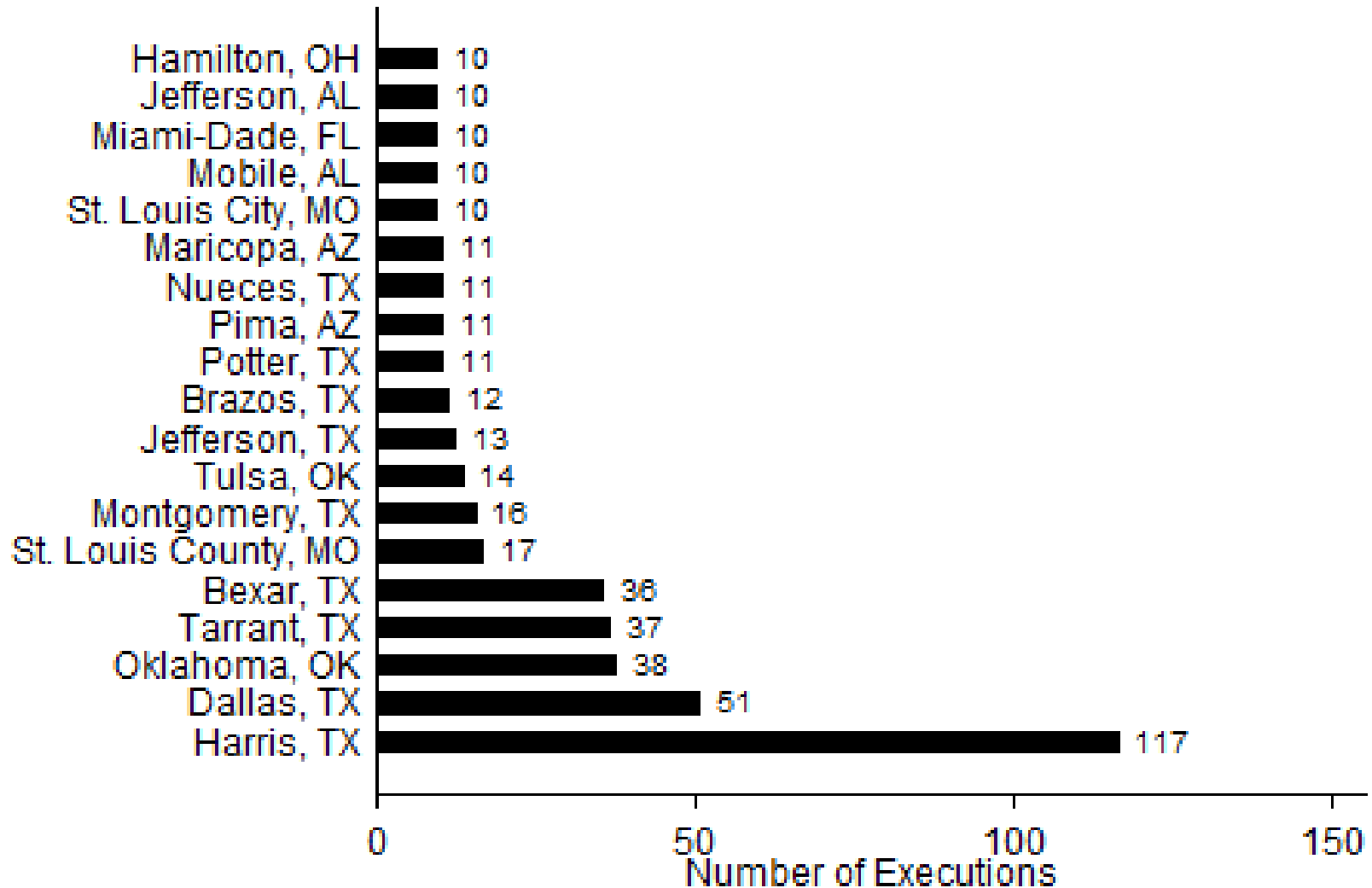
## Executions by County



Includes 1320 executions from 1977 to 2012.

