

A Broken System: Error Rates in Capital Cases

Table 30: State-by-State Comparisons of Direct Appeal, State Post-Conviction, and Federal Habeas Corpus Reversal Rates and Overall Error Rates

State	% Reversed on State Direct Appeal	% Reversed on State Post-Conviction*	% Reversed in State Courts, Overall*	Percent Reversed on Federal Habeas Corpus	Overall Error Rate, Excluding State PC	Overall Error Rate, Including State PC*
Alabama	55	9	59	45	75	77
Arizona	42	10	47	60	77	79
Arkansas	40	4	43	48	69	70
California	31	3	33	80	86	87
Delaware	26	unknown	unknown	0	26	unknown
Florida	49	17	58	37	68	73
Georgia	35	12	43	65	77	80
Idaho	42	5	44	67	81	82
Illinois	39	7	43	40	63	66
Indiana	32	25	49	50	66	75
Kentucky	50	0	50	100	100	100
Louisiana	46	7	50	27	61	64
Maryland	53	52	77	100	100	100
Mississippi	61	20	69	71	89	91
Missouri	17	4	20	15	29	32
Montana	42	9	47	75	86	87
Nebraska	29	13	38	43	60	65
Nevada	30	8	35	50	65	68
No. Carolina	61	10	65	18	68	71
Oklahoma	48	2	50	50	74	75
Pennsylvania	28	1	29	40	57	57
So. Carolina	54	18	62	14	60	67
Tennessee	29	12	38	100	100	100
Texas	31	6	35	26	49	52
Utah	35	23	50	33	56	67
Virginia	10	3	13	6	15	18
Washington	45	unknown	unknown	33	63	unknown
Wyoming	67	33	78	50	84	89

* Because state post-conviction data are incomplete, the figures in these columns are in most cases lower than the actual figure. See Report, note 39; pp. 26-27, 33-34; *infra* Appendix C, pp. C-1 to C-2.

Sources: DADB, DRCen, Appendix C, HCDB