

Death Penalty Census Codebook

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1. Introduction

The Death Penalty Census is DPIC's effort to track every death sentence imposed in the United States from June 29, 1972, to January 1, 2021, including re-sentences and death sentences imposed for the same person for different crimes. For each death sentence, the database includes relevant demographic data (e.g. race, gender identity) about the person sentenced to death, geographical data based on the jurisdiction where the offense was charged, the year the death sentence was imposed, and the outcome of that death sentence. The dataset also provides information on the case, or legal proceedings, affiliated with each sentence.

2. Types of information available in the Death Penalty Census

For each death sentence, the Death Penalty Census includes the following information:

- Name of the defendant sentenced
- Known name aliases of the defendant sentenced
- Race of the defendant sentenced
- Gender identity of the defendant sentenced
- State and county, federal judicial district, or military branch where the crime was charged
- Outcome of the sentence
- Current status of the case (For more on how DPIC defines sentence versus case, see section 3.A.x)
- Year of sentence

3. <u>Definitions</u>

A. Field Definitions

Each row in the Death Penalty Census represents a death sentence. Columns (referred to as fields henceforth) provide information about death sentences in the dataset. This section gives the definitions for the fields currently within the Death Penalty Census.

i. Name



The **Name** field shows the current first name, middle name or initial (when available), and last name of the defendant who was sentenced to death. This is the defendant's preferred name and spelling, even if they were tried under a different name. When applicable, a suffix associated with the defendant's name is included. When you mouse over the name, a pop-up box will display the name under which the person was tried.

ii. State/Jurisdiction

<u>Name</u>	State / Jurisdiction	County / Federal District	Region*	Race	Gender	Year of Death Sentence	Multi-Sentence Identifier	Outcome of Death Sentence	Current Case Status
Carlos David Caro	Federal	J.S.D.C. Western District of /irginia	South	Latinx	Male	2007		Active Death Sentence	Active Death Sentence
Ronnie Allen Curtis	U.S. Military	Navy (Marine)		Black	Male	1987		Resentenced to Life or Less	Resentenced to Life or Less
Jeffrey D. Parmly	Illinois	Marion	Midwest	White	Male	1984		Resentenced to Life or Less	Resentenced to Life or Less

The **State/Jurisdiction** field shows the authority under which the death sentence was tried. For state-imposed death sentences, this will be the state where the incident occurred. For federal civilian death sentences, this field will display "Federal." For military death sentences, this field will display "U.S. Military."

iii. County/Federal District



The **County/Federal District** field displays the county, federal judicial district, or military branch in which the offense was charged. For state death sentences, this field will display the county. For federal civilian death sentences, this field will display the federal district court in which the case was brought. For military death sentences, this field will display the branch of the military.

Note: The county where the offense was charged will usually be the same county where the offense occurred. However, for some death sentences, the county where the offense is charged may differ from the county where a defendant's trial took place, the county from which the jury was selected, or the county prosecuting the case.

iv. Region

<u>Name</u>	State / Jurisdiction	County / Federal District	Region*	Race	Gender	Year of Death Sentence	Multi-Sentence Identifier	Outcome of Death Sentence	Current Case Status
Carlos David Caro	Federal	U.S.D.C. Western District of Virginia	South	_atinx	Male	2007		Active Death Sentence	Active Death Sentence
Steven E. Crittenden	California	Placer	West	Black	Male	1989		Grant of Relief (Retrial/Resentencing Pending)	Grant of Relief (Retrial/Resentencing Pending)
Ronnie Allen Curtis	U.S. Military	Navy (Marine)		Black	Male	1987		Resentenced to Life or Less	Resentenced to Life or Less
Joseph Davis	New York	Westchester	Northeast	Black	Male	1975		Resentenced to Life or Less	Resentenced to Life or Less
Jeffrey D. Parmly	Illinois	Marion	Midwest	White	Male	1984		Resentenced to Life or Less	Resentenced to Life or Less

