

**Arizona First-degree Murder Cases
Summary of 1995–1999 Indictments:
Data Set II Research Report to
Arizona Capital Case Commission**

Submitted by

**The Center for Urban Inquiry
College of Public Programs
Arizona State University**

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**In Consort with the Research Subcommittee
of Arizona Capital Case Commission**

**The Honorable Michael Ryan, Dr. John Stookey,
Mr. Rick Unklesbay and Attorney General Janet Napolitano**

June 2002

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Introduction

The Attorney General's Capital Case Commission was formed in recognition of the need for a comprehensive study of the death penalty process in Arizona. The Commission has four subcommittees: three examine specific parts of the death penalty litigation process (Pre-Trial Issues, Trial Issues, and Direct Appeal/Post-Conviction Relief Issues) and the Data/Research Subcommittee is responsible for compiling data and providing statistical analyses to the Commission.

This report focuses on the first-degree murder indictments in Arizona during the five-year period, 1995–1999. County attorneys indicted 971 individuals for first-degree murder, and at least partial data were available and gathered for all of those individuals. Researchers gathered data from files provided by the clerks of the court in the counties, including information on indictment and sentencing, time intervals, co-defendants, and defendant characteristics. Researchers also searched for additional information on prior criminal record, type of defense counsel, mental/behavior health issues, and victim information.

Data Set II discloses the alternative paths taken by first-degree murder indictment cases. This report focuses on those whose cases have been death noticed, the 381 cases or 39.2 percent of the 971 indicted. Slightly more than one-half of the death-noticed cases (195 of 381 or 51.2%) proceed to trial; and 73 percent of those trials (143 of 195) result in a first-degree murder conviction. One-fifth of the death-noticed defendants who are convicted of first-degree murder at trial are sentenced to death (29 of 143 or 20.3%). In the five-year period under study, two additional individuals were sentenced to death after pleading guilty to first-degree murder. The 31 death sentence cases are in the early stages of appeal. To date, 13 (41.9%) of the death sentences have been affirmed by the Arizona Supreme Court, 1 (3.2%) has been reversed, and 17 (54.8%) are pending.

Acknowledgments

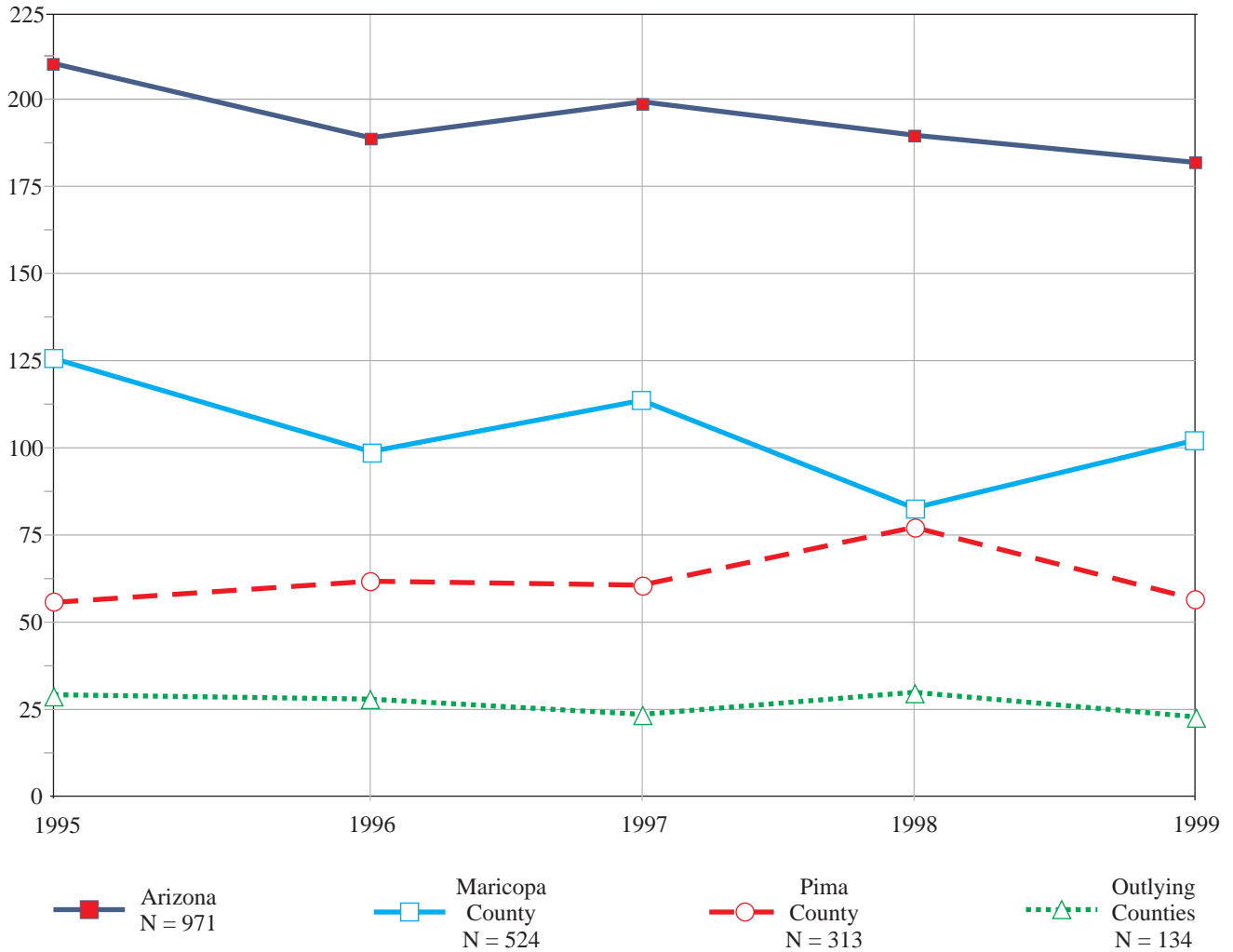
We are deeply grateful to the many individuals who have made major contributions to the research endeavor. These include researchers and staff in the **Center for Urban Inquiry** and **College of Public Programs** at Arizona State University: Geri Pavlick, Janet Soper, Cyndee Coin, Mary Fran Draisker, Jolan Hsieh, and Anne Schneider; research associates and assistants, Cory Gonzales, Rebeca Hoeffler, Shankar Natarajan, Carlos Posadas, and Rashad Shabazz. We are especially indebted to Research Associates Kathy McCaghren and Bin Liang who have been the mainstay of the data gathering, entry and analysis.

Community members also provided major support in the data gathering process. These include: **Apache County Clerk of the Court's Office**, Sue Hall and Jana Mangum; **Cochise County Clerk of the Court's Office**, Denise Lundin and Edie Valencia; **Coconino County Clerk of the Court's Office**, Debbie Young and Julie Carlson; **Coconino County Attorney's Office**, Robin Boldizar; **Gila County Clerk of the Court's Office**, Margaret Toot; **Graham County Clerk of the Court's Office**, Darlee Maylen; **Greenlee County Clerk of the Court's Office**, Cheryl Bowen; **La Paz County Clerk of the Court's Office**, Sheri Newman; **Maricopa County Clerk of the Court's Office**, Michael Jeanes, Aurora Avina, Ed Morris, Linda Samson, and Carol Schreiber; **Maricopa County Superior Court**, Mary Byrnes, Gordon Griller, and John Reynolds; **Maricopa County Attorney's Office**, Paul Ahler, Jason Bauer and Paul McMurdie; **Mohave County Clerk of the Court's Office**, Verlynn Tinnell; **Mohave County Attorney's Office**, James Zack; **Navajo County Clerk of the Court's Office**, Juanita Mann; **Pima County Pretrial Services**, Kim Holloway and Rick Peck; **Pima County Attorney's Office**, Rick Unklesbay and Hilario Ochoa (**Victim Witness Program**); **Pima County Clerk of the Court's Office**, Patty Noland and Keith Ylvisaker; **Pinal County Clerk of the Court's Office**, Alma Jennings Haught

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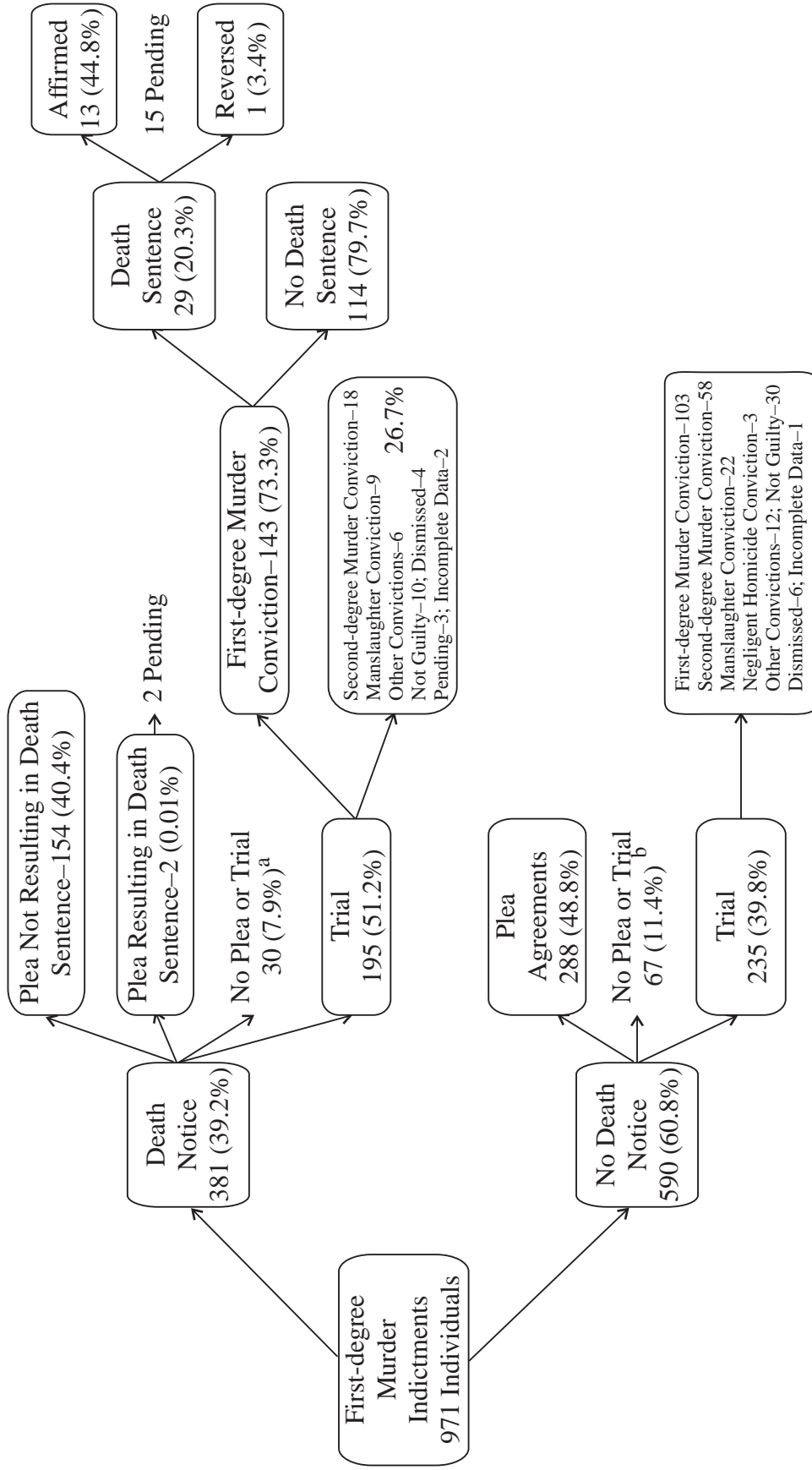
and Sandy Kay; **Santa Cruz County Clerk of the Court's Office**, Delfina Bauch and Martha Morales; **Yavapai County Clerk of the Court's Office**, Jeanne Hicks; **Yuma County Clerk of the Court's Office**, Beverley Frame and Jim Monk; the **Arizona Attorney General's staff**, Diane Saunders, Scott Bales, Dennis Burke, Kent Cattani, Patrick Cunningham, and Tim Geiger; **Arizona Supreme Court**, Donna Hallam; and **Arizona State Department of Corrections**, Daryl Fischer.

Exhibit 1. Number of Individuals Indicted for First-degree Murder in Arizona, 1995–1999^a



^aFrom 1995 to 1999, Maricopa County accounted for almost 59% of Arizona’s population and 54% of the first-degree murder indictments. Pima County accounted for 17% of the population and 32% of indictments. The outlying counties accounted for 24% of the population and 14% of the indictments.

Exhibit 2. Processing of Arizona First-degree Murder Indictments, 1995–1999



^aIncludes 11 dismissed without prejudice, 1 dismissed with prejudice, 1 dismissed-defendant executed prior to this indictment prosecution, 13 pending, 2 incompetent to stand trial, 1 abscond before sentencing, and 1 incomplete data.

^bIncludes 46 dismissed without prejudice, 4 dismissed with prejudice, 1 defendant suicide, 2 defendants died, 11 pending, 2 outstanding arrest warrant, and 1 incomplete data.

Note: A flowchart for each county is presented in Appendix A, beginning on page 40.