2678 counties have executed no inmates; 489 at least one; 19 ten or more; and Harris County 117

## US counties with 10 or more executions since 1977



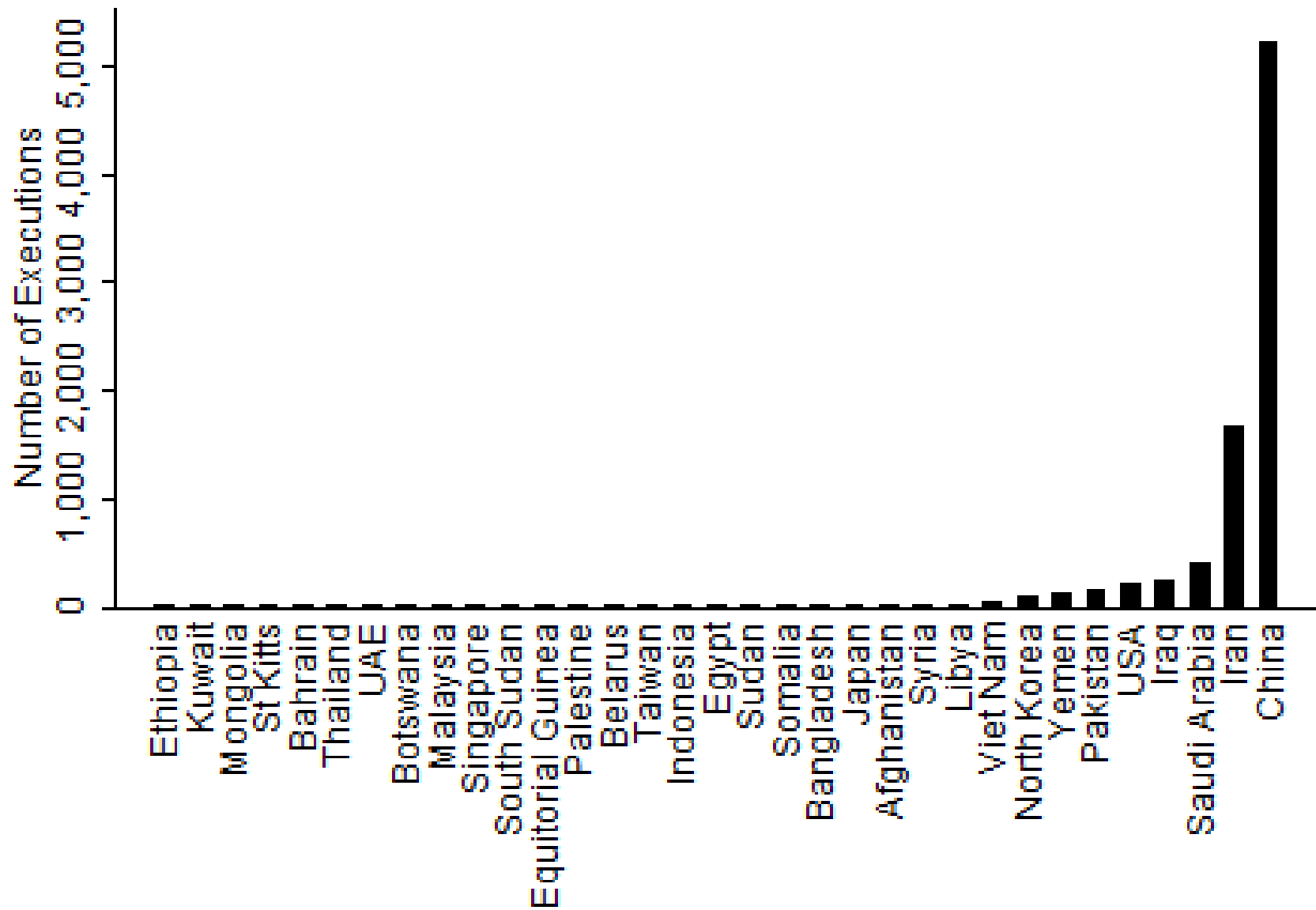
Includes counties with 10 or more executions from 1977 to 2012.



