

A Broken System: Error Rates in Capital Cases

State Report Card

MARYLAND, 1979-1995

History

First Death Sentence	1979
First Direct Appeal	1980
First Consensual Execution	1994
First Non-Consensual Execution	1997

Sentences and Executions

Total Number of Death Sentences	60
Total Number of Executions	1
Percentage of Death Sentences Carried Out	2%

Error Rates

State Direct Appeal

Number Reviewed on Direct Appeal	57
Number Reversed on Direct Appeal	30
Percentage Reversed on Direct Appeal	53%
Number Awaiting Direct Appeal	3
Percentage Awaiting Direct Appeal	5%
Number Forward to State Post-Conviction	27

State Post-Conviction

Number Reviewed on Post-Conviction	Unknown
Number Reversed on Post-Conviction	14
Percentage Reversed on Post-Conviction	52%
Number Forward to Federal Habeas Corpus	Unknown

State Direct Appeal and State Post-Conviction Combined

Overall Rate of Error Found by State Courts	77%
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Federal Habeas Corpus

Number Reviewed on Habeas Corpus	3
Number Reversed on Habeas Corpus	3
Percentage Reversed on Habeas Corpus	100%

Overall Rates Including [and Excluding] State Post-Conviction

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

Timing

Time From First Death Sentence to First Non-Consensual Execution	18
Average Time from Sentence to Execution	2.00
Average Time from Sentence to Final Federal Relief	missing

Sentencing and Execution Rates

Death Sentences per 1000 Homicides	5.72
Death Sentences per 100,000 Population	1.34
Death Sentences per 1000 Prison Population	4.45
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

Average Population	4,456,464
Average Homicides	456
Average Homicides/ Average Population	10.23
Average Prison Admissions	5,224
Average Prison Population	13,480
Percentage Population Non-White	27%

Court Factors

Political Pressure (judicial elections)	8
Party Competition (gubernatorial elections)	0
State Court Criminal Caseload per 1000 Population	31.62
Expenditures per Capita on Courts	46.24

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