Exhibit 3. County Comparison: Processing of First-degree Murder Indictments, 1995–1999

	Maricopa County	Pima County	Outlying Counties	Arizona
First-degree Murder Indictments	N=524	N=313	N=134	N=971
Death Notice Cases (% of First-degree Murder Indictments)	230 43.9%	97 31.0%	54 40.3%	381 39.2%
Death Notice Trials (% of Death Notice Cases)	106 46.1%	57 58.8%	32 59.3%	195 51.2%
Death Notice Trials with Lesser Included Offense Convictions ^a (% of Death Notice Trials)	13 12.3%	9 15.8%	5 15.6%	27 13.8%
Death Notice Trials with First-degree Murder Convictions (% of Death Notice Trials)	75 70.8%	42 73.7%	26 81.3%	143 73.3%
Death Sentences after Trial (% of Death Notice Cases with First-degree Murder Conviction after Trial)	11 14.7%	11 26.2%	7 26.9%	29 20.3%
Death Sentences after Plea Agreements (% of Death Sentences)	2 15.4%	—	—	2 6.5%
No Death Notice Cases (% of First-degree Murder Indictments)	294 56.1%	216 69.0%	80 59.7%	590 60.8%
No Death Notice Trials with First-degree Murder Convictions (% No Death Notice Trials)	47 45.2%	42 41.2%	14 48.3%	103 43.8%
No Death Notice Trials with Lesser Included Offense Convictions (% No Death Notice Trials)	35 33.7%	37 36.3%	11 37.9%	83 35.3%
Not Guilty All Indictment Counts (% Indictments)	21 4.0%	18 5.8%	1 0.7%	40 4.1%

^aThese are convictions for second-degree murder, manslaughter, and negligent homicide.

**Exhibit 4. Most Serious Convictions Resulting from
Arizona First-degree Murder Indictments, 1995–1999**

	Number and % of Total N=874 ^a	Death Notice Cases N=381 ^b		No Death Notice Cases N=590 ^c	
		Trial N = 195	Plea N = 156	Trial N = 235	Plea N = 288
Most Serious Conviction					
First-degree Murder	322 36.8%	143	61	103	15
Lesser Included Offenses:					
Second-degree Murder	237 27.1%	18	49	58	112
Manslaughter	129 14.8%	9	17	22	81
Negligent Homicide	13 1.5%	—	1	3	9
Attempted Second-degree Murder	1 0.1%	—	—	—	1
Attempted Manslaughter	1 0.1%	—	—	—	1
Other Offenses	110 12.6%	6	26	12	66
Other Outcome					
Not Guilty — All Indictment Counts	40 4.6%	10	—	30	—
Dismissed	11 1.3%	4	—	6	1
Pending	5 .06%	3	1	—	1
Incomplete Data	5 .06%	2	1	1	1

^aThere are 97 cases with no plea or trial. See notes below.

^bThere are 30 Death Notice cases with no plea or trial. Includes 11 dismissed without prejudice, 1 dismissed with prejudice, 1 dismissed—defendant executed prior to this indictment prosecution, 13 pending, 2 incompetent to stand trial, 1 abscond before sentencing, and 1 incomplete data.

^cThere are 67 No Death Notice cases with no plea or trial. Includes 46 dismissed without prejudice, 4 dismissed with prejudice, 1 defendant suicide, 2 defendants died, 11 pending, 2 outstanding arrest warrant, and 1 incomplete data.

**Exhibit 5. County Comparison: Most Serious Convictions
Resulting from First-degree Murder Indictments, 1995–1999**

	Maricopa County N = 524	Pima County N = 313	Outlying Counties N = 134	Arizona N = 971
Most Serious Conviction				
First-degree Murder	171 32.6%	95 30.4%	56 41.8%	322 33.2%
Lesser Included Offenses:				
Second-degree Murder	152 29.0%	57 18.2%	28 20.9%	237 24.4%
Manslaughter	71 13.5%	43 13.7%	15 11.2%	129 13.3%
Negligent Homicide	3 0.6%	10 3.2%	—	13 1.3%
Attempted Second-degree Murder	—	—	1 0.7%	1 0.1%
Attempted Manslaughter	—	1 0.3%	—	1 0.1%
Other Offenses	36 6.9%	60 19.2%	14 10.4%	110 11.3%
Other Outcome				
Not Guilty — All Indictment Counts	21 4.0%	18 5.8%	1 0.7%	40 4.1%
Dismissed	39 7.4%	25 8.0%	13 9.7%	77 7.9%
Pending	23 4.4%	2 0.6%	4 3.0%	29 3.0%
Incompetent to stand trial	2 0.4%	—	—	2 0.2%
Absconded before sentencing	—	1 0.3%	—	1 0.1%
Outstanding arrest warrant	—	—	2 1.5%	2 0.2%
Incomplete Data	6 1.1%	1 0.3%	—	7 0.7%

**Exhibit 6. Detailed Sentence Outcomes by Trial and Plea Agreement for
Death Noticed Individuals Convicted of First-degree Murder:
Arizona First-degree Murder Indictments, 1995–1999**

First-degree Murder Convictions N = 204 Individuals ^a	Sentence	
	Trial ^b	Plea Agreement ^c
6 counts of first-degree murder (2 individuals)	2 = 6 death sentences	None
4 counts of first-degree murder + 1 count attempted first-degree murder (1 individual)	1 = 4 natural life sentences + 9 years	None
3 counts of first-degree murder (6 individuals)	3 = 3 death sentences 2 = 2 death sentences + natural life 1 = 3 natural life sentences	None
2 counts of first-degree murder + 1 count attempted first-degree murder (1 individual)	1 = natural life + 25 years to life + 22 years	None
2 counts of first-degree murder (19 individuals)	3 = 2 death sentences 6 = 2 natural life sentences 5 = 2 sentences of 25 years to life 1 = Natural life + 25 years to life <i>concurrently</i>	None 3 = 2 natural life sentences 1 = 2 sentences of 25 years to life None
1 count of first-degree murder + 1 count of second-degree murder (4 individuals)	2 = natural life sentence + 22 years 1 = natural life sentence + 20 years 1 = sentence of 25 years to life + 22 years	None
1 count of first-degree murder + 1 count of attempted first-degree murder (3 individuals)	1 = natural life sentence + 21 years None	None 2 = natural life sentences + 10.5 years None
1 count of first-degree murder + 1 count of attempted second-degree murder (1 individual)	1 = natural life sentence + 21 years	None
1 count first-degree murder (147 individuals)	19 = death sentences 41 = natural life sentences ^d 5 = sentences of 35 years to life 32 = sentences of 25 years to life	2 = death sentences 26 = natural life sentences ^d None 22 = sentences of 25 years to life ^d

^a184 of the 204 convicted individuals have been sentenced. See below for details.

^b128 of the 143 individuals convicted at trial have been sentenced; 14 have sentences pending; and there is 1 with incomplete data.

^c56 of the 61 individuals convicted through plea agreements have been sentenced; 5 have sentences pending.

^dIncludes 1 individual under the supervision of the Psychiatric Security Review Board.

**Exhibit 7. County Comparison of Most Serious Conviction Offense and Sentence for
First-degree Murder Co-defendants of Individuals Sentenced to Death:
First-degree Murder Indictments, 1995–1999**

MARICOPA COUNTY^a

Most Serious Conviction for Co-defendant of Person Sentenced to Death^b		Sentence for Co-defendant of Person Sentenced to Death
First-degree Murder	N = 5	4 = natural life (trials) 1 = 25 years to life (plea)
Second-degree Murder	N = 4	1 = prison sentence of 27.5 years (plea) 1 = prison sentence of 16 years (plea) 1 = prison sentence of 13 years (plea) 1 = prison sentence of 10 years (plea)

^a7 of the 13 individuals sentenced to death had co-defendants also indicted for first-degree murder. 75% of the co-defendants were death noticed (9 of 12); none of those were sentenced to death.

^b2 co-defendants of individuals sentenced to death were tried but not convicted of first-degree murder or lesser included offenses; and there are incomplete data for 1 co-defendant who entered into a plea agreement.

PIMA COUNTY^a

Most Serious Conviction for Co-defendant of Person Sentenced to Death^b		Sentence for Co-defendant of Person Sentenced to Death
First-degree Murder	N = 7	6 = death sentences (trials) 1 = 25 years to life (trial)
Second-degree Murder	N = 2	1 = prison sentence of 22 years (plea) 1 = prison sentence of 16 years (plea)

^a9 of the 11 individuals sentenced to death had co-defendants also indicted for first-degree murder. All of the co-defendants were death noticed (11 of 11); 6 of those were sentenced to death.

^b2 co-defendants of individuals sentenced to death, who entered into plea agreements, were not convicted of first-degree murder or lesser included offenses.

(Exhibit 7 continued)

OUTLYING COUNTIES^a

Most Serious Conviction for Co-defendant of Person Sentenced to Death		Sentence for Co-defendant of Person Sentenced to Death
First-degree Murder	N = 3	2 = death sentences (trials) 1 = 25 years to life (trial)
Manslaughter	N = 1	1 = prison sentence of 10.5 years (plea)

^a3 of the 7 individuals sentenced to death had co-defendants also indicted for first-degree murder. 50% of the co-defendants were death noticed (2 of 4), and both were sentenced to death.

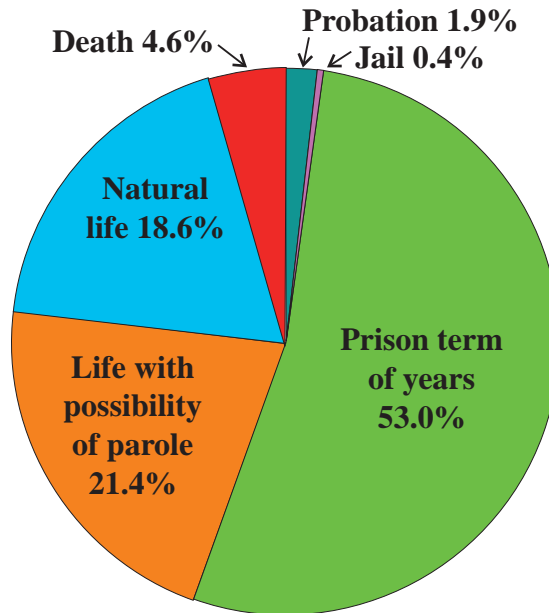
ARIZONA^a

Most Serious Conviction for Co-defendant of Person Sentenced to Death		Sentence for Co-defendant of Person Sentenced to Death
First-degree Murder	N = 15	8 = death sentences (trials) 4 = natural life (trials) 3 = 25 years to life (2 trials, 1 plea)
Second-degree Murder	N = 6	1 = prison sentence of 27.5 years (plea) 1 = prison sentence of 22 years (plea) 2 = prison sentence of 16 years (plea) 1 = prison sentence of 13 years (plea) 1 = prison sentence of 10 years (plea)
Manslaughter	N = 1	1 = prison sentence of 10.5 years (plea)

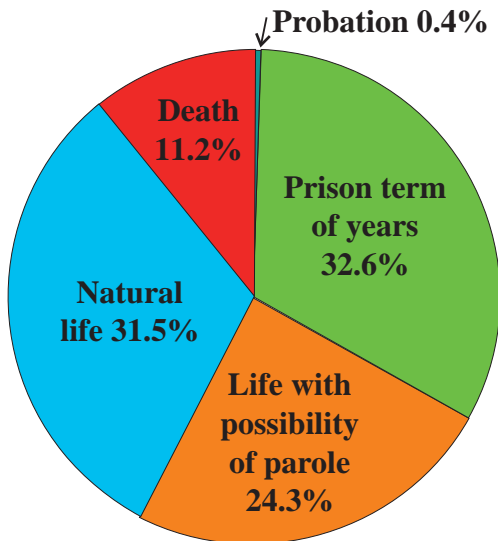
^a19 of the 31 individuals sentenced to death had co-defendants also indicted for first-degree murder. 82% of the co-defendants were death noticed (22 of 27); 8 of those were sentenced to death.

**Exhibit 8. Sentencing Outcomes for Individuals Convicted of
First-degree Murder or Lesser Included Offenses:
Arizona First-degree Murder Indictments, 1995–1999**

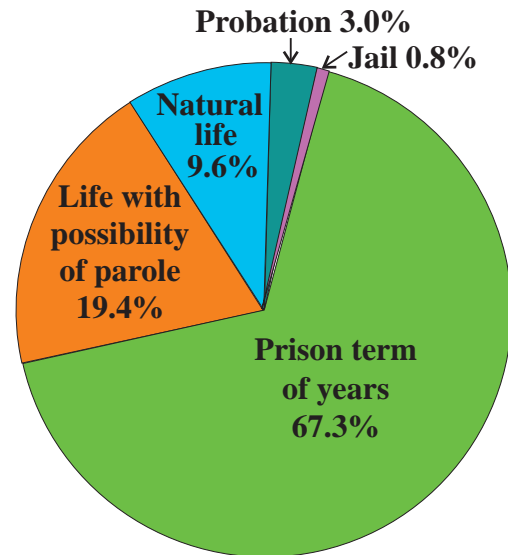
All Cases
N = 673^a



Death Notice Cases
N = 276^b



No Death Notice Cases
N = 397^c



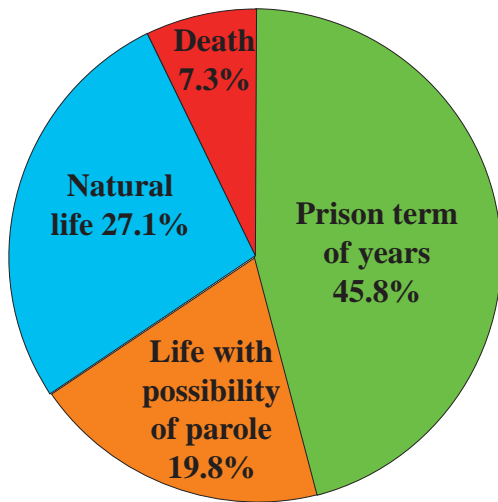
^a673 of the 703 individuals convicted have been sentenced, 26 have sentences pending, 1 was sent to juvenile prison, 1 absconded before sentencing, and there are 2 cases with incomplete data.

^b276 of 298 death notice individuals have been convicted and sentenced, 21 have sentences pending, and there is 1 with incomplete data.