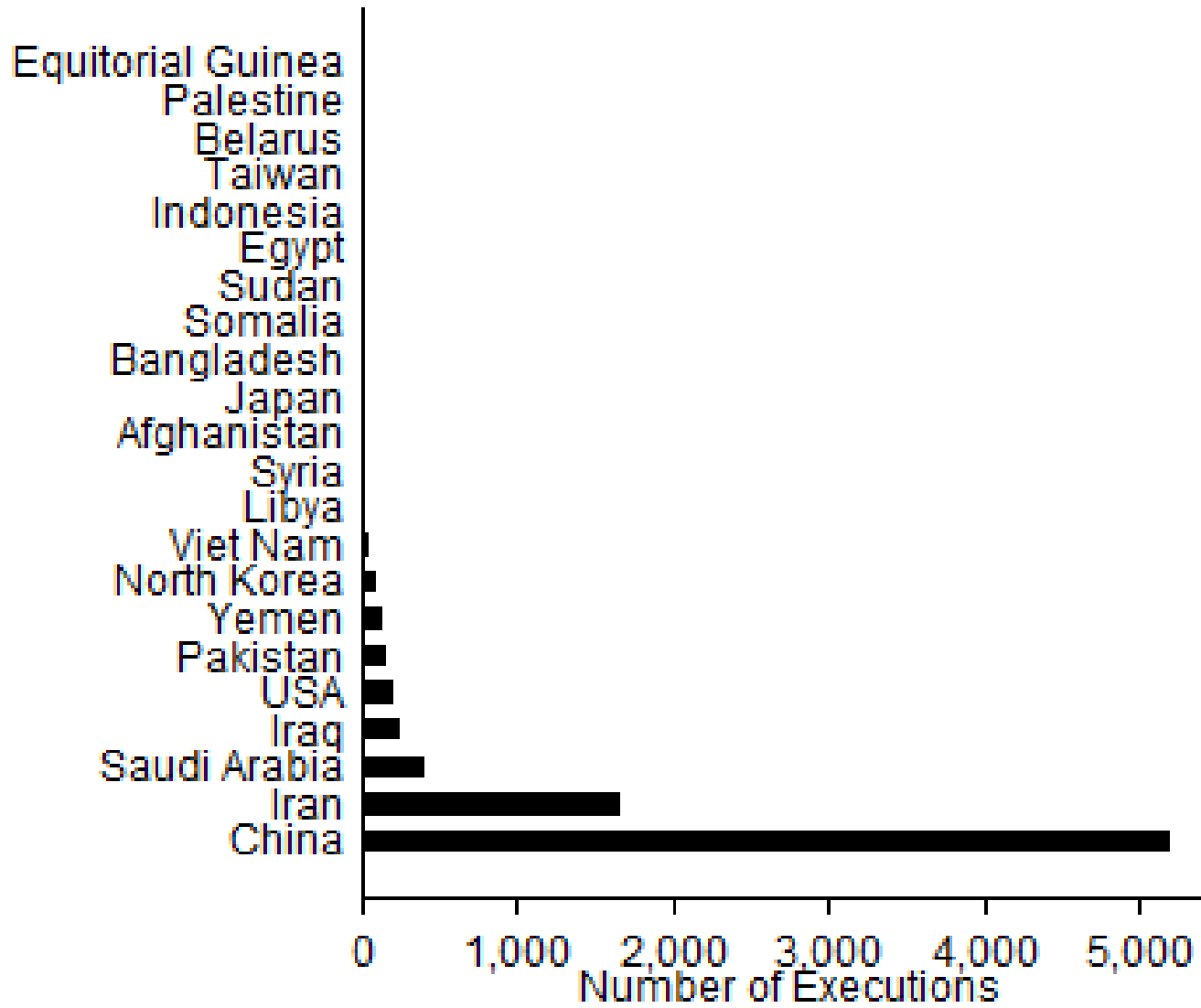
# These trends also hold for countries across the world

- Since 2007, Amnesty International has published an annual review of capital punishment around the world:  
<http://www.amnesty.org/en/death-penalty/numbers>
- Where they present a range, I use the lowest number in order to be conservative.
- Following charts combine 2007 through 2011.

