

A Broken System: Error Rates in Capital Cases

State Report Card

UTAH, 1974-1995

History

First Death Sentence	1974
First Direct Appeal	1977
First Consensual Execution	1977
First Non-Consensual Execution	1987

Sentences and Executions

Total Number of Death Sentences	25
Total Number of Executions	4
Percentage of Death Sentences Carried Out	16%

Error Rates

State Direct Appeal

Number Reviewed on Direct Appeal	20
Number Reversed on Direct Appeal	7
Percentage Reversed on Direct Appeal	35%
Number Awaiting Direct Appeal	5
Percentage Awaiting Direct Appeal	20%
Number Forward to State Post-Conviction	13

State Post-Conviction

Number Reviewed on Post-Conviction	Unknown
Number Reversed on Post-Conviction	3
Percentage Reversed on Post-Conviction	23%
Number Forward to Federal Habeas Corpus	Unknown

State Direct Appeal and State Post-Conviction Combined

Overall Rate of Error Found by State Courts	50%
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Federal Habeas Corpus

Number Reviewed on Habeas Corpus	3
Number Reversed on Habeas Corpus	1
Percentage Reversed on Habeas Corpus	33%

Overall Rates Including [and Excluding] State Post-Conviction

Overall Error Rate	67% [56%]
Overall Success Rate	33% [44%]

Time

Time From First Death Sentence to First Non-Consensual Execution	13.00
Average Time from Sentence to Execution	9.25
Average Time from Sentence to Final Federal Relief	10

Sentencing and Execution Rates

Death Sentences per 1000 Homicides	21.89
Death Sentences per 100,000 Population	1.56
Death Sentences per 1000 Prison Population	14.23
Non-Consensual Executions per 1000 Homicides	1.75
Non-Consensual Executions per 100,000 Population	0.13
Non-Consensual Executions per 1000 Prison Population	1.14

Demographic Information

Average Population	1,561,677
Average Homicides	51
Average Homicide Rate per 100,000 Population	3.28
Average Prison Admissions	575
Average Prison Population	1,757
Percentage Population Non-White	6%

Court Factors

Political Pressure (judicial elections)	8
Party Competition (gubernatorial elections)	1
State Court Criminal Caseload per 1000 Population	26.28
Expenditures per Capita on Courts	34.65

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