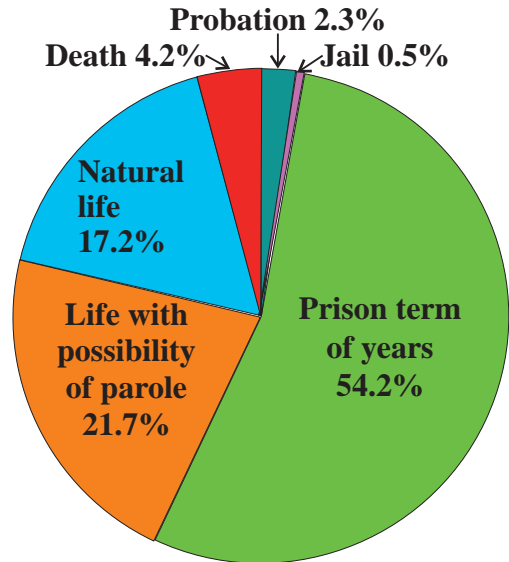
^c397 of the 405 no death notice individuals have been convicted and sentenced, 5 have sentences pending, 1 was sent to juvenile prison, 1 absconded before sentencing, and there is 1 with incomplete data.

**Exhibit 9. County Comparison: Sentencing Outcomes for Individuals
Convicted of First-degree Murder or Lesser Included Offenses
Resulting from First-degree Murder Indictments, 1995–1999^a**

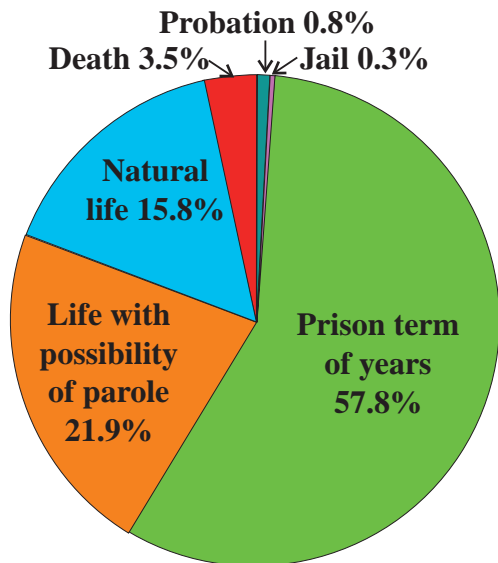
Outlying Counties (N = 96)



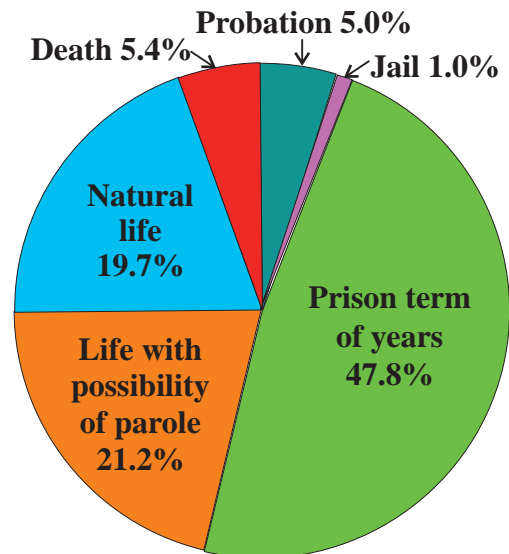
Urban (N = 577)



Maricopa County (N = 374)

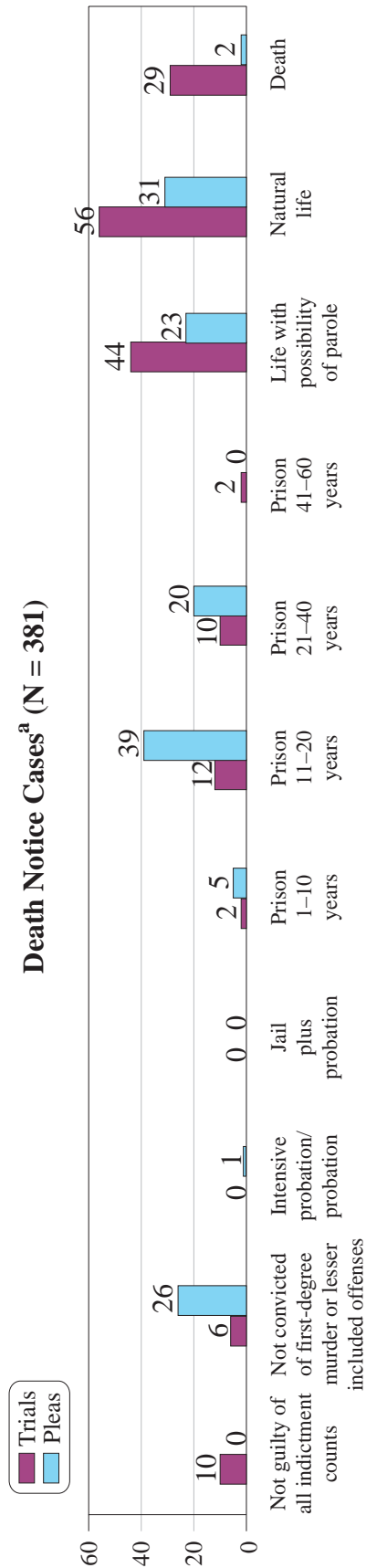


Pima County (N = 203)

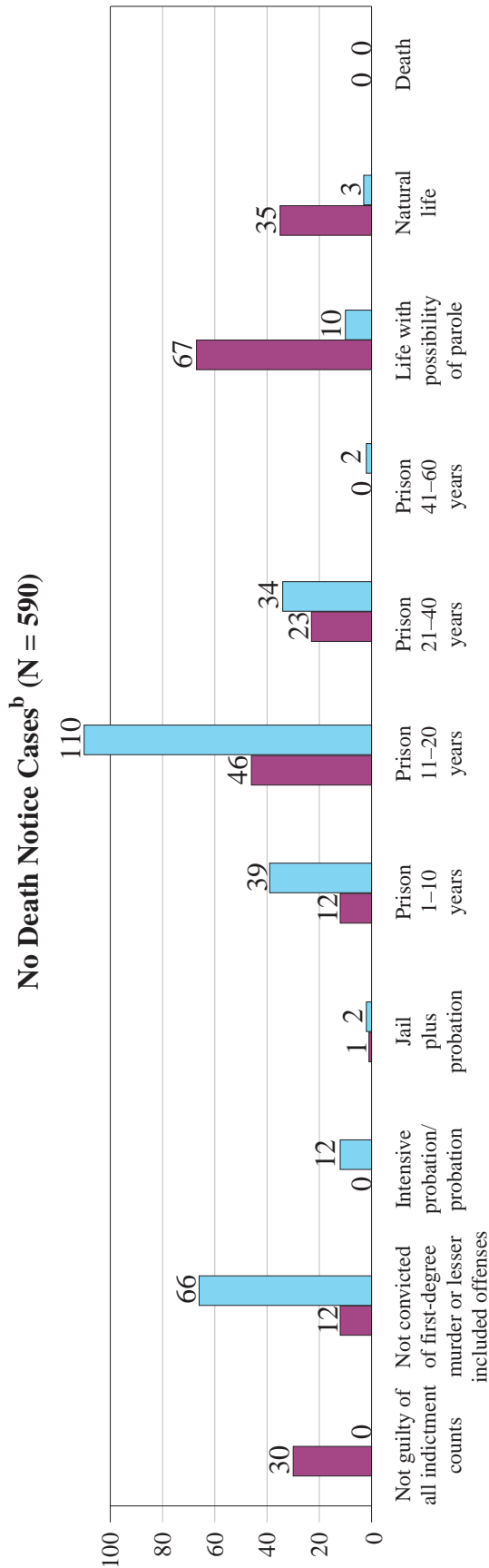


^aFor all of Arizona, 673 of the 703 individuals convicted of first-degree murder have been sentenced, 26 have sentences pending, 1 juvenile was sent to juvenile prison, 1 absconded before sentencing, and there are 2 cases with incomplete data.

Exhibit 10. Trial and Plea Agreement Sentencing Outcomes for Individuals Convicted of First-degree Murder or Lesser Included Offenses: Arizona First-degree Murder Indictments, 1995–1999

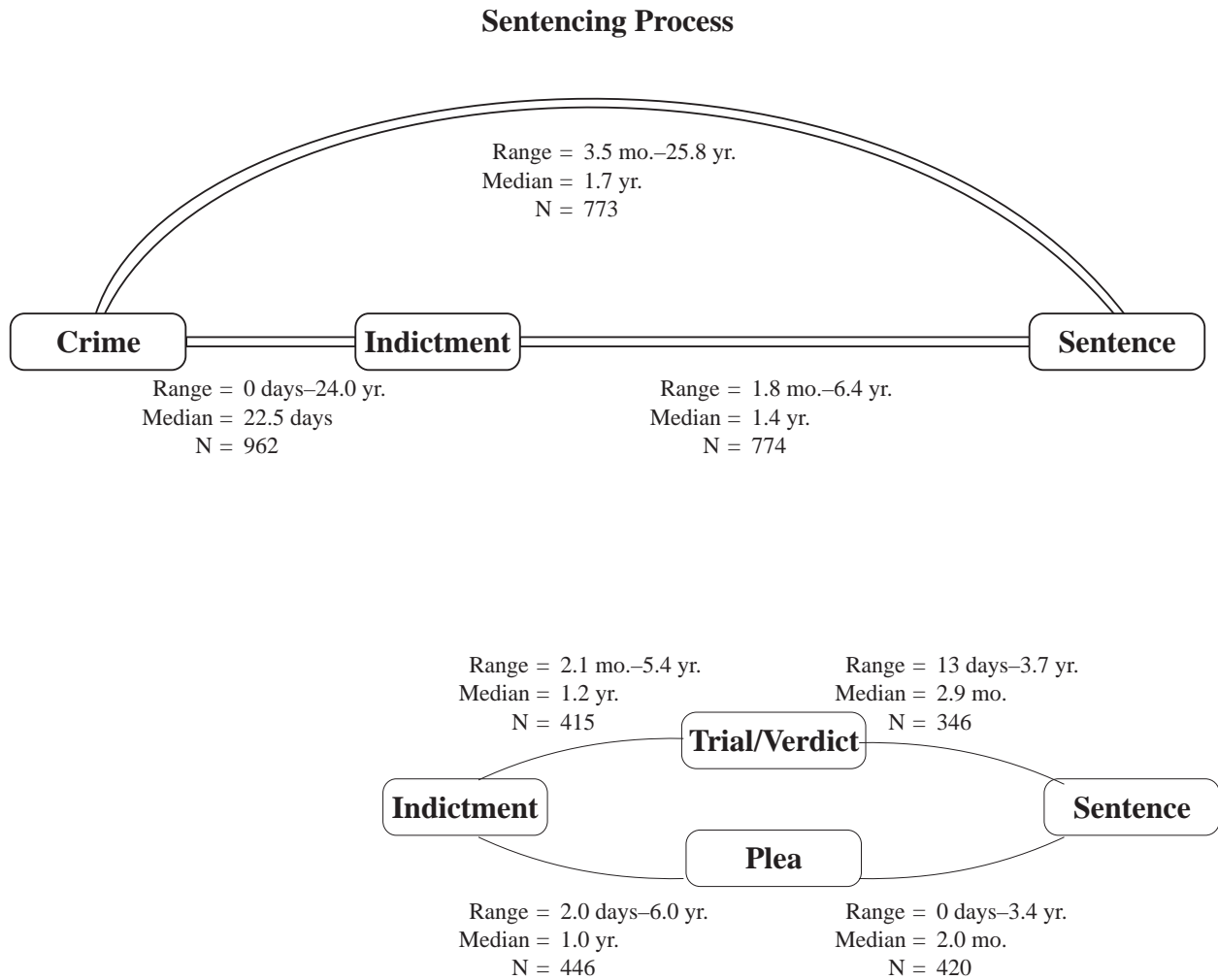


^aOf the 351 death notice cases involving trials or pleas, 25 were pending, 4 were dismissed at trial, and there were 4 with incomplete data. An additional 30 death notice cases have not involved trial or plea. They include 11 dismissed without prejudice, 1 dismissed with prejudice, 1 dismissed–defendant executed prior to this indictment prosecution, 13 pending, 2 incompetent to stand trial, 1 abscond before sentencing, and 1 incomplete data.



^bOf the 523 no death notice cases involving trials or pleas, 1 was sent to juvenile prison, 6 were pending, 7 were dismissed, 1 absconded, and there were 4 with incomplete data. An additional 67 no death notice cases have not involved trial or plea. They include 46 dismissed without prejudice, 4 dismissed with prejudice, 1 defendant suicide, 2 defendants died, 11 pending, 2 outstanding arrest warrant, and 1 incomplete data.

