

A Broken System: Error Rates in Capital Cases

State Report Card

LOUISIANA, 1977-1995

History

First Death Sentence	1977
First Direct Appeal	1978
First Consensual Execution	NONE
First Non-Consensual Execution	1983

Sentences and Executions

Total Number of Death Sentences	131
Total Number of Executions	22
Percentage of Death Sentences Carried Out	17%

Error Rates

State Direct Appeal

Number Reviewed on Direct Appeal	112
Number Reversed on Direct Appeal	52
Percentage Reversed on Direct Appeal	46%
Number Awaiting Direct Appeal	19
Percentage Awaiting Direct Appeal	15%
Number Forward to State Post-Conviction	60

State Post-Conviction

Number Reviewed on Post-Conviction	Unknown
Number Reversed on Post-Conviction	4
Percentage Reversed on Post-Conviction	7%
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	37
Number Reversed on Habeas Corpus	10
Percentage Reversed on Habeas Corpus	27%

Overall Rates Including [and Excluding] State Post-Conviction

Overall Error Rate	64% [61%]
Overall Error Rate	36% [39%]

Timing

Time From First Death Sentence to First Non-Consensual Execution	6.00
Average Time from Sentence to Execution	5.60
Average Time from Sentence to Final Federal Relief	6.67

Sentencing and Execution Rates

Death Sentences per 1000 Homicides	9.29
Death Sentences per 100,000 Population	3.08
Death Sentences per 1000 Prison Population	9.33
Non-Consensual Executions per 1000 Homicides	1.56
Non-Consensual Executions per 100,000 Population	0.52
Non-Consensual Executions per 1000 Prison Population	1.57

Demographic Information

Average Population	4,208,501
Average Homicides	636
Average Homicides/ Average Population	15.19
Average Prison Admissions	4,029
Average Prison Population	14,043
Percentage Population Non-White	32%

Court Factors

Political Pressure (judicial elections)	4
Party Competition (gubernatorial elections)	0
State Court Criminal Caseload per 1000 Population	41.85
Expenditures per Capita on Courts	35.72

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