

A Broken System: Error Rates in Capital Cases

State Report Card

INDIANA, 1974-1995

History

First Death Sentence	1974
First Direct Appeal	1977
First Consensual Execution	1981
First Non-Consensual Execution	1994

Sentences and Executions

Total Number of Death Sentences	90
Total Number of Executions	3
Percentage of Death Sentences Carried Out	3%

Error Rates

State Direct Appeal

Number Reviewed on Direct Appeal	76
Number Reversed on Direct Appeal	24
Percentage Reversed on Direct Appeal	32%
Number Awaiting Direct Appeal	14
Percentage Awaiting Direct Appeal	16%
Number Forward to State Post-Conviction	52

State Post-Conviction

Number Reviewed on Post-Conviction	Unknown
Number Reversed on Post-Conviction	13
Percentage Reversed on Post-Conviction	25%
Number Forward to Federal Habeas Corpus	Unknown

State Direct Appeal and State Post-Conviction Combined

Overall Rate of Error Found by State Courts	49%
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Federal Habeas Corpus

Number Reviewed on Habeas Corpus	4
Number Reversed on Habeas Corpus	2
Percentage Reversed on Habeas Corpus	50%

Overall Rates Including [and Excluding] State Post-Conviction

Overall Error Rate	75% [66%]
Overall Success Rate	25% [34%]

Timing

Time From First Death Sentence to First Non-Consensual Execution	20.00
Average Time from Sentence to Execution	5
Average Time from Sentence to Final Federal Relief	6.50

Sentencing and Execution Rates

Death Sentences per 1000 Homicides	10.15
Death Sentences per 100,000 Population	1.63
Death Sentences per 1000 Prison Population	9.18
Non-Consensual Executions per 1000 Homicides	0.11
Non-Consensual Executions per 100,000 Population	0.02
Non-Consensual Executions per 1000 Prison Population	0.10

Demographic Information

Average Population	5,501,055
Average Homicides	381
Average Homicides/ Average Population	7.01
Average Prison Admissions	4,288
Average Prison Population	9,807
Percentage Population Non-White	9%

Court Factors

Political Pressure (judicial elections)	8
Party Competition (gubernatorial elections)	1
State Court Criminal Caseload per 1000 Population	14.14
Expenditures per Capita on Courts	24.29

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