Race and the Death Penalty in North Carolina

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Outline

• Race in the history of the death penalty
  – US, NC

• Geography of use of the death penalty
  – US, NC

• Which victims are more valued?
  – US, NC

• Racial Justice Act and its revisions
African-Americans in NC

• Percent of Population: 21.6
• Percent of those sentenced to death: 48.7
• Percent of those currently on death row: 53.8
• Percent of those executed: 32.6
• African-American Men:
  • Percent of all homicide victims: 42.4
  • Percent of all victims of murder for whom the killer was later executed: 2.3
Number and Percent Black of Executions

North Carolina: Average Percent Black: 73.31
Number and Percent Black of US Executions

Average percent black: 48.9.
Geography, “states’ rights,” “local control”

• Certain legal jurisdictions simply don’t execute
• Jurisdictions with high minority populations are significantly more likely to execute their citizens
• NC is similar to other southern states.
• However, NC is changing rapidly: The Racial Justice Act is important in this regard.
Counties with 10 or more executions since 1976
Executions by State

Based on 1,239 executions from 1976 to June 2011.
US counties with 10 or more executions since 1977

- Jefferson, AL: 10
- Nueces, TX: 10
- St. Louis City, MO: 10
- Potter, TX: 11
- Brazos, TX: 12
- Jefferson, TX: 12
- Tulsa, OK: 12
- Montgomery, TX: 14
- St. Louis County, MO: 17
- Bexar, TX: 31
- Tarrant, TX: 35
- Oklahoma, OK: 36
- Dallas, TX: 44
- Harris, TX: 116

Includes counties with 10 or more executions from 1977 to April 10, 2011.
Executions by County in North Carolina 1977 to 2011

Note: 74 of the 100 counties in North Carolina have had no executions.
Homicides and Executions

R-2 = .31.
Victims of Homicide, Victims of Execution: Whose Lives are More Precious?

• Following slides show numbers and rates per 100,000 population of being a victim of homicide.

• Blacks, especially young black males, are the victims.

• These crimes very rarely lead to death sentences.
Executions in North Carolina since 1977

- 43 executions
- 56 victims, as a few had multiple victims
- 44 (79 percent) of the victims were white

- Just one person was executed for the crime of killing an African-American man
- A second person killed a black man in a triple slaying, and he was also executed
Victims of homicide
Victims of those executed

Race and Gender of NC Homicide Victims, by Execution Status

<table>
<thead>
<tr>
<th>Race and Gender of Victim</th>
<th>All Murder Victims, 1976-2008 (N=19,517)</th>
<th>Victims of Persons Executed, 1976-2008 (N=56)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Black Male</td>
<td>42</td>
<td>4</td>
</tr>
<tr>
<td>White Male</td>
<td>29</td>
<td>36</td>
</tr>
<tr>
<td>White Female</td>
<td>13</td>
<td>43</td>
</tr>
<tr>
<td>Black Female</td>
<td>10</td>
<td>14</td>
</tr>
<tr>
<td>Other</td>
<td>5</td>
<td>4</td>
</tr>
</tbody>
</table>

- Black Male
- White Male
- White Female
- Black Female
- Other
Executions nationwide since 1977

- 1,306 executions
- 2,032 victims overall
- 76 percent of the victims were white

- Trends are almost the same as in NC
Victims of homicide

Victims of those executed

Race and Gender of US Homicide Victims, by Execution Status

- Black Male: 40 (8%)
- White Male: 34 (37%)
- White Female: 14 (39%)
- Black Female: 8 (8%)
- Other: 8 (4%)

- All Murder Victims, 2000-2010 (N = 163,964)
- Victims of Persons Executed, 1976-2012 (N=2,032)
Racial Justice Act

• Initial Act:
  – **Statistical Discrepancies** May lead to Move from Death Row to Life Without the Possibility of Parole
  – Race of Inmate
  – Race of Victim
  – Selection of Jurors
  – No Need to Demonstrate Intent to Discriminate
  – Patterns may be State-Wide, by County, or by Judicial District

• Revision
  – Must Demonstrate **Intention to Discriminate** or Statistical Trends in the **Individual Case**

• We Do Not Know Where the Revised Legislation Will Lead