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No race bias seen in death penalty demand

By Hari Krishnan

A study by the Rand Corp. think tank failed to find racial bias among U.S. federal prosecutors seeking the death penalty in criminal cases.

The study by the Santa Monica, Calif.-based group examined the files of 652 defendants charged with capital offenses between Jan. 1, 1995 and July 31, 2000. Rand said it was one of the most thorough examinations ever of federal death penalty prosecutions.

The study also said the findings do not relate to defendants prosecuted before or after the study period, or to defendants prosecuted in state courts.

The researchers found the characteristics of the crime -- and not the racial characteristics of either the defendant or the victim -- could be used to make accurate predictions of whether federal prosecutors would seek the death penalty. It said the likelihood of a death penalty request rose for murders that were particularly heinous.

"Our findings support the idea that race was not a factor in the decision to seek the death penalty once we adjusted for the circumstances of the crime," Rand's Stephen Klein said. "We were surprised by how well we could predict the decision to seek the death penalty based on the nature of the crime."



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