The **Region** field shows the region of the country as designated by the U.S. Department of Justice. This field has 4 regions: South, Midwest, Northeast, and West. Each state is within just one region. Federal death sentences are listed in the region where the federal district court involved in the death sentence is located. This field is left blank for military death sentences.

v. Race

Name	State / Jurisdiction	County / Federal District	Region*	<u>Race</u>	<u>Gender</u>	Year of Death Sentence	Multi-Sentence Identifier	Outcome of Death Sentence	Current Case Status
Mica Alexander Martinez	Oklahoma	Comanche	South	American Indian or Alaska Native, Latinx	Male	2013		Active Death Sentence	Active Death Sentence
Ramon Sanchez	Pennsylvania	Lehigh	Northeas	Black, Latinx	Male	2003		Resentenced to Life or Less	Resentenced to Life or Less
Frank Manuel Abilez	California	Los Angeles	West	Latinx	Male	1997		Died on Death Row	Died on Death Row

The **Race** field shows the race of the defendant. The options displayed are White, Black, Latinx, Asian, American Indian or Alaska Native, Pacific Islander, Other Race, and Unknown. If the defendant is multiracial, races are separated by a comma. While the Census Bureau considers Middle Eastern people as "White," DPIC classifies Middle Eastern defendants as "Other." DPIC has chosen to include Latinx in race, rather than separating race and ethnicity as the United States Census Bureau does.

vi. Gender

<u>Name</u>	State / Jurisdiction	County / Federal District	Region*	<u>Race</u>	Gender	<u>/ear of Death</u> Sentence	Multi-Sentence Identifier	Outcome of Death Sentence	Current Case Status
Angelina Rodri	guez California	Los Angeles	West	Latinx	Female	2004	1.1	Resentenced to Death	Active Death Sentence

The **Gender** field shows the gender identity of the defendant. Only two options are currently in use: Male and Female. Additional gender categories will be added as necessary.

Note: The Death Penalty Census does not specify if someone is transgender (including in cases where the person's gender identity was understood differently at the time of trial). Instead, the dataset indicates the current gender identity for each person.

vii. Year of Death Sentence



The **Year of Death Sentence** field is the year in which the death sentence was formally imposed by a judge, with one exception. In Pennsylvania, this field lists the year in which the jury rendered a death verdict, not the formal judge-imposed sentence year (In Pennsylvania, the jury's verdict is final, and in some instances, judges took years before formally pronouncing a sentence).

viii. Multi-Sentence Identifier



The **Multi-Sentence Identifier** field is used to describe circumstances in which an individual was sentenced to death more than once. The field identifies 1) cases in which a defendant was sentenced and resentenced to death in a single criminal proceeding and 2) instances in which the same defendant was sentenced to death in multiple unrelated proceedings. This field is left blank when a listed sentence is the only death sentence imposed on the defendant.

The database uses a system of two numbers separated by a period to identify proceedings involving defendants with multiple sentences. For examples of the multisentence identifier, see below.

[Case affiliated with this sentence]. [where this sentence fits among the succession of sentences in the case]

The number before the period represents the case, or the proceeding against the defendant for a specific criminal act (or set of criminal acts if those acts were all tried in a single proceeding by the prosecuting authority). The number after the period represents the succession of death sentences in a case.

Example 1.

<u>Name</u>	State / Jurisdiction	County / Federal District	Region*	Race	<u>Gender</u>	Year of Death Sentence	Multi-Sentence Identifier	Outcome of Death Sentence	Current Case Status
Noe Beltran	Texas	Willacy	South	Latinx	Male	1981	1.1	Resentenced to Life or Less	Resentenced to Life or Less
Noe Beltran	Texas	Walker	South	Latinx	Male	1989	2.1	Resentenced to Life or Less	Resentenced to Life or Less

Consider Noe Beltran, who was first sentenced to death in Willacy County, Texas, for one criminal act, and then separately sentenced to death in Walker County, Texas, for a different criminal act. In the database, Noe Beltran's Willacy County sentence lists "1.1" in the Multi-Sentence Identifier field, because it is the first sentence in the first case. The Walker County sentence lists "2.1" in the Multi-Sentence Identifier field, because it is the first sentence in the second case.

