

A Broken System: Error Rates in Capital Cases

State Report Card

SOUTH CAROLINA, 1977-1995

History

First Death Sentence	1977
First Direct Appeal	1979
First Consensual Execution	NONE
First Non-Consensual Execution	1985

Sentences and Executions

Total Number of Death Sentences	138
Total Number of Executions	5
Percentage of Death Sentences Carried Out	4%

Error Rates

State Direct Appeal

Number Reviewed on Direct Appeal	119
Number Reversed on Direct Appeal	64
Percentage Reversed on Direct Appeal	54%
Number Awaiting Direct Appeal	19
Percentage Awaiting Direct Appeal	14%
Number Forward to State Post-Conviction	55

State Post-Conviction

Number Reviewed on Post-Conviction	Unknown
Number Reversed on Post-Conviction	10
Percentage Reversed on Post-Conviction	18%
Number Forward to Federal Habeas Corpus	Unknown

State Direct Appeal and State Post-Conviction Combined

Overall Rate of Error Found by State Courts	62%
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Federal Habeas Corpus

Number Reviewed on Habeas Corpus	7
Number Reversed on Habeas Corpus	1
Percentage Reversed on Habeas Corpus	14%

Overall Rates Including [and Excluding] State Post-Conviction

Overall Error Rate	67% [60%]
Overall Success Rate	33% [40%]

Time

Time From First Death Sentence to First Non-Consensual Execution	8.00
Average Time from Sentence to Execution	9.40
Average Time from Sentence to Final Federal Relief	8

Sentencing and Execution Rates

Death Sentences per 1000 Homicides	18.20
Death Sentences per 100,000 Population	4.19
Death Sentences per 1000 Prison Population	11.37
Non-Consensual Executions per 1000 Homicides	0.66
Non-Consensual Executions per 100,000 Population	0.15
Non-Consensual Executions per 1000 Prison Population	0.41

Demographic Information

Average Population	3,247,142
Average Homicides	349
Average Homicide Rate per 100,000 Population	10.76
Average Prison Admissions	4,113
Average Prison Population	12,142
Percentage Population Non-White	31%

Court Factors

Political Pressure (judicial elections)	4
Party Competition (gubernatorial elections)	1
State Court Criminal Caseload per 1000 Population	38.49
Expenditures per Capita on Courts	22.82

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