

# A Broken System: Error Rates in Capital Cases

## State Report Card

KENTUCKY, 1978-1995

### History

<b>First Death Sentence</b>	1978
First Direct Appeal	1980
First Consensual Execution	NONE
First Non-Consensual Execution	1997

### Sentences and Executions

<b>Total Number of Death Sentences</b>	61
Total Number of Executions	0
Percentage of Death Sentences Carried Out	0%

### Error Rates

#### State Direct Appeal

Number Reviewed on Direct Appeal	50
Number Reversed on Direct Appeal	25
Percentage Reversed on Direct Appeal	50%
Number Awaiting Direct Appeal	11
Percentage Awaiting Direct Appeal	18%
Number Forward to State Post-Conviction	25

#### State Post-Conviction

Number Reviewed on Post-Conviction	Unknown
Number Reversed on Post-Conviction	0
Percentage Reversed on Post-Conviction	0%
Number Forward to Federal Habeas Corpus	Unknown

#### State Direct Appeal and State Post-Conviction Combined

Overall Rate of Error Found by State Courts	50%
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#### Federal Habeas Corpus

Number Reviewed on Habeas Corpus	1
Number Reversed on Habeas Corpus	1
Percentage Reversed on Habeas Corpus	100%

### Overall Rates Including [and Excluding] State Post-Conviction

Overall Error Rate	[100%]
Overall Success Rate	[0%]

#### Timing

Time From First Death Sentence to First Non-Consensual Execution	19
Average Time from Sentence to Execution	N/A
Average Time from Sentence to Final Federal Relief	N/A

### Sentencing and Execution Rates

<b>Death Sentences per 1000 Homicides</b>	9.32
Death Sentences per 100,000 Population	1.67
Death Sentences per 1000 Prison Population	9.52
Non-Consensual Executions per 1000 Homicides	0.00
Non-Consensual Executions per 100,000 Population	0.00
Non-Consensual Executions per 1000 Prison Population	0.00

### Demographic Information

<b>Average Population</b>	3,637,860
Average Homicides	295
Average Homicides/ Average Population	8.10
Average Prison Admissions	2,781
Average Prison Population	6,410
Percentage Population Non-White	8%

### Court Factors

Political Pressure (judicial elections)	7
Party Competition (gubernatorial elections)	0
State Court Criminal Caseload per 1000 Population	31.64
Expenditures per Capita on Courts	30.62

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