

A Broken System: Error Rates in Capital Cases

State Report Card

MISSISSIPPI, 1974-1995

History

First Death Sentence	1974
First Direct Appeal	1975
First Consensual Execution	NONE
First Non-Consensual Execution	1983

Sentences and Executions

Total Number of Death Sentences	165
Total Number of Executions	4
Percentage of Death Sentences Carried Out	2%

Error Rates

State Direct Appeal

Number Reviewed on Direct Appeal	137
Number Reversed on Direct Appeal	83
Percentage Reversed on Direct Appeal	61%
Number Awaiting Direct Appeal	28
Percentage Awaiting Direct Appeal	17%
Number Forward to State Post-Conviction	54

State Post-Conviction

Number Reviewed on Post-Conviction	Unknown
Number Reversed on Post-Conviction	11
Percentage Reversed on Post-Conviction	20%
Number Forward to Federal Habeas Corpus	Unknown

State Direct Appeal and State Post-Conviction Combined

Overall Rate of Error Found by State Courts	69%
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Federal Habeas Corpus

Number Reviewed on Habeas Corpus	24
Number Reversed on Habeas Corpus	17
Percentage Reversed on Habeas Corpus	71%

Overall Rates Including [and Excluding] State Post-Conviction

Overall Error Rate	91% [89%]
Overall Success Rate	9% [11%]

Timing

Time From First Death Sentence to First Non-Consensual Execution	9.00
Average Time from Sentence to Execution	7.00
Average Time from Sentence to Final Federal Relief	8.71

Sentencing and Execution Rates

Death Sentences per 1000 Homicides	24.10
Death Sentences per 100,000 Population	6.47
Death Sentences per 1000 Prison Population	26.05
Non-Consensual Executions per 1000 Homicides	0.58
Non-Consensual Executions per 100,000 Population	0.16
Non-Consensual Executions per 1000 Prison Population	0.63

Demographic Information

Average Population	2,529,596
Average Homicides	314
Average Homicides/ Average Population	12.40
Average Prison Admissions	2,422
Average Prison Population	6,335
Percentage Population Non-White	37%

Court Factors

Political Pressure (judicial elections)	5
Party Competition (gubernatorial elections)	0
State Court Criminal Caseload per 1000 Population	13.49
Expenditures per Capita on Courts	18.43

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