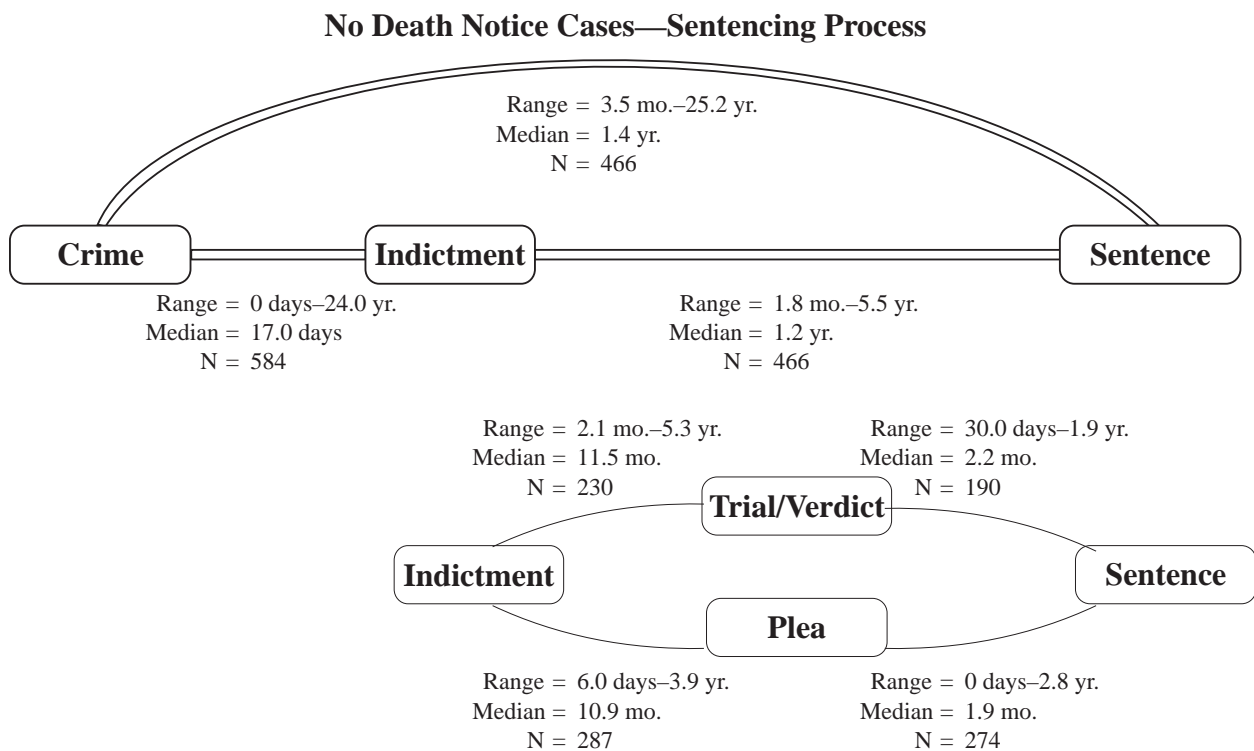
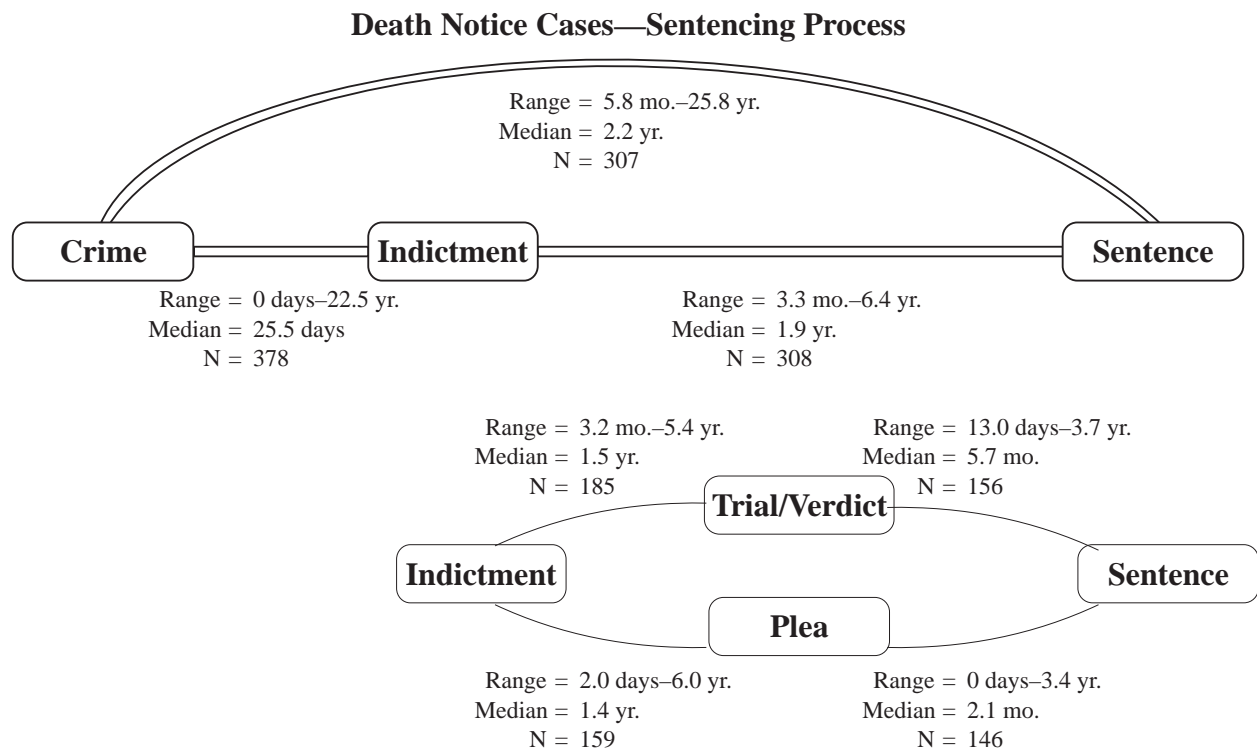
Exhibit 11. Major Time Intervals for Arizona First-degree Murder Indictments, 1995–1999



The median is the middle value in the ranked distribution of values.
The range indicates the lowest to the highest values.

Note: Time intervals for each county are presented in Appendix A, beginning on page 41.

Exhibit 12. Major Time Intervals for Arizona Death Notice Cases and No Death Notice Cases Resulting from First-degree Murder Indictments, 1995–1999



The median is the middle value in the ranked distribution of values.
 The range indicates the lowest to the highest values.

Exhibit 13. County Comparison: Major Time Intervals for Processing of First-degree Murder Indictments, 1995–1999

	Maricopa County		Pima County		Outlying Counties	
	Range	Median	Range	Median	Range	Median
Death Notice						
Crime to indictment	3.0 days– 22.5 yrs.	28.0 days	0 days– 6.3 yrs.	20.0 days	6.0 days– 8.4 yrs.	1.0 mo.
Indictment to plea	3.5 mos.– 6.0 yrs.	1.8 yrs.	2 days– 2.8 yrs.	8.2 mos.	28.0 days– 4.0 yrs.	1.3 yrs.
Plea to sentence	15.0 days– 3.4 yrs.	2.4 mos.	0 days– 1.5 yrs.	2.3 mos.	0 days– 7.2 mos.	1.2 mos.
Indictment to trial	7.9 mos.– 3.9 yrs.	1.9 yrs.	3.2 mos.– 3.0 yrs.	11.6 mos.	4.5 mos.– 5.4 yrs.	1.5 yrs.
Verdict to sentence	15.0 days– 3.7 yrs.	6.4 mos.	13.0 days– 1.0 yr.	5.8 mos.	18.0 days– 1.3 yrs.	5.3 mos.
Indictment to sentence	5.5 mos.– 6.4 yrs.	2.2 yrs.	6.0 mos.– 3.9 yrs.	1.3 yrs.	3.3 mos.– 4.0 yrs.	1.8 yrs.
Crime to sentence	7.6 mos. 25.8 yrs.	2.5 yrs.	6.3 mos.– 6.8 yrs.	1.7 yrs.	5.8 mos.– 10.6 yrs.	1.9 yrs.
No Death Notice						
Crime to indictment	0 days– 24.0 yrs.	19.0 days	0 days– 17.6 yrs.	17.0 days	1.0 days– 5.4 yrs.	14.0 days
Indictment to plea	1.7 mos.– 3.9 yrs.	1.1 yrs.	14.0 days– 3.1 yrs.	7.9 mos.	6.0 days– 3.0 yrs	9.5 mos.
Plea to sentence	0 days– 2.8 yrs.	2.1 mos.	0 days– 2.0 yrs.	1.7 mos.	0 days– 2.2 yrs.	1.4 mos.
Indictment to trial	2.1 mos.– 4.5 yrs.	1.2 yrs.	2.7 mos.– 2.5 yrs.	9.1 mos.	4.0 mos.– 5.3 yrs.	9.9 mos.
Verdict to sentence	1.0 mos.– 8.7 mos.	2.9 mos.	1.0 mos.– 1.9 yrs.	1.9 mos.	1.1 mos.– 4.2 mos.	1.9 mos.
Indictment to sentence	2.9 mos.– 4.3 yrs.	1.5 yrs.	2.0 mos.– 3.1 yrs.	11.4 mos.	1.8 mos.– 5.5 yrs.	1.0 yrs.
Crime to sentence	5.1 mos. 25.2 yrs.	1.8 yrs.	4.9 mos.– 8.9 yrs.	1.1 yrs.	3.5 mos.– 5.6 yrs.	1.2 yrs.

Note: The range indicates the lowest to highest values. The median is the middle value in the ranked distribution of values and provides an “average” time. Extreme time intervals at the high end of the range reflect unusual circumstances, such as unapprehended suspects, extradition from another jurisdiction, or reindictments.

Exhibit 14. Outcomes of 1995–1999 Arizona First-degree Murder Indictments by Race/Ethnicity of Victim and Defendant

Indictments Resulting in Death Sentences^a

Defendant Race/Ethnicity								
Victim Race/Ethnicity	Maricopa County		Pima County		Outlying Counties		Arizona	
	White Defendant	Defendant of Color	White Defendant	Defendant of Color	White Defendant	Defendant of Color	White Defendant	Defendant of Color
White Victim	7.7%	7.5%	17.9%	5.6%	6.1%	30.0%	9.1%	10.3%
	8 of 104	3 of 40	7 of 39	1 of 18	4 of 66	3 of 10	19 of 209	7 of 68
Victim of Color	0.0%	1.1%	7.7%	1.6%	0.0%	0.0%	2.0%	1.2%
	0 of 24	2 of 178	1 of 13	2 of 127	0 of 14	0 of 28	1 of 51	4 of 333

Prosecutorial Decision to Seek the Death Penalty

Defendant Race/Ethnicity								
Victim Race/Ethnicity	Maricopa County		Pima County		Outlying Counties		Arizona	
	White Defendant	Defendant of Color	White Defendant	Defendant of Color	White Defendant	Defendant of Color	White Defendant	Defendant of Color
White Victim	65.4%	60.0%	61.5%	50.0%	50.0%	50.0%	59.8%	55.9%
	68 of 104	24 of 40	24 of 39	9 of 18	33 of 66	5 of 10	125 of 209	38 of 68
Victim of Color	66.7%	36.0%	30.8%	29.1%	42.9%	17.9%	51.0%	31.8%
	16 of 24	64 of 178	4 of 13	37 of 127	6 of 14	5 of 28	26 of 51	106 of 333

Judicial Decision to Sentence to Death^b

Defendant Race/Ethnicity								
Victim Race/Ethnicity	Maricopa County		Pima County		Outlying Counties		Arizona	
	White Defendant	Defendant of Color	White Defendant	Defendant of Color	White Defendant	Defendant of Color	White Defendant	Defendant of Color
White Victim	23.1%	50.0%	53.8%	16.7%	25.0%	75.0%	30.9%	43.8%
	6 of 26	3 of 6	7 of 13	1 of 6	4 of 16	3 of 4	17 of 55	7 of 16
Victim of Color	0.0%	12.5%	50.0%	20.0%	0.0%	0.0%	14.3%	13.8%
	0 of 4	2 of 16	1 of 2	2 of 10	0 of 0	0 of 3	1 of 7	4 of 29

^aThese include 29 death sentences from death noticed first-degree murder indictments after conviction at trial and 2 death sentences from death noticed first-degree murder indictments after plea agreements. Both of the latter are Maricopa County cases in which both defendants and victims were white.

^bThese include 29 death sentences from death noticed first-degree murder indictments after conviction at trial.

**Exhibit 15. Victim–Defendant Racial Dyads at Processing Stages of
Arizona First-degree Murder Indictments, 1995–1999^a**

Note: Read from left to right. Percentage indicates proportion of defendants from prior stage.

	Indictments N=656^b	Death Notice N=291^c	Death Notice Trials N=147	First-degree Murder Conviction at Trial N=107	Death Sentence N=29^d
Same Race	466	205 44.0%	109 53.2%	73 ^e 67.0%	18 24.7%
Interracial	187	84 44.9%	38 45.2%	34 ^f 89.5%	11 32.4%
White Victim	N=277	N=163	N=88	N=71	N=24
		58.8%	54.0%	80.7%	33.8%
White Defendant	209	125 59.8%	71 56.8%	55 ^g 77.5%	17 30.9%
Defendant of Color	68	38 55.9%	17 44.7%	16 94.1%	7 43.8%
<i>Hispanic</i>	34	19 55.9%	8 42.1%	7 ^h 87.5%	3 42.9%
<i>African American</i>	26	14 53.8%	7 50.0%	7 100.0%	2 28.6%
<i>American Indian or Asian</i>	8	5 62.5%	2 40.0%	2 100.0%	2 100.0%
Hispanic Victim	N=316	N=106	N=44	N=25	N=1
		33.5%	41.5%	56.8%	4.0%
White Defendant	46	24 52.2%	6 25.0%	5 83.3%	—
Defendant of Color	270	82 30.4%	38 46.3%	20 52.6%	1 5.0%
<i>Hispanic</i>	227	66 29.1%	30 45.5%	14 ⁱ 46.7%	1 7.1%
<i>African American</i>	39	15 38.5%	7 46.7%	5 ^j 71.4%	—
<i>American Indian or Asian</i>	4	1 25.0%	1 100.0%	1 100.0%	—

(Exhibit 15 continued)

	Indictments	Death Notice	Death Notice	First-degree	
	N=43	N=17	Trials	Murder	Death Sentence
African American Victim			N=10	Conviction at	N=1
		39.5%	58.8%	Trial	16.7%
				N=6	
				60.0%	
White Defendant	2	—	—	—	—
Defendant of Color	41	17	10	6	1
		41.5%	58.8%	60.0%	16.7%
<i>Hispanic</i>	13	3	2	2	1
		23.1%	66.7%	100.0%	50.0%
<i>African American</i>	26	14	8	4	—
		53.8%	57.1%	50.0%	
<i>American Indian or Asian</i>	2	—	—	—	—
American Indian or Asian Victim	N=25	N=9	N=5	N=5	N=3
		36.0%	55.6%	100.0%	60.0%
White Defendant	3	2	2	2 ^k	1
		66.7%	100.0%	100.0%	50%
Defendant of Color	22	7	3	3	2
		31.8%	42.9%	100.0%	66.7%
<i>Hispanic</i>	9	2	—	—	—
		22.2%			
<i>African American</i>	5	3	3	3	2
		60.0%	100.0%	100.0%	66.7%
<i>American Indian or Asian</i>	8	2	—	—	—
		25.0%			

^aRace/ethnicity is known for defendants and their victims in 68% of the indictments (656 of 971), 76% of the death notice cases (291 of 381), 75% of the death notice trials (147 of 195), 75% of the first-degree murder convictions at death notice trials (107 of 143), and 100% of death sentences resulting from death notice trials (29 of 29).