Example 2.

<u>Name</u>	State / Jurisdiction	County / Federal District	Region*	Race	Gender	Year of Death Sentence	Multi-Sentence Identifier	Outcome of Death Sentence	Current Case Status
John Booth	Maryland	Baltimore City	South	Black	Male	1984	1.1	Resentenced to Death	Resentenced to Life or Less
John Booth	Maryland	Baltimore City	South	Black	Male	1988	1.2	Resentenced to Death	Resentenced to Life or Less
John Booth	Maryland	Baltimore City	South	Black	Male	1990	1.3	Resentenced to Life or Less	Resentenced to Life or Less

As another example, consider John Booth, who was sentenced to death in Maryland in 1984 for a criminal act and subsequently resentenced in 1988 and again in 1990 for the same criminal act. In the database, Booth's 1984 sentence lists "1.1" in the Multi-Sentence Identifier field, because it is the first sentence in Booth's first case. Booth's 1988 sentence lists "1.2" in the Multi-Sentence Identifier field, because it is the second sentence in the first case. And Booth's 1990 sentence lists "1.3" in the Multi-Sentence Identifier field, because it is the third sentence in the first case.

An exception to this system is made in the extremely rare instance in which a defendant has multiple proceedings across jurisdictions for the same act. If there is more than one initial proceeding by a jurisdiction for an act, the first proceeding will be indicated with an 'a', the second with a 'b', etc. For example, consider Timothy Hennis, who was sentenced to death in North Carolina for a criminal act and then sentenced to death again in the U.S. Military for the same criminal act. The Multi-Sentence Identifier field for the first, North Carolina proceeding is "1a.1." The Multi-Sentence Identifier field for the second, U.S. Military proceeding is "1b.1."

<u>Name</u>	State / Jurisdiction	County / Federal District	Region*	Race	<u>Gender</u>	Year of Death Sentence	Multi-Sentence Identifier	Outcome of Death Sentence	<u>Current Case Status</u>
Timothy Bailey Hennis	North Carolina	Cumberland	South	White	Male	1986	1a.1	Acquitted, Convicted and Sentenced to Death in Another Jurisdiction	Acquitted, Convicted and Sentenced to Death in Another Jurisdiction
Timothy Bailey Hennis	U.S. Military	Army	South	White	Male	2010	1b.1	Active Death Sentence	Active Death Sentence

ix. Outcome of Death Sentence

<u>Name</u>	State / Jurisdiction	County / Federal District	Region'	Race	Gender	Year of Death Sentence	Multi-Sentence Identifier	Outcome of Death Sentence	Current Case Status
Sylvester Adams	South Carolina	York	South	Black	Male	1980	1.1	Resentenced to Death	Executed
Sylvester Adams	South Carolina	York	South	Black	Male	1982	1.2	Executed	Executed
Rickie Tim Caldwell	South Carolina	York	South	White	Male	1988		Resentenced to Life or Less	Resentenced to Life or Less
Bobby Lee Holmes	South Carolina	York	South	Black	Male	1993	1.1	Resentenced to Death	Resentenced to Life or Less
Bobby Lee Holmes	South Carolina	York	South	Black	Male	2001	1.2	Resentenced to Life or Less	Resentenced to Life or Less
Mar-Reece A. Hughes	South Carolina	York	South	Black	Male	1995		Active Death Sentence	Active Death Sentence

The **Outcome of Death Sentence** field displays the current status of that particular death sentence. Options are outlined in the Sentence Outcomes and Case Status Descriptions list in section 3.B.