# Executions by Country, 2007-2011

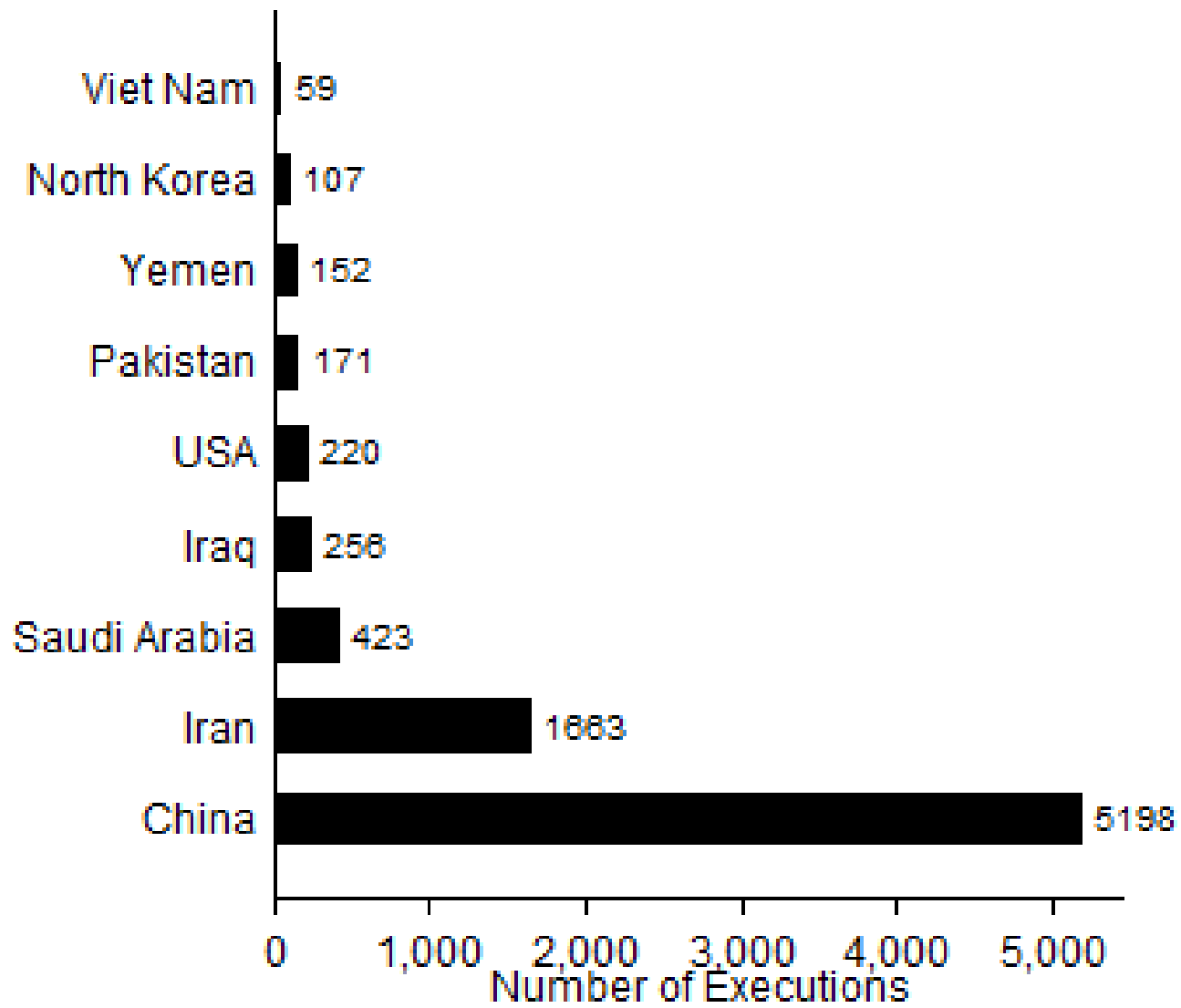


## Executions by Country, 2007-2011



Includes only countries with six or more executions.

## Executions by Country, 2007-2011



Includes only countries with 50 or more executions.

## Part 2. Reversals

- How many death sentences get overturned
- US
- NC

# James Leibman et al. 2002: Why is there so much error in capital cases...

Review of ALL murder cases from 1973 to 1995 in those states having capital punishment

118,992 murder convictions

5,826 death sentences

All are automatically reviewed by state supreme courts or by federal courts. This is unique in US criminal justice.

How many are overturned, with the federal judge requiring a new trial?

68 percent

# North Carolina's Experience

- 388 sentenced to death since 1976
- 157 on death row as of today
- 12 removed awaiting a new trial
  
- Not counting those still on death row or those awaiting trial leaves:
  - 219 with final decisions made
  - How many of these people have had their death sentenced reversed?