^bThree defendants are counted in more than one category because they have a victim(s) of the same race and another victim(s) of a different race.

^cTwo defendants are counted in more than one category because they have a victim(s) of the same race and another victim(s) of a different race.

^dThese 29 death sentences resulted from death noticed first-degree murder indictments after conviction at trial. There were 2 additional death sentences after plea agreements. In both cases the defendants and victims were white.

^eSix sentences pending.

^fFour sentences pending.

^gFour Same Race sentences pending.

^hTwo Interracial sentences pending.

ⁱTwo Same Race sentences pending.

^jOne Interracial sentence pending.

^kOne Interracial sentence pending.

**Exhibit 16. Victim–Defendant Racial Dyads at Processing Stages of
Maricopa County First-degree Murder Indictments, 1995–1999^a**

Note: Read from left to right. Percentage indicates proportion of defendants from prior stage.

	Indictments N=341^b	Death Notice N=168^c	Death Notice Trials N=73	First-degree Murder Conviction at Trial N=52	Death Sentence N=11^d
Same Race	232	111 47.8%	53 47.7%	34 ^e 64.2%	6 17.6%
Interracial	106	55 51.9%	20 36.4%	18 ^f 90.0%	5 27.8%
White Victim	N=144	N=92 63.9%	N=42 45.7%	N=32 76.2%	N=9 28.1%
White Defendant	104	68 65.4%	35 51.5%	26 ^g 74.3%	6 23.1%
Defendant of Color	40	24 60.0%	7 29.2%	6 85.7%	3 50.0%
<i>Hispanic</i>	21	13 61.9%	4 30.8%	3 ^h 75.0%	1 33.3%
<i>African American</i>	16	9 56.3%	3 33.3%	3 100.0%	2 66.7%
<i>American Indian or Asian</i>	3	2 66.7%	—	—	—
Hispanic Victim	N=155	N=59 38.1%	N=20 33.9%	N=12 60.0%	—
White Defendant	22	15 68.2%	3 20.0%	3 100.0%	—
Defendant of Color	133	44 33.1%	17 38.6%	9 52.9%	—
<i>Hispanic</i>	106	31 29.2%	11 35.5%	4 ⁱ 36.4%	—
<i>African American</i>	26	12 46.2%	5 41.7%	4 ^j 80.0%	—
<i>American Indian or Asian</i>	1	1 100.0%	1 100.0%	1 100.0%	—

(Exhibit 16 continued)

	Indictments	Death Notice	Death Notice	First-degree	
	N=30	N=16	Trials	Murder	Death Sentence
African American Victim			N=9	Conviction at	N=1
		53.3%	56.3%	Trial	16.7%
				N=6	
				66.7%	
White Defendant	1	—	—	—	—
Defendant of Color	29	16	9	6	1
		55.2%	56.3%	66.7%	16.7%
<i>Hispanic</i>	8	3	2	2	1
		37.5%	66.7%	100.0%	50.0%
<i>African American</i>	21	13	7	4	—
		61.9%	53.8%	57.1%	—
<i>American Indian or Asian</i>	—	—	—	—	—
American Indian or Asian Victim	N=17	N=5	N=2	N=2	N=1
		29.4%	40.0%	100.0%	50.0%
White Defendant	1	1	1	1 ^k	—
		100.0%	100.0%	100.0%	—
Defendant of Color	16	4	1	1	1
		25.0%	25.0%	100.0%	100.0%
<i>Hispanic</i>	9	2	—	—	—
		22.2%	—	—	—
<i>African American</i>	3	1	1	1	1
		33.3%	100.0%	100.0%	100.0%
<i>American Indian or Asian</i>	4	1	—	—	—
		25.0%	—	—	—

^aRace/ethnicity is known for defendants and their victims in 65% of the indictments (341 of 524), 73% of the death notice cases (168 of 230), 69% of the death notice trials (73 of 106), 69% of the first-degree murder convictions at death notice trials (52 of 75), and 100% of death sentences (11 of 11).

^bThree defendants are counted in more than one category because they have a victim(s) of the same race and another victim(s) of a different race.

^cTwo defendants are counted in more than one category because they have a victim(s) of the same race and another victim(s) of a different race.

^dThese 11 death sentences resulted from death noticed first-degree murder indictments after conviction at trial. There were 2 additional death sentences after plea agreements. In both cases the defendants and victims were white.

^eFive sentences pending.

^fThree sentences pending.

^gThree Same Race sentences pending.

^hOne Interracial sentence pending.

ⁱTwo Same Race sentences pending.

^jOne Interracial sentence pending.

^kOne Interracial sentence pending.

**Exhibit 17. Victim–Defendant Racial Dyads at Processing Stages of
Pima County First-degree Murder Indictments, 1995–1999^a**

Note: Read from left to right. Percentage indicates proportion of defendants from prior stage.

	Indictments N=197	Death Notice N=74	Death Notice Trials N=44	First-degree Murder Conviction at Trial N=31	Death Sentence N=11
Same Race	143	56 39.2%	32 57.1%	20 62.5%	8 40.0%
Interracial	54	18 33.3%	12 66.7%	11 91.7%	3 27.3%
White Victim	N=57	N=33 57.9%	N=22 66.7%	N=19 86.4%	N=8 42.1%
White Defendant	39	24 61.5%	16 66.7%	13 81.3%	7 53.8%
Defendant of Color	18	9 50.0%	6 66.7%	6 100.0%	1 16.7%
<i>Hispanic</i>	7	3 42.9%	1 33.3%	1 100.0%	—
<i>African American</i>	10	5 50.0%	4 80.0%	4 100.0%	—
<i>American Indian or Asian</i>	1	1 100.0%	1 100.0%	1 100.0%	1 100.0%
Hispanic Victim	N=124	N=37 29.8%	N=18 48.6%	N=9 50.0%	N=1 11.1%
White Defendant	11	3 27.3%	1 33.3%	1 100.0%	—
Defendant of Color	113	34 30.1%	17 50.0%	8 47.1%	1 12.5%
<i>Hispanic</i>	99	31 31.3%	15 48.4%	7 46.7%	1 14.3%
<i>African American</i>	12	3 25.0%	2 66.7%	1 50.0%	—
<i>American Indian or Asian</i>	2	—	—	—	—

(Exhibit 17 continued)

	Indictments	Death Notice	Death Notice Trials	First-degree Murder Conviction at Trial	Death Sentence
African American Victim	N=12	N=1 8.3%	N=1 100.0%	—	—
White Defendant	1	—	—	—	—
Defendant of Color	11	1 9.1%	1 100.0%	—	—
<i>Hispanic</i>	5	—	—	—	—
<i>African American</i>	4	1 25.0%	1 100.0%	—	—
<i>American Indian or Asian</i>	2	—	—	—	—
American Indian or Asian Victim	N=4	N=3 75.0%	N=3 100.0%	N=3 100.0%	N=2 66.7%
White Defendant	1	1 100.0%	1 100.0%	1 100.0%	1 100.0%
Defendant of Color	3	2 66.7%	2 100.0%	2 100.0%	1 50.0%
<i>Hispanic</i>	—	—	—	—	—
<i>African American</i>	2	2 100.0%	2 100.0%	2 100.0%	1 50.0%
<i>American Indian or Asian</i>	1	—	—	—	—

^aRace/ethnicity is known for defendants and their victims in 63% of the indictments (197 of 313), 76% of the death notice cases (74 of 97), 77% of the death notice trials (44 of 57), 74% of the first-degree murder convictions at death notice trials (31 of 42), and 100% of death sentences (11 of 11).

**Exhibit 18. Victim–Defendant Racial Dyads at Processing Stages of
Outlying Counties First-degree Murder Indictments, 1995–1999^a**
Note: Read from left to right. Percentage indicates proportion of defendants from prior stage.

	Indictments N=118	Death Notice N=49	Death Notice Trials N=30	First-degree Murder Conviction at Trial N=24	Death Sentence N=7
Same Race	91	38 41.8%	24 63.2%	19 ^b 79.2%	4 21.1%
Interracial	27	11 40.7%	6 54.5%	5 ^c 83.3%	3 60.0%
White Victim	N=76	N=38 50.0%	N=24 63.2%	N=20 83.3%	7 35.0%
White Defendant	66	33 50.0%	20 60.6%	16 ^d 80.0%	4 25.0%
Defendant of Color	10	5 50.0%	4 80.0%	4 100.0%	3 75.0%
<i>Hispanic</i>	6	3 50.0%	3 100.0%	3 ^e 100.0%	2 66.7%
<i>African American</i>	—	—	—	—	—
<i>American Indian or Asian</i>	4	2 50.0%	1 50.0%	1 100.0%	1 100.0%
Hispanic Victim	N=37	N=10 27.0%	N=6 60.0%	N=4 66.7%	—
White Defendant	13	6 46.2%	2 33.3%	1 50.0%	—
Defendant of Color	24	4 16.7%	4 100.0%	3 75.0%	—
<i>Hispanic</i>	22	4 18.2%	4 100.0%	3 75.0%	—
<i>African American</i>	1	—	—	—	—
<i>American Indian or Asian</i>	1	—	—	—	—

(Exhibit 18 continued)

	Indictments	Death Notice	Death Notice Trials	First-degree Murder Conviction at Trial	Death Sentence
African American Victim	N=1	—	—	—	—
White Defendant	—	—	—	—	—
Defendant of Color	1	—	—	—	—
<i>Hispanic</i>	—	—	—	—	—
<i>African American</i>	1	—	—	—	—
<i>American Indian or Asian</i>	—	—	—	—	—
American Indian or Asian Victim	N=4	N=1 25.0%	—	—	—
White Defendant	1	—	—	—	—
Defendant of Color	3	1 33.3%	—	—	—
<i>Hispanic</i>	—	—	—	—	—
<i>African American</i>	—	—	—	—	—
<i>American Indian or Asian</i>	3	1 33.3%	—	—	—

^aRace/ethnicity is known for defendants and their victims in 88% of the indictments (118 of 134), 91% of the death notice cases (49 of 54), 94% of the death notice trials (30 of 32), 92% of the first-degree murder convictions at death notice trials (24 of 26), and 100% of death sentences (7 of 7).

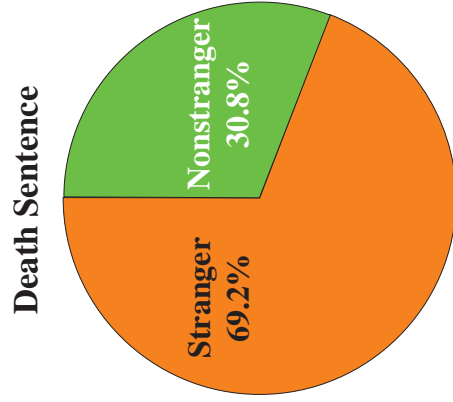
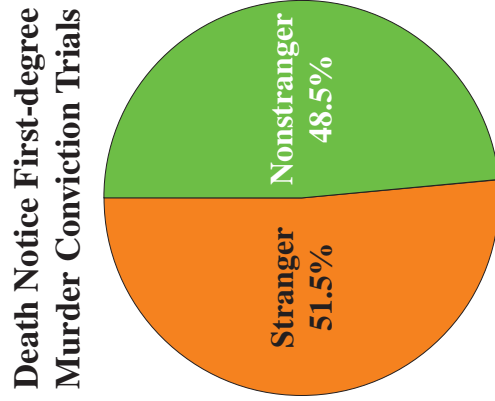
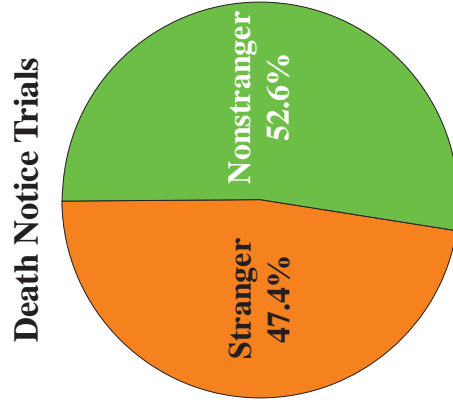
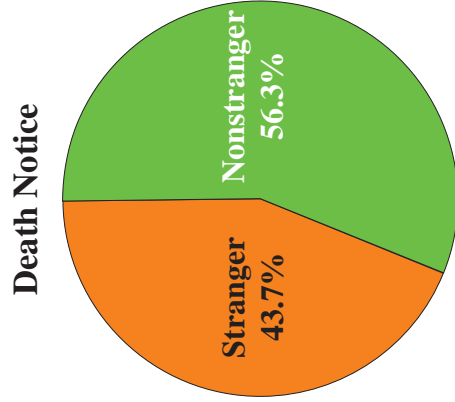
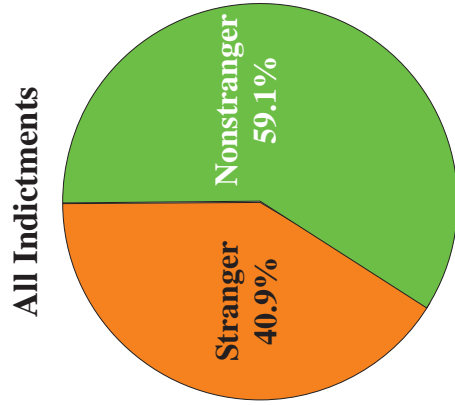
^aOne sentence pending.

