

A Broken System: Error Rates in Capital Cases

State Report Card

NORTH CAROLINA, 1977-1995

History

First Death Sentence	1977
First Direct Appeal	1979
First Consensual Execution	1984
First Non-Consensual Execution	1984

Sentences and Executions

Total Number of Death Sentences	271
Total Number of Executions	8
Percentage of Death Sentences Carried Out	3%

Error Rates

State Direct Appeal

Number Reviewed on Direct Appeal	218
Number Reversed on Direct Appeal	132
Percentage Reversed on Direct Appeal	61%
Number Awaiting Direct Appeal	53
Percentage Awaiting Direct Appeal	20%
Number Forward to State Post-Conviction	86

State Post-Conviction

Number Reviewed on Post-Conviction	Unknown
Number Reversed on Post-Conviction	9
Percentage Reversed on Post-Conviction	10%
Number Forward to Federal Habeas Corpus	Unknown

State Direct Appeal and State Post-Conviction Combined

Overall Rate of Error Found by State Courts	65%
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Federal Habeas Corpus

Number Reviewed on Habeas Corpus	11
Number Reversed on Habeas Corpus	2
Percentage Reversed on Habeas Corpus	18%

Overall Rates Including [and Excluding] State Post-Conviction

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

Time

Time From First Death Sentence to First Non-Consensual Execution	7.00
Average Time from Sentence to Execution	9.40
Average Time from Sentence to Final Federal Relief	9.00

Sentencing and Execution Rates

Death Sentences per 1000 Homicides	19.08
Death Sentences per 100,000 Population	4.34
Death Sentences per 1000 Prison Population	15.73
Non-Consensual Executions per 1000 Homicides	0.49
Non-Consensual Executions per 100,000 Population	0.11
Non-Consensual Executions per 1000 Prison Population	0.41

Demographic Information

Average Population	6,330,700
Average Homicides	617
Average Homicide Rate per 100,000 Population	10.01
Average Prison Admissions	10,342
Average Prison Population	17,225
Percentage Population Non-White	24%

Court Factors

Political Pressure (judicial elections)	7
Party Competition (gubernatorial elections)	0
State Court Criminal Caseload per 1000 Population	55.62
Expenditures per Capita on Courts	25.50

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