

A Broken System: Error Rates in Capital Cases

State Report Card

GEORGIA, 1973-1995

History

First Death Sentence	1973
First Direct Appeal	1973
First Consensual Execution	NONE
First Non-Consensual Execution	1983

Sentences and Executions

Total Number of Death Sentences	325
Total Number of Executions	20
Percentage of Death Sentences Carried Out	6%

Error Rates

State Direct Appeal

Number Reviewed on Direct Appeal	303
Number Reversed on Direct Appeal	106
Percentage Reversed on Direct Appeal	35%
Number Awaiting Direct Appeal	22
Percentage Awaiting Direct Appeal	7%
Number Forward to State Post-Conviction	197

State Post-Conviction

Number Reviewed on Post-Conviction	Unknown
Number Reversed on Post-Conviction	24
Percentage Reversed on Post-Conviction	12%
Number Forward to Federal Habeas Corpus	Unknown

State Direct Appeal and State Post-Conviction Combined

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

Number Reviewed on Habeas Corpus	96
Number Reversed on Habeas Corpus	62
Percentage Reversed on Habeas Corpus	65%

Overall Rates Including [and Excluding] State Post-Conviction

Overall Error Rate	80% [77%]
Overall Success Rate	20% [23%]

Timing

Time From First Death Sentence to First Non-Consensual Execution	10.00
Average Time from Sentence to Execution	9.81
Average Time from Sentence to Final Federal Relief	9.23

Sentencing and Execution Rates

Death Sentences per 1000 Homicides	19.24
Death Sentences per 100,000 Population	5.44
Death Sentences per 1000 Prison Population	17.74
Non-Consensual Executions per 1000 Homicides	1.18
Non-Consensual Executions per 100,000 Population	0.33
Non-Consensual Executions per 1000 Prison Population	1.09

Demographic Information

Average Population	5,876,351
Average Homicides	734
Average Homicides/ Average Population	12.50
Average Prison Admissions	8,459
Average Prison Population	18,322
Percentage Population Non-White	29%

Court Factors

Political Pressure (judicial elections)	8
Party Competition (gubernatorial elections)	0
State Court Criminal Caseload per 1000 Population	14.71
Expenditures per Capita on Courts	29.77

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