

A Broken System: Error Rates in Capital Cases

State Report Card

ARKANSAS, 1974-1995

History

First Death Sentence	1974
First Direct Appeal	1975
First Consensual Execution	1990
First Non-Consensual Execution	1990

Sentences and Executions

Total Number of Death Sentences	89
Total Number of Executions	11
Percentage of Death Sentences Carried Out	12%

Error Rates

State Direct Appeal

Number Reviewed on Direct Appeal	82
Number Reversed on Direct Appeal	33
Percentage Reversed on Direct Appeal	40%
Number Awaiting Direct Appeal	7
Percentage Awaiting Direct Appeal	8%
Number Forward to State Post-Conviction	49

State Post-Conviction

Number Reviewed on Post-Conviction	Unknown
Number Reversed on Post-Conviction	2
Percentage Reversed on Post-Conviction	4%
Number Forward to Federal Habeas Corpus	Unknown

Overall Rate of Error Found by State Courts

Overall Rate of Error Found by State Courts	43%
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Federal Habeas Corpus

Number Reviewed on Habeas Corpus	25
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Number Reversed on Habeas Corpus	12
Percentage Reversed on Habeas Corpus	48%

Overall Rates Including [and Excluding] State Post-Conviction

Overall Error Rate	70% [69%]
Overall Success Rate	30% [31%]

Timing

Time From First Death Sentence to First Non-Consensual Execution	16.00
Average Time from Sentence to Execution	10.00
Average Time from Sentence to Final Federal Relief	14.33

Sentencing and Execution Rates

Death Sentences per 1000 Homicides	18.09
Death Sentences per 100,000 Population	3.84
Death Sentences per 1000 Prison Population	17.21
Non-Consensual Executions per 1000 Homicides	2.03
Non-Consensual Executions per 100,000 Population	0.43
Non-Consensual Executions per 1000 Prison Population	1.93

Demographic Information

Average Population	2,296,077
Average Homicides	214
Average Homicides/ Average Population	9.32
Average Prison Admissions	2,157
Average Prison Population	5,173
Percentage Population Non-White	18%

Court Factors

Political Pressure (judicial elections)	7
Party Competition (gubernatorial elections)	0
State Court Criminal Caseload per 1000 Population	41.70
Expenditures per Capita on Courts	19.13

Sources: DRCen; Death Row U.S.A., Winter 2000; DADB; HCDB; Appendix C; USCen; UCRDB; USCen; PrisCen; PolPres; CtCaLd; CtExpen