^bOne sentence pending.

^cOne Same Race sentence pending.

^dOne Interracial sentence pending.

**Exhibit 19. Victim–Defendant Relationships—Stranger or Known:
Arizona First-degree Murder Indictments, 1995–1999^a**



^aWhere data are available, “relationship” refers to the link between one defendant and one victim. Multiple victims and/or defendants generate multiple relationships. For example, a defendant with two victims would account for two “relationships,” one to each victim.

**Exhibit 20. County Comparison of Victim–Defendant Relationships,
Stranger or Known: First-degree Murder Indictments, 1995–1999**

	Maricopa County	Pima County	Outlying Counties	Arizona
All Indictments				
Stranger	191 45.7%	66 34.0%	53 36.3%	310 40.9%
No Stranger	227 54.3%	128 66.0%	93 63.7%	448 59.1%
Death Notice Cases				
Stranger	88 42.3%	45 44.6%	32 46.4%	165 43.7%
No Stranger	120 57.7%	56 55.4%	37 53.6%	213 56.3%
Death Notice Trials				
Stranger	44 44.0%	35 53.0%	21 46.7%	100 47.4%
No Stranger	56 56.0%	31 47.0%	24 53.3%	111 52.6%
Death Notice Trials First-degree Murder Convictions				
Stranger	35 44.9%	32 59.3%	20 54.1%	87 51.5%
No Stranger	43 55.1%	22 40.7%	17 45.9%	82 48.5%
Death Notice Trials First-degree Murder Conviction No Death Sentence				
Stranger	30 46.2%	10 35.7%	11 45.8%	51 43.6%
No Stranger	35 53.8%	18 64.3%	13 54.2%	66 56.4%
Death Sentences				
Stranger	5 38.5%	22 84.6%	9 69.2%	36 69.2%
No Stranger	8 61.5%	4 15.4%	4 30.8%	16 30.8%

**Exhibit 21. County Comparison of Type of Victim–Defendant Relationship Dyads:
First-degree Murder Indictments, 1995–1999**

Relationship Type	Maricopa County	Pima County	Outlying Counties^a	Urban Counties	Arizona
All Indictments	412 dyads	208 dyads	145 dyads	620 dyads	765 dyads
Friends, neighbors, acquaintances	117 28.4%	71 34.1%	50 34.5%	188 30.3%	238 31.1%
Family	60 14.6%	29 13.9%	24 16.6%	89 14.4%	113 14.8%
Co-participants in illegal activities	52 12.6%	37 17.8%	10 6.9%	89 14.4%	99 12.9%
Business	5 1.2%	2 1.0%	2 1.4%	7 1.1%	9 1.2%
Sexual partners, including cohabitants	12 2.9%	4 1.9%	3 2.1%	16 2.6%	19 2.5%
Strangers	162 39.3%	65 31.3%	53 36.6%	227 36.6%	280 36.6%
Unable to categorize	4 1.0%	—	3 2.1%	4 0.6%	7 0.9%
Death Notice Cases	206 dyads	103 dyads	69 dyads	309 dyads	378 dyads
Friends, neighbors, acquaintances	59 28.6%	28 27.2%	20 29.0%	87 28.2%	107 28.3%
Family	32 15.5%	13 12.6%	10 14.5%	45 14.6%	55 14.6%
Co-participants in illegal activities	24 11.7%	16 15.5%	4 5.8%	40 12.9%	44 11.6%
Business	5 2.4%	—	2 2.9%	5 1.6%	7 1.9%
Sexual Partners including cohabitants	6 2.9%	1 1.0%	1 1.4%	7 2.3%	8 2.1%
Strangers	78 37.9%	45 43.7%	32 46.4%	123 39.8%	155 41.0%
Unable to categorize	2 1.0%	—	—	2 0.6%	2 0.5%

(Exhibit 21 continued)

Relationship Type	Maricopa County	Pima County	Outlying Counties ^a	Urban Counties	Arizona
Death Notice Trials	101 dyads	68 dyads	45 dyads	169 dyads	214 dyads
Friends, neighbors, acquaintances	26 25.7%	15 22.1%	12 26.7%	41 24.3%	53 24.8%
Family	19 18.8%	9 13.2%	7 15.6%	28 16.6%	35 16.4%
Co-participants in illegal activities	10 9.9%	8 11.8%	3 6.7%	18 10.7%	21 9.8%
Business	3 3.0%	—	2 4.4%	3 1.8%	5 2.3%
Sexual partners including cohabitants	4 4.0%	1 1.5%	—	5 3.0%	5 2.3%
Strangers	39 38.6%	35 51.5%	21 46.7%	74 43.8%	95 44.4%
Death Notice Trials First-degree Murder Convictions	78 dyads	55 dyads	37 dyads	133 dyads	170 dyads
Friends, neighbors, acquaintances	19 24.4%	11 20.0%	8 21.6%	30 22.6%	38 22.4%
Family	15 19.2%	5 9.1%	4 10.8%	20 15.0%	24 14.1%
Co-participants in illegal activities	9 11.5%	7 12.7%	3 8.1%	16 12.0%	19 11.2%
Business	1 1.3%	—	2 5.4%	1 0.8%	3 1.8%
Sexual partners including cohabitants	4 5.1%	—	—	4 3.0%	4 2.4%
Strangers	30 38.5%	32 58.2%	20 54.1%	62 46.6%	82 48.2%

(Exhibit 21 continued)

Relationship Type	Maricopa County	Pima County	Outlying Counties^a	Urban Counties	Arizona
Death Sentences	15 dyads	26 dyads	13 dyads	41 dyads	54 dyads
Friends, neighbors, acquaintances	5 33.3%	2 7.7%	4 30.8%	7 17.1%	11 20.4%
Family	2 13.3%	1 3.8%	—	3 7.3%	3 5.6%
Co-participants in illegal activities	—	1 3.8%	—	1 2.4%	1 1.9%
Business	1 6.7%	—	—	1 2.4%	1 1.9%
Sexual partners including cohabitants	1 6.7%	—	—	1 2.4%	1 1.9%
Strangers	6 40.0%	22 84.6%	9 69.2%	28 68.3%	37 68.5%

Exhibit 22. County Comparison: Defendant Primary Language at Processing Stages Resulting from First-degree Murder Indictments, 1995–1999

	Maricopa County	Pima County	Outlying Counties ^a	Urban Counties	Arizona ^a
First-degree Murder Indictments					
Other than English	57 10.9%	30 9.6%	9 6.8%	87 10.4%	96 9.9%
English	467 89.1%	283 90.4%	123 93.2%	750 89.6%	873 90.1%
Death Notice					
Other than English	15 6.5%	8 8.2%	3 5.6%	23 7.0%	26 6.8%
English	215 93.5%	89 91.8%	51 94.4%	304 93.0%	355 93.2%
Death Notice Trials					
Other than English	4 3.8%	3 5.3%	2 6.2%	7 4.3%	9 4.6%
English	102 96.2%	54 94.7%	30 93.8%	156 95.7%	186 95.4%
First-degree Murder Conviction at Death Notice Trials					
Other than English	0 0.0%	2 4.8%	2 7.7%	2 1.8%	4 2.8%
English	75 100.0%	40 95.2%	24 92.3%	115 98.2%	139 97.2%
Death Sentences					
Other than English	0 0.0%	0 0.0%	0 0.0%	0 0.0%	0 0.0%
English	13 100.0%	11 100.0%	7 100.0%	24 100.0%	31 100.0%

^aTwo of the first-degree murder indictments from outlying counties are not included in this analysis because the indicted individuals were never apprehended.

**Exhibit 23. County Comparison: Sex of Defendants at Processing Stages
Resulting from First-degree Murder Indictments, 1995–1999**

	Maricopa County	Pima County	Outlying Counties	Urban Counties	Arizona
All Indictments	524	313	134	837	971
Male	477 91.0%	277 88.5%	118 88.1%	754 90.1%	872 89.8%
Female	47 9.0%	36 11.5%	16 11.9%	83 9.9%	99 10.2%
Death Notice Cases	230	97	54	327	381
Male	211 91.7%	82 84.5%	48 88.9%	293 89.6%	341 89.5%
Female	19 8.3%	15 15.5%	6 11.1%	34 10.4%	40 10.5%
Death Notice Trials	106	57	32	163	195
Male	100 94.3%	51 89.5%	29 90.6%	151 92.6%	180 92.3%
Female	6 5.7%	6 10.5%	3 9.4%	12 7.4%	15 7.7%
Death Notice Trials First-degree Murder Convictions	75	42	26	117	143
Male	69 92.0%	40 95.2%	23 88.5%	109 93.2%	132 92.3%
Female	6 8.0%	2 4.8%	3 11.5%	8 6.8%	11 7.7%
Death Sentences	13	11	7	24	31
Male	12 92.3%	11 100.0%	7 100.0%	23 95.8%	30 96.8%
Female	1 7.7%	—	—	1 4.2%	1 3.2%

**Exhibit 24. County Comparison: Defendant Age at Processing Stages
Resulting from First-degree Murder Indictments, 1995–1999**

	Maricopa County	Pima County	Outlying Counties^a	Urban Counties	Arizona
All Indictments	524	313	134	837	971
17 years or less	85 16.2%	30 9.6%	20 14.9%	115 13.7%	135 13.9%
18 or 19 years	66 12.6%	62 19.8%	9 6.7%	128 15.3%	137 14.1%
20–25 years	161 30.7%	99 31.6%	33 24.6%	260 31.1%	293 30.2%
26–30 years	74 14.1%	50 16.0%	20 14.9%	124 14.8%	144 14.8%
31–35 years	55 10.5%	24 7.7%	20 14.9%	79 9.4%	99 10.2%
36–40 years	29 5.5%	24 7.7%	10 7.5%	53 6.3%	63 6.5%
41–65 years	50 9.5%	15 4.8%	18 13.4%	65 7.8%	83 8.5%
66 years or more	2 0.4%	—	1 0.7%	2 0.2%	3 0.3%
Unknown	2 0.4%	9 2.9%	3 2.2%	11 1.3%	14 1.4%
Death Notice Cases	230	97	54	327	381
17 years or less	21 9.1%	7 7.2%	7 13.0%	28 8.6%	35 9.2%
18 or 19 years	28 12.2%	12 12.4%	4 7.4%	40 12.2%	44 11.5%
20–25 years	70 30.4%	36 37.1%	10 18.5%	106 32.4%	116 30.4%
26–30 years	37 16.1%	22 22.7%	10 18.5%	59 18.0%	69 18.1%
31–35 years	28 12.2%	7 7.2%	12 22.2%	35 10.7%	47 12.3%

(Exhibit 24 continued)

	Maricopa County	Pima County	Outlying Counties^a	Urban Counties	Arizona
Death Notice Cases continued	17	6	6	23	29
36–40 years	7.4%	6.2%	11.1%	7.0%	7.6%
41–65 years	29	4	4	33	37
	12.6%	4.1%	7.4%	10.1%	9.7%
66 years or more	—	—	—	—	—
Unknown	—	3	1	3	4
		3.1%	1.9%	0.9%	1.0%
Death Notice Trials	106	57	32	163	195
17 years or less	11	2	4	13	17
	10.4%	3.5%	12.5%	8.0%	8.7%
18 or 19 years	16	7	1	23	24
	15.1%	12.3%	3.1%	14.1%	12.3%
20–25 years	28	22	8	50	58
	26.4%	38.6%	25.0%	30.7%	29.7%
26–30 years	18	13	5	31	36
	17.0%	22.8%	15.6%	19.0%	18.5%
31–35 years	10	6	7	16	23
	9.4%	10.5%	21.9%	9.8%	11.8%
36–40 years	10	3	4	13	17
	9.4%	5.3%	12.5%	8.0%	8.7%
41–65 years	13	2	3	15	18
	12.3%	3.5%	9.4%	9.2%	9.2%
66 years or more	—	—	—	—	—
Unknown	—	2	—	2	2
		3.5%		1.2%	1.0%
Death Notice Trials First-degree Murder Convictions	75	42	26	117	143
17 years or less	8	1	3	9	12
	10.7%	2.4%	11.5%	7.7%	8.4%
18 or 19 years	10	6	1	16	17
	13.3%	14.3%	3.8%	13.7%	11.9%

(Exhibit 24 continued)

	Maricopa County	Pima County	Outlying Counties ^a	Urban Counties	Arizona
Death Notice Trials First-degree Murder Convictions continued 20–25 years	18 24.0%	15 35.7%	7 26.9%	33 28.2%	46 28.0%
26–30 years	13 17.3%	11 26.2%	3 11.5%	24 20.5%	27 18.9%
31–35 years	8 10.7%	3 7.1%	6 23.1%	11 9.4%	17 11.9%
36–40 years	7 9.3%	3 7.1%	3 11.5%	10 8.5%	13 9.1%
41–65 years	11 14.7%	2 4.8%	3 11.5%	13 11.1%	16 11.2%
66 years or more	—	—	—	—	—
Unknown	—	1 2.4%	—	1 0.9%	1 0.9%
Death Sentences	13	11	7	24	31
17 years or less	—	1 9.1%	1 14.3%	1 4.2%	2 6.5%
18 or 19 years	2 15.4%	1 9.1%	—	3 12.5%	3 9.7%
20–25 years	3 23.1%	4 36.4%	3 42.9%	7 29.2%	10 32.3%
26–30 years	3 23.1%	5 45.5%	—	8 33.3%	8 25.8%
31–35 years	5 38.5%	—	2 28.6%	5 20.8%	7 22.6%
36–40 years	—	—	—	—	—
41–65 years	—	—	1 14.3%	—	1 3.2%
66 years or more	—	—	—	—	—

