

FIRST STATEWIDE STUDY ON RACE, ETHNICITY AND GEOGRAPHY IN DEATH SENTENCING IN CALIFORNIA

KEY FINDINGS

Summary

The Radelet-Pierce study is the first state-wide study of the role of race, ethnicity and geography in death sentencing in California. The authors reviewed all homicides that occurred in California from 1990-99, using records from the FBI and Vital Statistics. During this period, 302 death sentences were returned (close to half the number of people currently on death row in California). The study finds that race and ethnicity of victim, place, and community diversity are key factors in determining who is sentenced to die in this state.

Read the Full Study

<http://www.scu.edu/law/lawreview/article.html>

Summary of Findings

Geography and Community Diversity

- Death sentence rates vary substantially from county to county in California and this variation cannot be explained simply based on homicide rates.
- The highest rate of death sentencing occurs in counties with low population densities and a high proportion of non-Latino whites.
- In low density communities where more than half the population is non-Latino white, 1.84 out of every 100 homicides results in a death sentence; in Los Angeles, .58 out of 100 homicides results in a death sentence.
- Los Angeles County, which has the highest number of homicides in the state, has one of the lowest death sentence rates. The highest death sentence rates were found in Napa, King, Colusa, and Shasta Counties (ranging from 6 to 10%).
- A person convicted of the same crime is more than three times more likely to be sentenced to die simply because the crime was committed in a predominantly white, rural community rather than a diverse, urban area.

Race and Ethnicity of Victim

- Those who kill non-Latino whites are over three times more likely to be sentenced to die as those who kill African-Americans.
- Those who kill non-Latino whites are over four times more likely to be sentenced to die as those who kill Latinos.

- In cases where only one victim was killed and no felony was involved, those who kill non-Latino whites are over seven times more likely to be sentenced to die as those who kill African-Americans.
- In cases where only one victim was killed and no felony was involved, those who kill non-Latino whites are over eleven times more likely to be sentenced to die as those who kill Latinos.

Needed Follow Up Action

- The Legislature should require systemic data collection on homicides and death sentencing for more complete analysis.
- Further research must be undertaken to determine where in the process the disparities enter; is the disparity caused by prosecutors' charging practices, jurors' decisions to return a death sentence, or somewhere in between?
- Further research must be undertaken to determine whether a gender of victim disparity exists.

Other Interesting Facts

- CA population is the most diverse in the nation. One third of the population is Latino (2000 Census).
- The death rate by homicide in California varies substantially by race. African Americans are six times more likely to be murdered than whites in California.
- While 27.6% of murder victims are white, 80% of execution in California have been for those convicted of killing whites
- 28 out of 58 California counties had no death sentences in 1990-99
- Very few homicides result in death sentences: across the state, .89% of homicides result in death sentences