x. Current Case Status

<u>Name</u>	State / Jurisdiction	County / Federal District	Region	Race	Gender	Year of Death Sentence	Multi-Sentence Identifier	Outcome of Death Sentence	Current Case Status
Sylvester Adams	South Carolina	York	South	Black	Male	1980	1.1	Resentenced to Death	Executed
Sylvester Adams	South Carolina	York	South	Black	Male	1982	1.2	Executed	Executed
Rickie Tim Caldwell	South Carolina	York	South	White	Male	1988		Resentenced to Life or Less	Resentenced to Life or Less
Bobby Lee Holmes	South Carolina	York	South	Black	Male	1993	1.1	Resentenced to Death	Resentenced to Life or Less
Bobby Lee Holmes	South Carolina	York	South	Black	Male	2001	1.2	Resentenced to Life or Less	Resentenced to Life or Less
Mar-Reece A. Hughes	South Carolina	York	South	Black	Male	1995		Active Death Sentence	Active Death Sentence

The **Current Case Status** field displays the current outcome of the court proceedings for a specific criminal incident for which the defendant was sentenced to death. A case is defined as a charge or set of charges that are tried together in a single criminal proceeding. Because some individuals whose convictions or death sentences are reversed on appeal are later resentenced to death on the same charges in retrial or resentencing proceedings, there can be multiple death sentences affiliated with a single case.

Each time a defendant is sentenced to death the outcome of that death sentence, as reflected in the outcome of sentence field, will differ. The current case status field will display the final outcome of the court proceedings related to those charges.

For a person who is sentenced to death only once, the outcome of that death sentence will be the same as the Current Case Status. For a person sentenced to death multiple times for a single criminal act, the Current Case Status will reflect the outcome of the final death sentence imposed in that case.

Options are outlined in the Sentence Outcomes and Case Status Descriptions list in section 3.B.

B. Sentence Outcomes and Case Status Descriptions

Below is a chart depicting the Outcome of Death Sentence options and the Current Case Status options. The options are the same for both fields. The sentence outcome is the current status of a death sentence listed in the Death Penalty Census, as of January 1, 2021. The case status is the status of the death sentence most recently imposed in a case. The Current Case Status and Outcome of Death Sentence will always match when the sentence is the last in a case or the only sentence in a case.

Outcome of Death Sentence or Current Case Status options	Definition
Acquitted, Convicted and Sentenced to Death in Another Jurisdiction	Acquitted on retrial. The defendant was tried for the same incident in another jurisdiction under the <u>separate sovereigns</u> <u>doctrine</u> , and was convicted and sentenced to death.
Acquitted, Convicted and Sentenced to Life or Less in Another Jurisdiction	Acquitted on retrial. The defendant was tried for the same incident in another jurisdiction under the separate sovereigns doctrine and was convicted and sentenced to life or less.
Acquitted, Subject to Trial in Another Jurisdiction	Court vacated conviction on jurisdictional grounds; the defendant is subject to trial in another jurisdiction.
Active Death Sentence	As an Outcome of Death Sentence option: The defendant is still on death row for this sentence, as of the date of the latest Death Penalty Census update. As a Current Case Status option: The defendant is still on death row for this case, as of the date of the latest Death Penalty Census update.
Conviction Voided, Subject to Trial in Another Jurisdiction	Court vacated conviction on jurisdictional grounds; the defendant is subject to trial in another jurisdiction.
Conviction Voided, Convicted and Sentenced to Death in Another Jurisdiction	Court vacated conviction on jurisdictional grounds; the defendant was sentenced to death in another jurisdiction.
Conviction Voided, Convicted and Sentenced to Life or Less in Another Jurisdiction	Court vacated conviction on jurisdictional grounds; the defendant was sentenced to life or less in another jurisdiction.
Died Pending Retrial or Resentencing	After receiving a final grant of guilt or penalty relief, the defendant died prior to a retrial or resentencing.

