

A Broken System: Error Rates in Capital Cases

State Report Card

MISSOURI, 1979-1995

History

First Death Sentence	1979
First Direct Appeal	1981
First Consensual Execution	1990
First Non-Consensual Execution	1989

Sentences and Executions

Total Number of Death Sentences	133
Total Number of Executions	17
Percentage of Death Sentences Carried Out	13%

Error Rates

State Direct Appeal

Number Reviewed on Direct Appeal	98
Number Reversed on Direct Appeal	17
Percentage Reversed on Direct Appeal	17%
Number Awaiting Direct Appeal	35
Percentage Awaiting Direct Appeal	26%
Number Forward to State Post-Conviction	81

State Post-Conviction

Number Reviewed on Post-Conviction	Unknown
Number Reversed on Post-Conviction	3
Percentage Reversed on Post-Conviction	4%
Number Forward to Federal Habeas Corpus	Unknown

State Direct Appeal and State Post-Conviction Combined

Overall Rate of Error Found by State Courts	20%
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Federal Habeas Corpus

Number Reviewed on Habeas Corpus	26
Number Reversed on Habeas Corpus	4
Percentage Reversed on Habeas Corpus	15%

Overall Rates Including [and Excluding] State Post-Conviction

Overall Error Rate	32% [29%]
Overall Success Rate	68% [71%]

Timing

Time From First Death Sentence to First Non-Consensual Execution	10.00
Average Time from Sentence to Execution	9.85
Average Time from Sentence to Final Federal Relief	10.00

Sentencing and Execution Rates

Death Sentences per 1000 Homicides	12.18
Death Sentences per 100,000 Population	2.64
Death Sentences per 1000 Prison Population	12.70
Non-Consensual Executions per 1000 Homicides	1.37
Non-Consensual Executions per 100,000 Population	0.30
Non-Consensual Executions per 1000 Prison Population	1.43

Demographic Information

Average Population	5,007,494
Average Homicides	475
Average Homicides/ Average Population	9.48
Average Prison Admissions	4,142
Average Prison Population	10,476
Percentage Population Non-White	12%

Court Factors

Political Pressure (judicial elections)	5
Party Competition (gubernatorial elections)	0
State Court Criminal Caseload per 1000 Population	33.69
Expenditures per Capita on Courts	27.49

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