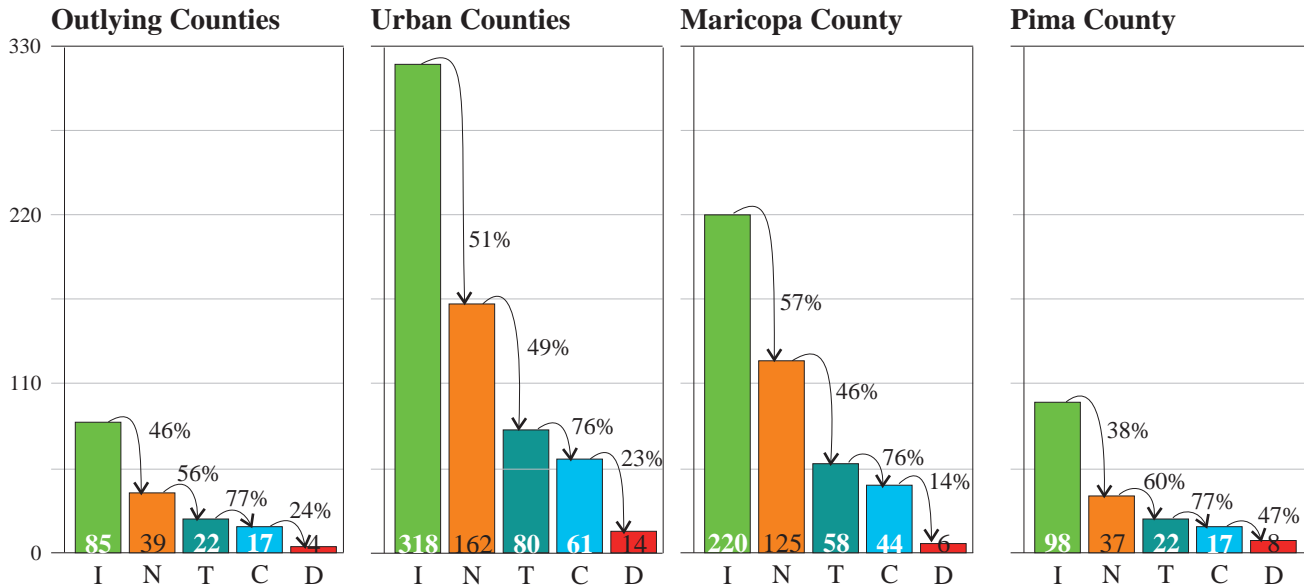
**Exhibit 25. Defendant Race/Ethnicity at Processing Stages in
Arizona First-degree Murder Indictments, 1995–1999**

	Population 15 Years or Older N=3,980,166	Individuals Indicted for First-degree Murder N=971	No Death Notice N=590	Death Notice N=381	Death Notice Trials N=195	Death Notice with First-degree Murder Conviction at Trial N=143	Death Sentence N=31
White/Anglo	2,710,740 68.1%	403 41.5%	202 34.2%	201 52.8%	102 52.3%	78 54.5%	20 64.5%
Hispanic/Mexican American	873,086 21.9%	347 35.7%	246 41.7%	101 26.5%	50 25.6%	31 21.7%	5 16.1%
Black/African American	115,925 2.9%	166 17.1%	102 17.3%	64 16.8%	36 18.5%	27 18.9%	4 12.9%
American Indian/ Native American	171,809 4.3%	26 2.7%	17 2.9%	9 2.4%	2 1.0%	2 1.4%	1 3.2%
Asian/Asian American	79,527 2.0%	8 0.8%	7 1.2%	1 0.3%	1 0.5%	1 0.7%	1 3.2%
Other	29,079 0.7%	2 0.2%	2 0.3%	—	—	—	—
Unknown	—	19 2.0%	14 2.4%	5 1.3%	4 2.1%	4 2.8%	—

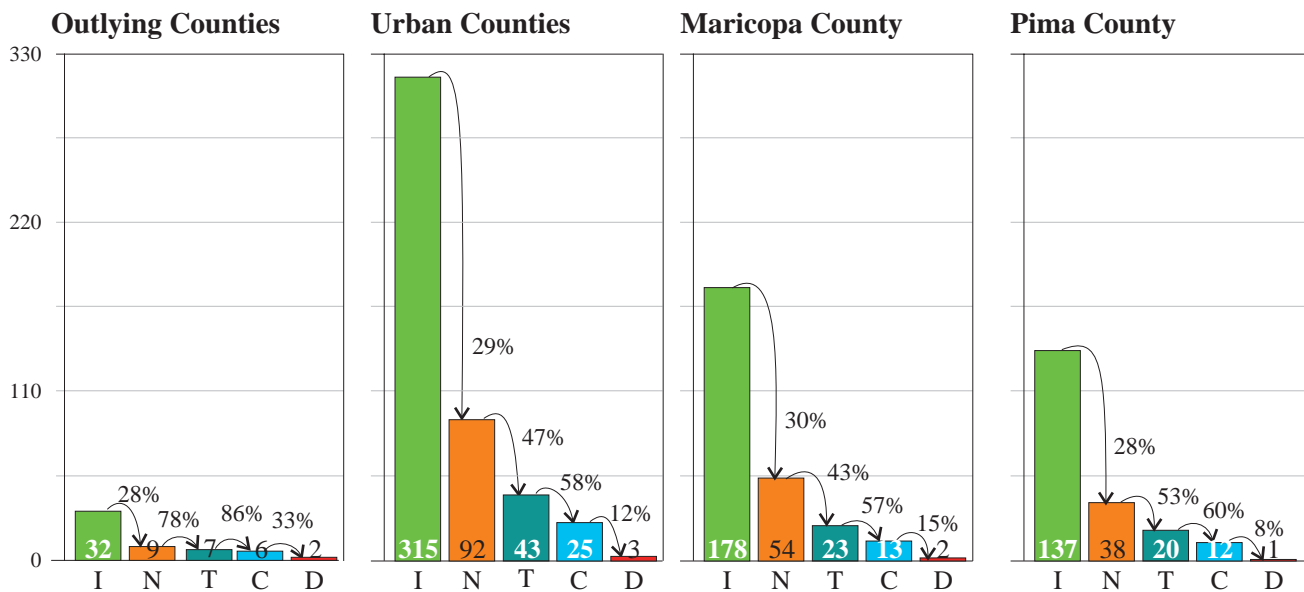
Exhibit 26. County Comparisons: Defendant Race/Ethnicity for Processing Stages Resulting from First-degree Murder Indictments, 1995–1999^a

I = First-degree Murder Indictments C = First-degree Murder Conviction after Trial in Death Notice Case
 N = Death Notice D = Death Sentence
 T = Death Notice Trial

White/Anglo Defendants—N = 403



Hispanic/Mexican American Defendants—N = 345

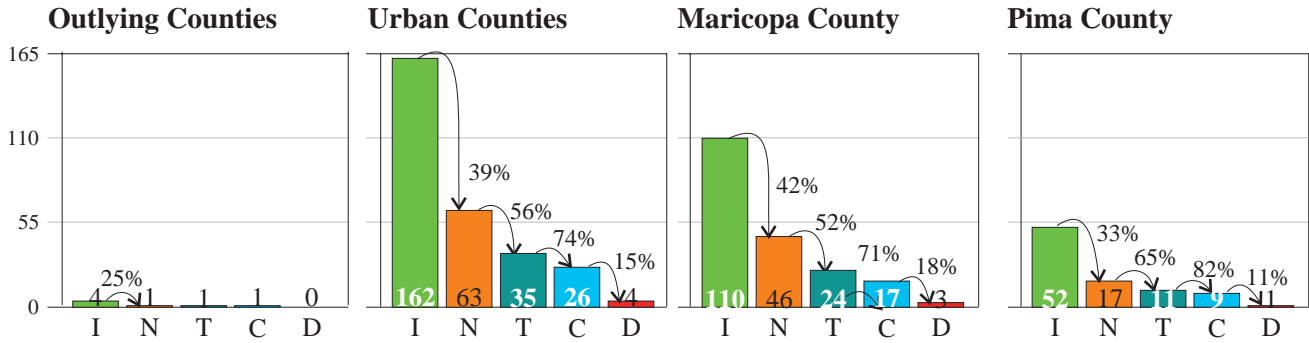


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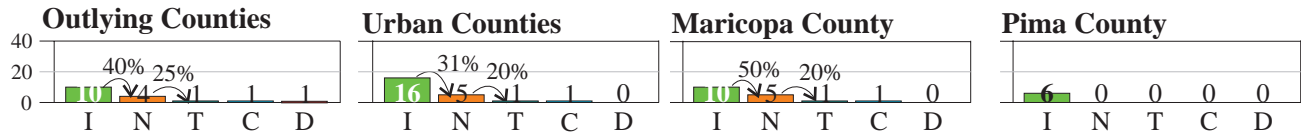
(Exhibit 26 continued)

I = First-degree Murder Indictments C = First-degree Murder Conviction after Trial in Death Notice Case
 N = Death Notice D = Death Sentence
 T = Death Notice Trial

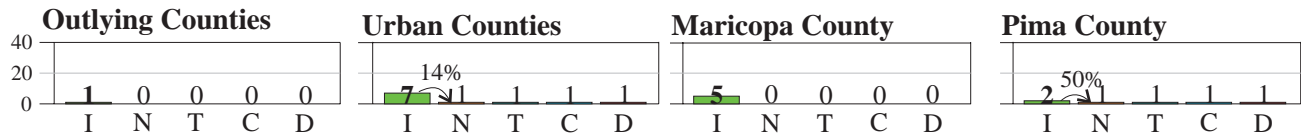
Black/African American Defendants—N = 166



American Indian/Native American Defendants—N = 26



Asian/Asian American Defendants—N = 7



^aRace/ethnicity was determined for defendants in 846 indictments.

**Exhibit 27. Defendant Characteristics:
Arizona First-degree Murder Indictments, 1995–1999**

	Maricopa County N = 524	Pima County N = 313	Outlying Counties N = 134	Urban Counties N = 837	Arizona N = 971
Highest Education Level Completed					
1st–6th Grade	18 3.4%	6 1.9%	7 5.2%	24 2.9%	31 3.2%
7th–9th Grade	52 9.9%	30 9.6%	26 19.4%	82 9.8%	108 11.1%
10th–11th Grade	69 13.2%	45 14.4%	19 14.2%	114 13.6%	133 13.7%
High School	52 9.9%	39 12.5%	21 15.7%	91 10.9%	112 11.5%
GED	33 6.3%	3 1.0%	14 10.4%	36 4.3%	50 5.1%
Some college	32 6.1%	22 7.0%	8 6.0%	54 6.5%	62 6.4%
College graduate	8 1.5%	1 0.3%	3 2.2%	9 1.1%	12 1.2%
Graduate school	13 2.5%	—	—	13 1.6%	13 1.3%
Cases with data	277 52.9%	146 46.6%	98 73.1%	423 50.5%	521 53.7%
Cases missing data	247 47.1%	167 53.4%	36 26.9%	414 49.5%	450 46.3%
Employment Status					
Full-time	77 14.7%	59 18.8%	19 14.2%	136 16.2%	155 16.0%
Part-time	30 5.7%	15 4.8%	12 9.0%	45 5.4%	57 5.9%
Unemployed	212 40.5%	87 27.8%	87 64.9%	299 35.7%	386 39.8%
Cases with data	319 60.9%	161 51.4%	118 88.1%	480 57.3%	598 61.6%
Cases missing data	205 39.1%	152 48.6%	16 11.9%	357 42.7%	373 38.4%

(Exhibit 27 continued)

	Maricopa County N = 524	Pima County N = 313	Outlying Counties N = 134	Urban Counties N = 837	Arizona N = 971
Citizenship					
United States	281 53.6%	156 49.8%	119 88.8%	437 52.2%	556 57.3%
Mexico	38 7.3%	19 6.1%	7 5.2%	57 6.8%	64 6.6%
Other	2 0.4%	3 1.0%	1 0.7%	5 0.6%	6 0.6%
Cases with data	321 61.3%	178 56.9%	127 94.8%	499 59.6%	626 64.5%
Cases missing data	203 38.7%	135 43.1%	7 5.2%	338 40.4%	345 35.5%

**Exhibit 28. Criminal Justice-related Factors:
Arizona First-degree Murder Indictments, 1995–1999**

Issue	No Death Notice N = 590	Death Notice N = 381	Death Notice		Death Sentence N = 31
			Death Notice Trials N = 195	First-degree Murder Conviction at Trial N = 143	
Type of Defense Attorney					
Public/Legal defender	180 47.1%	124 45.9%	55 39.3%	41 38.7%	12 50.0%
Contract/Appointed	175 45.8%	135 50.0%	75 53.6%	57 53.8%	11 45.8%
Privately retained	27 7.1%	11 4.1%	10 7.1%	8 7.5%	1 4.2%
Cases with data	382 64.7%	270 70.9%	140 71.8%	106 74.1%	24 77.4%
Cases missing data	208 35.3%	111 29.1%	55 28.2%	37 25.9%	7 22.6%
Prior Adult Felony Convictions					
None	72 36.2%	36 20.3%	23 26.1%	19 27.1%	2 13.3%
1	47 23.6%	35 19.8%	16 18.2%	13 18.6%	3 20.0%
2	37 18.6%	46 26.0%	19 21.6%	17 24.3%	2 13.3%
3–4	27 13.6%	42 23.7%	22 25.0%	16 22.9%	7 46.7%
5–7	11 5.5%	13 7.3%	6 6.8%	3 4.3%	1 6.7%
8–14	3 1.5%	4 2.3%	2 2.3%	2 2.9%	—
15–20	2 1.0%	1 0.6%	—	—	—
Cases with data	199 33.7%	177 46.5%	88 45.1%	70 49.0%	15 48.4%
Cases missing data	391 66.3%	204 53.5%	107 54.9%	73 51.0%	16 51.6%