Died on Death Row	While serving an active death sentence, or receiving a non-
Died on Death Now	final grant of relief, the defendant died. DPIC has attempted
	to track deaths by suicides. However, because DPIC's record
	of suicides is not comprehensive, it is kept internally.
Fyeauted	
Executed	The defendant was executed by the state/jurisdiction in which
	they were serving a death sentence.
Executed by a	A defendant with active death sentences in more than one
Different State	jurisdiction was executed for a different crime committed in a
	different jurisdiction than the current entry.
Executed for a	A defendant with multiple death sentences in the same state
Different Crime	was executed for a different crime prosecuted in a trial other
	than the current entry.
Exonerated	The defendant was exonerated for the current entry. DPIC
	defines exoneration as follows: either a) the defendant's
	conviction was overturned and the defendant was acquitted
	at re-trial or all charges were dropped, or b) the defendant
	was given an absolute pardon by the governor based on new
	evidence of innocence.
Grant of Relief (Never	The defendant's conviction was overturned, and they have
Retried)	never been retried.
Grant of Relief	The defendant's conviction, or death sentence, was
(Retrial/Resentencing	overturned and the grant of relief became final when the
Pending)	prosecution stipulated to relief, declined to appeal, or the
	decision granting relief was affirmed or appellate review was
	denied by the highest relevant court and the defendant has
	not yet been retried.
	Defendants awaiting retrial are pre-trial detainees.
	Defendants awaiting resentencing are prisoners without
	sentences.
Grant of Relief (Relief	The defendant's death sentence or conviction was
Not Final)	overturned, but appeal remains active or available to the
	state.
No Longer on Death	The defendant is no longer on death row but DPIC has been
Row (Reason	unable to determine how the defendant was removed from
Undetermined)	death row.
Not Guilty by Reason	Upon retrial, the defendant was found not guilty by reason of
of Insanity	insanity.
Resentenced to Death	The defendant received a death sentence upon retrial from an
Mesentenced to Death	original death sentence.
December and to life and	
Resentenced to Life or	The defendant received a non-death sentence upon retrial or
Less	resentencing. This includes sentences to life without parole,
	life with the possibility of parole, and a term of years.

Retrial Barred	Court barred the defendant's retrial in circumstances that do not qualify for an exoneration.
	. ,
Sentence Commuted	A death sentence that has been commuted by executive
	action. This includes sentences commuted to life without
	parole, life with the possibility of parole, or a term of years.
Sentence Commuted	A death sentence that has been commuted by a governor or
(Administrative)	state to implement a court decision that declared the use of
	the death penalty unconstitutional for particular types of
	crimes or classes of defendants. This includes sentences
	commuted to life without parole, life with the possibility of
	parole, or a term of years.

4. Methodology

A. Summary

The database was first compiled from pre-existing DPIC datasets as well as data from death-penalty researchers Frank Baumgartner, Brandon Garrett, Ben Cohen, and numerous others. From there, DPIC found additional missing sentences using various sources, including 40 years of Death Row USA reports by the NAACP Legal Defense and Educational Fund, Inc., now known as the Legal Defense Fund, or LDF.

DPIC verified sentences systematically by state, then systematically nationwide. Additional research was conducted to confirm sentence information and uncover missing sentences. The major sources for this research are listed and were supplemented using news sources where necessary. DPIC resolved conflicts between data sources with preference given to DPIC data.

B. Death Penalty Census Compilation

The Death Penalty Census dataset was initially compiled in three stages. First, DPIC staff combined data from the datasets listed below. A significant number of sentences were documented in multiple datasets. These duplicate sentences were combined into a single entry.

- DPIC's Execution Database
- DPIC's 2012-2018 Death Sentence Tracking dataset
- DPIC's Exoneration Database
- DPIC's Clemency Database
- DPIC's 2013 Death Row dataset (based on the LDF's Death Row USA from 2013)
- The dataset affiliated with the 2017 article "The Predictable Disarray: Ignoring the Jury in Florida Death Penalty Cases" by Ben Cohen, a lawyer then working with the Capital Appeals Project in New Orleans.
- The 2011 Database of US Executions, compiled by Frank Baumgartner, a professor at University of North Carolina at Chapel Hill.
- The dataset affiliated with "End Of Its Rope," a book by Duke University Law School professor and DPIC board member Brandon Garrett. This dataset covers sentences from 1991 to 2017.