67 percent

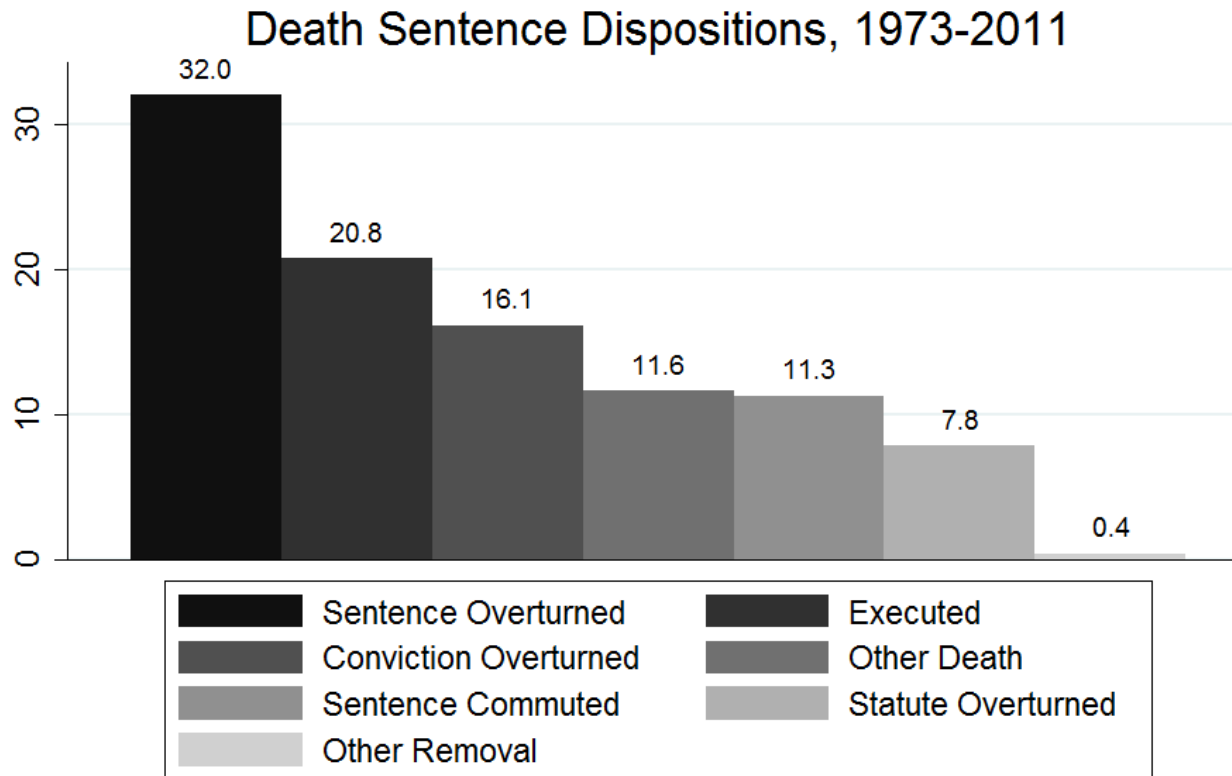
# 67% of death sentences are dismissed

- 219 cases with final decisions made
- 5 were found INNOCENT
- 141 were sentenced to prison (131 for life; 10 for lesser terms)
- 146 of 219 is a 67 percent reversal rate

# Just 20 percent are executed

- 219 cases with final decisions made
  - 146 have their sentence reduced
  - 5 were commuted by the Governor
  - 25 died in prison (6 by suicide)
  - 43 were executed
- 
- 43 executions out of 388 death sentences...
  - 43 of 219 with final decisions: 20 percent

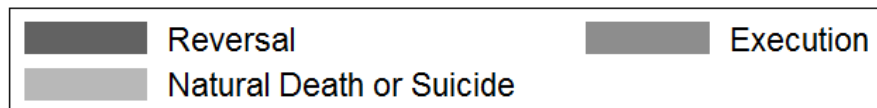
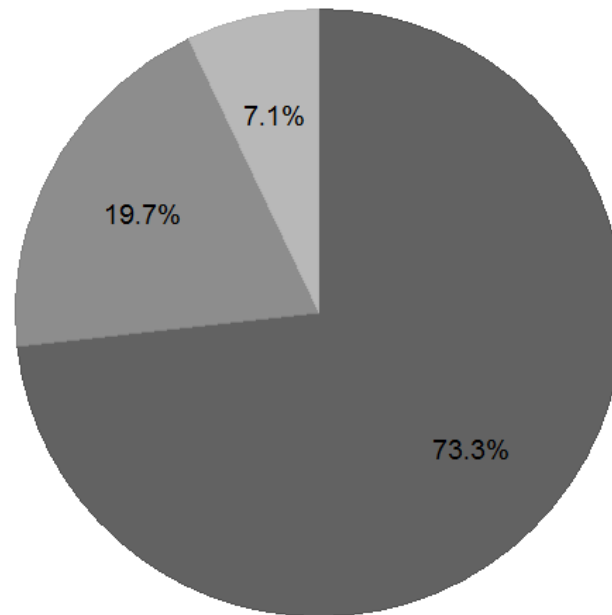
# Chances of Death, after Condemnation (Senior Thesis, 2014, Anna Dietrich)



Based on 8300 total death sentences from 1973 to 2011.  
Dispositions taken as percentages of all death sentences for which final decisions have been reached.