In the second stage, DPIC staff compared the newly compiled dataset against the Bureau of Justice Statistics' <u>Capital Punishment</u> series to uncover missing sentences. Because BJS data can be inaccurate from state to state, the resource was used only as a rough guide. Still, the comparison confirmed that the initial draft captured about 60% of sentences.

In the third stage, DPIC staff uncovered the approximately 40% of missing sentences through research. Most information came from the LDF's Death Row USA reports. However, DPIC staff also used various additional academic, governmental, and newsmedia lists. Staff also looked at defense and prosecutor websites, various blogs, and message boards to identify additional reliable sources such as news articles and court opinions.

Most commonly, DPIC turned to the following:

- Department of Corrections (or equivalent) websites: the majority of states had a
 list of death row prisoners posted online, with several states having a list of
 prisoners who were no longer on death row for a reason other than execution.
 Additionally, prisoner locators could be used to find out the case status and
 history of prisoners who had already been included in the database. These
 sources were treated as reliable and were accepted unless there was a conflict.
- Justia, Lexis: these sites were used to find judicial opinions in death penalty appeals. These sources were considered to be highly reliable.

C. Verification Process

i. Initial Verification

The original sources (listed in section 2.B) were verified to ensure accuracy. DPIC-created datasets (covering executions, clemencies, and exonerations) were assumed to be correct and were not verified by external sources unless a conflict arose. Additionally, because DPIC has worked for years with data from DRUSA, a trusted decades-old resource, information from this data source was assumed to be correct and not verified by external sources unless a conflict arose.

Often conflicts were due to clerical errors or differences in methodology. In extremely rare instances, there were datapoints that had two equally weighted sources providing conflicting information. Where this occurred, researchers would attempt to resolve the inconsistency using an additional, non-referential source and, when not possible, would flag the entry for executive-level review.

ii. State-by-State Verification

Following the completion of the initial round of verification, a state-by-state verification was undertaken, in which a randomly selected number of death sentences from each state was completely re-researched. At least 10% of cases in each state received some form of review.

If staff identified a certain level of error during the first state-level review, more death sentences were reviewed. In these instances, staff reviewed more death sentences.

If staff identified critical errors during the second state-level review, a systemic review of the entire state was conducted. For a small state (50 or fewer total sentences), every sentence was reviewed and verified to ensure that there was no overarching issue. In a state with a larger number of sentences, where it would have been time prohibitive to conduct a complete review, DPIC obtained information from government sources and state-level organizations involved in the death penalty and compared it to death sentences in the Death Penalty Census.

iii. Nationwide Verification Process

After reviewing the data in individual states, DPIC staff conducted various "global checks" of the data. First, DPIC compared data to various, updated DPIC datasets and reports that routinely track changes in the death penalty. This comparison included checking the Death Penalty Census against the following:

- Capital Case Roundups posts on DPIC's website
- Year-end reports
- DPIC's various pages on innocence and the death penalty
- DPIC's Clemency database
- DPIC's internal spreadsheet tracking new death sentences
- DPIC's internal spreadsheet tracking prosecutorial misconduct in death penalty cases
- Various high-profile cases discussed in DPIC's regular What's News series.

Next, DPIC staff conducted a "same name" check. Throughout the Death Penalty Census, several defendant names appear multiple times: Some defendants have multiple sentences, and some defendants have the same name as others sentenced to death. This verification check helped ensure sentences were not duplicated. It was also essential for linking individuals to multiple sentences, especially when a person was sentenced to death in more than one state.

5. Acknowledgments

The Death Penalty Census is the culmination of years of work by present and past Death Penalty Information Center staff, including data fellows Seth Rose, Will McConnell, Patrick Geiger, Steven Czarnecki, and Aimee Breaux; law fellows Michael Bartholomew and Brandon Heath; Executive Director Robert Dunham, Deputy Director Ngozi Ndulue, Managing Director Anne Holsinger, Digital Director Dane Lindberg, Communications and Resource Specialist Chloe Madvig, and former Director of Research and Special Projects Robin Konrad. DPIC would like to extend a special thanks to past DPIC interns for their tireless work verifying death sentence data.

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