Data from BJS Capital Punishment Series, Dietrich 2013

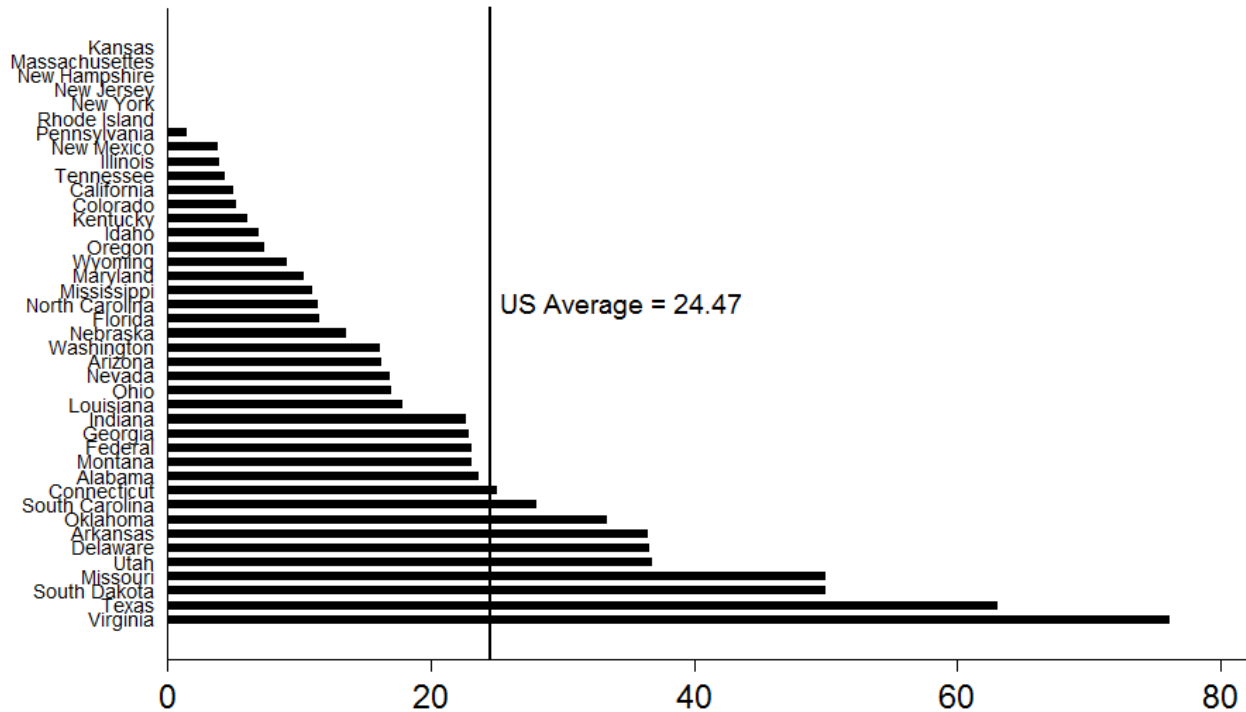
## Final Death Sentence Dispositions, 1973-2011



Reversals include the overturn of a death sentence, statute and conviction, in addition to commutation and other removal

Data from BJS Capital Punishment Series, Dietrich 2013

## Percent of Death Sentences Resulting in an Execution, 1977-2011

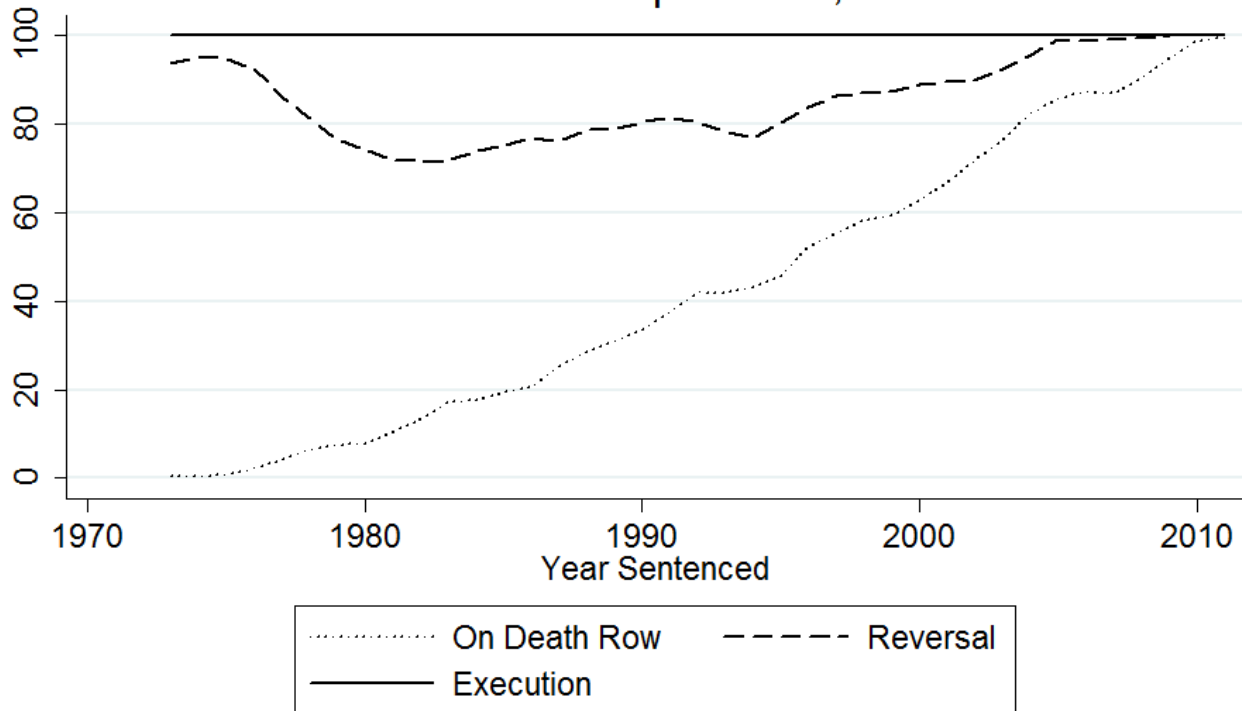


Executions taken as a percentage of all death sentences for which final decisions have been reached.

Includes all 40 States with the Death Penalty since 1977 and the Federal Government.

Data from BJS Capital Punishment Series, Dietrich 2014

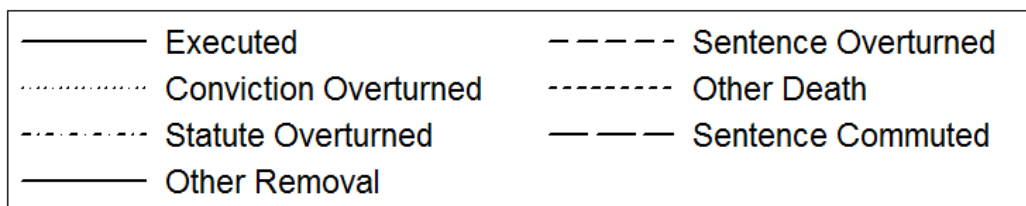
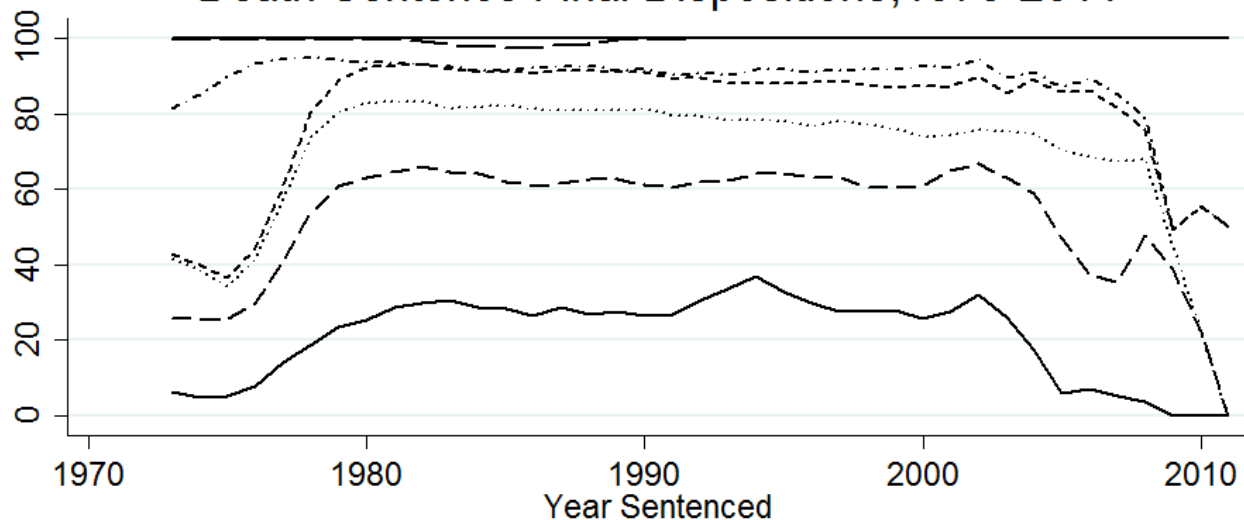
## Death Sentence Dispositions, 1973-2011



Reversals and executions taken as percentages of all death sentences, including those for which the inmate remains on death row.

Data from BJS Capital Punishment Series, Dietrich 2014  
3 year moving averages shown.

## Death Sentence Final Dispositions, 1973-2011



Dispositions taken as percentages of all death sentences for which final decisions have been reached.

Data from BJS Capital Punishment Series, Dietrich 2014  
3 year moving averages shown.



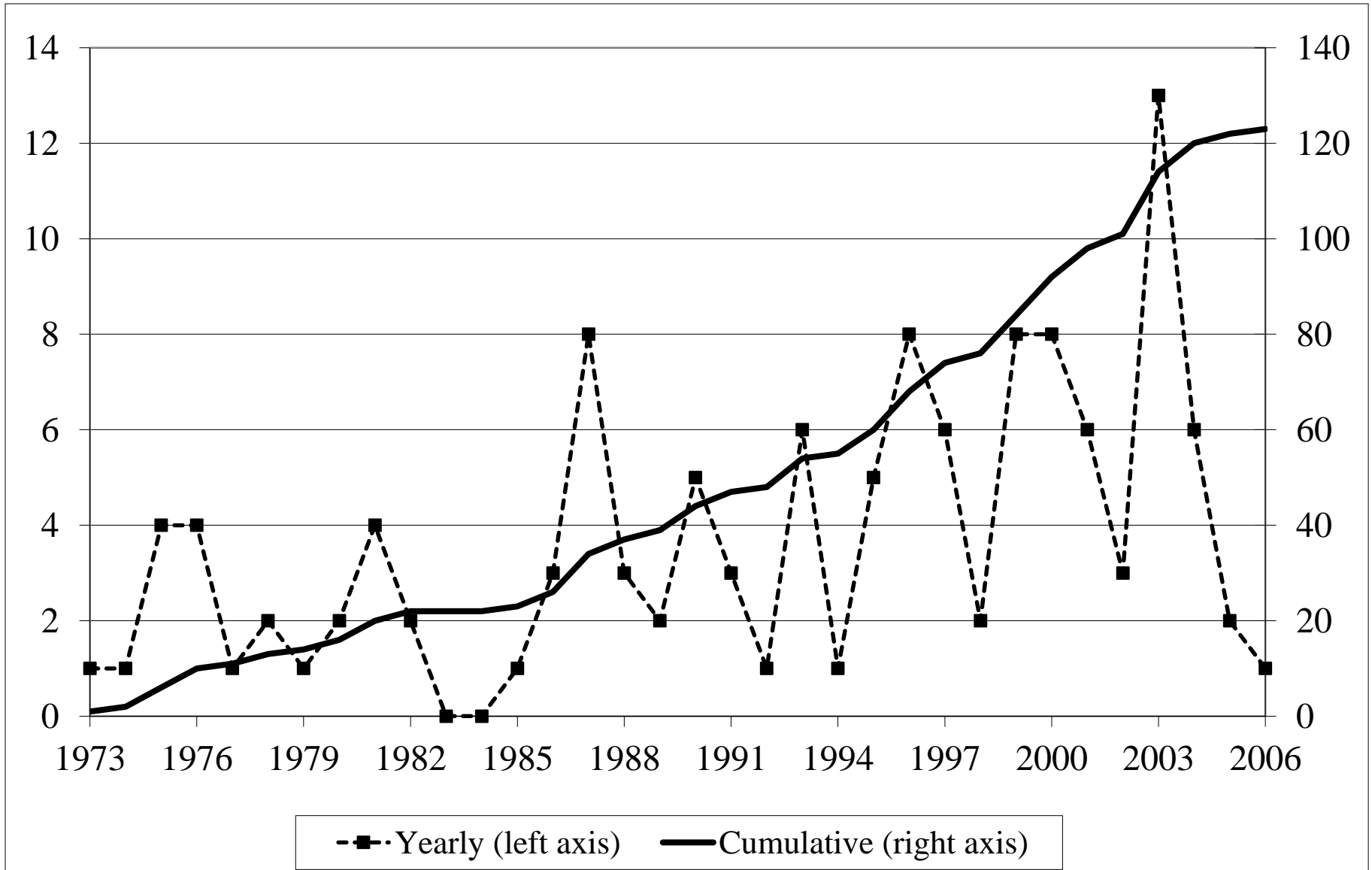
# Summary from Dietrich

- Odds of execution, given a death sentence:
  - ~20 percent
  - Very low in CA, PA, many other states
  - High in VA, TX, MO, OK
- Exonerations, Commutations pretty rare
- Reversal of the sentence or the conviction are very common. In fact, these are THE MOST COMMON outcomes.

## Part 3. Exonerations

- Steady numbers, no huge surge in exonerations
- However, a big surge in public attention to this.

# Exonerations, 1973-2006



# Exonerees: From Human Interest to Confirmation of an Established Theme