Exhibit A-1a. Processing of First-degree Murder Indictments in Apache County, 1995–1999

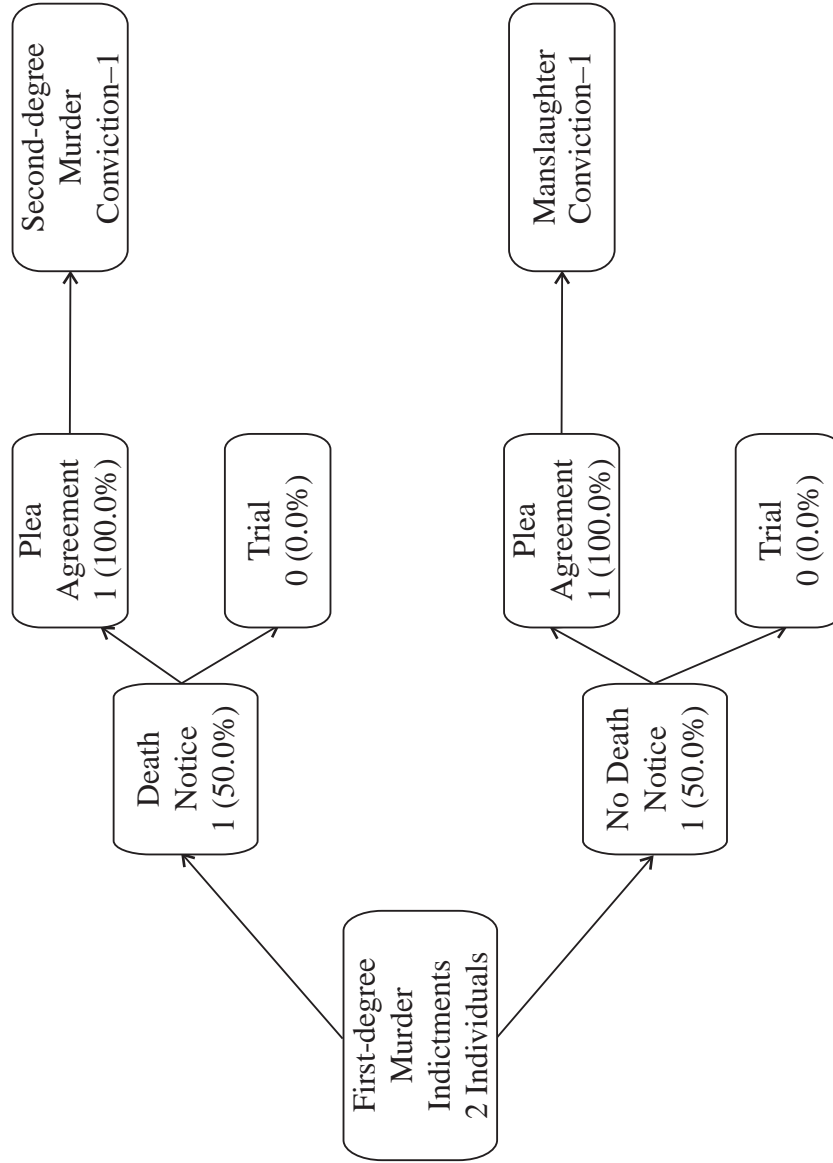
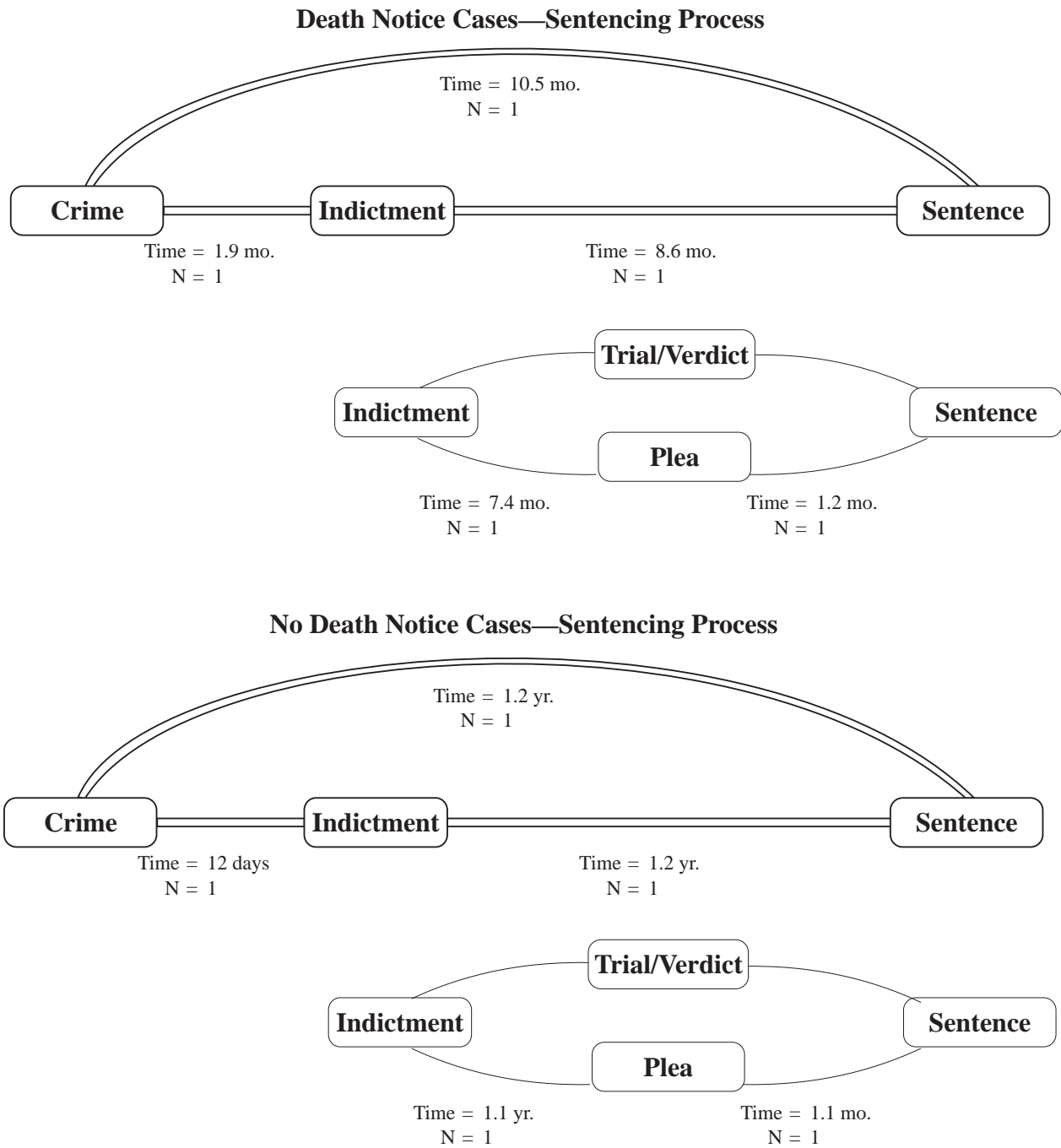
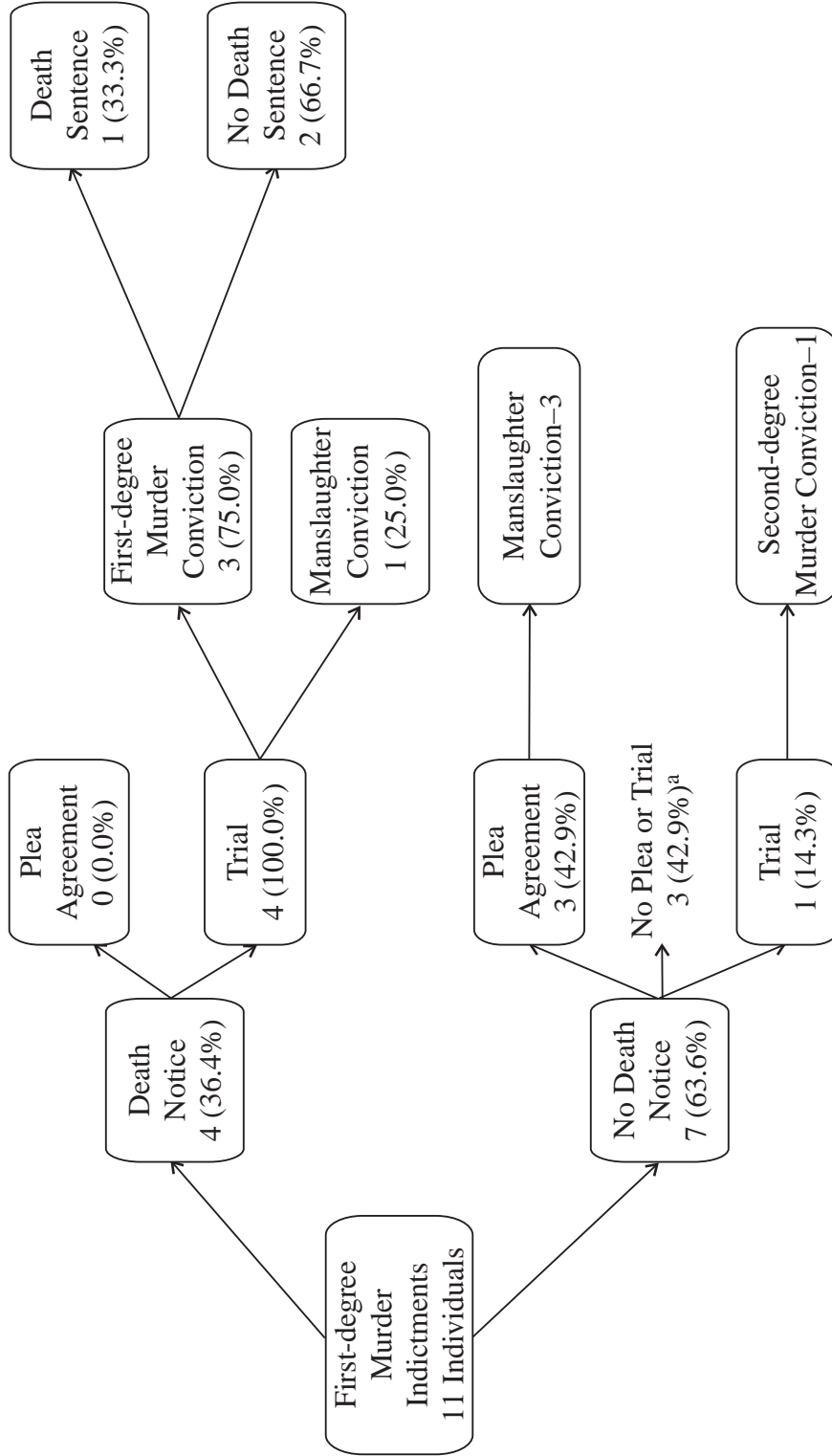


Exhibit A-1b. Major Time Intervals for Death Notice Cases and No Death Notice Cases: First-degree Murder Indictments in Apache County, 1995–1999



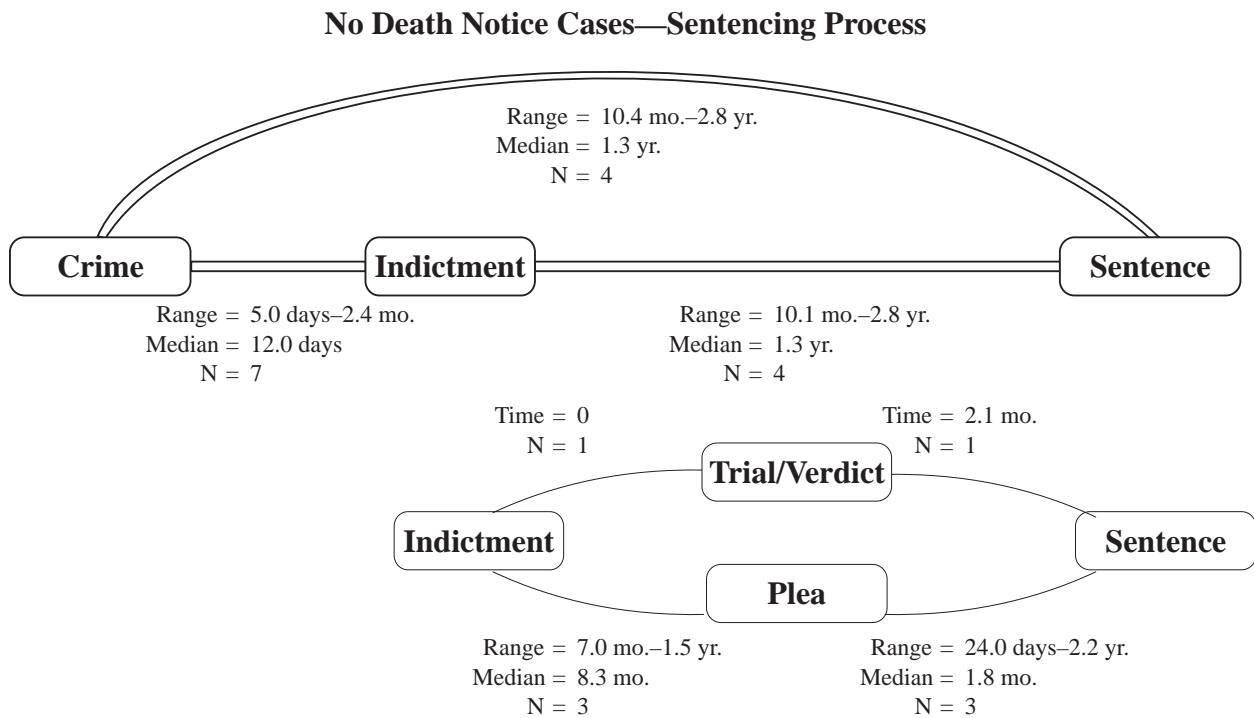
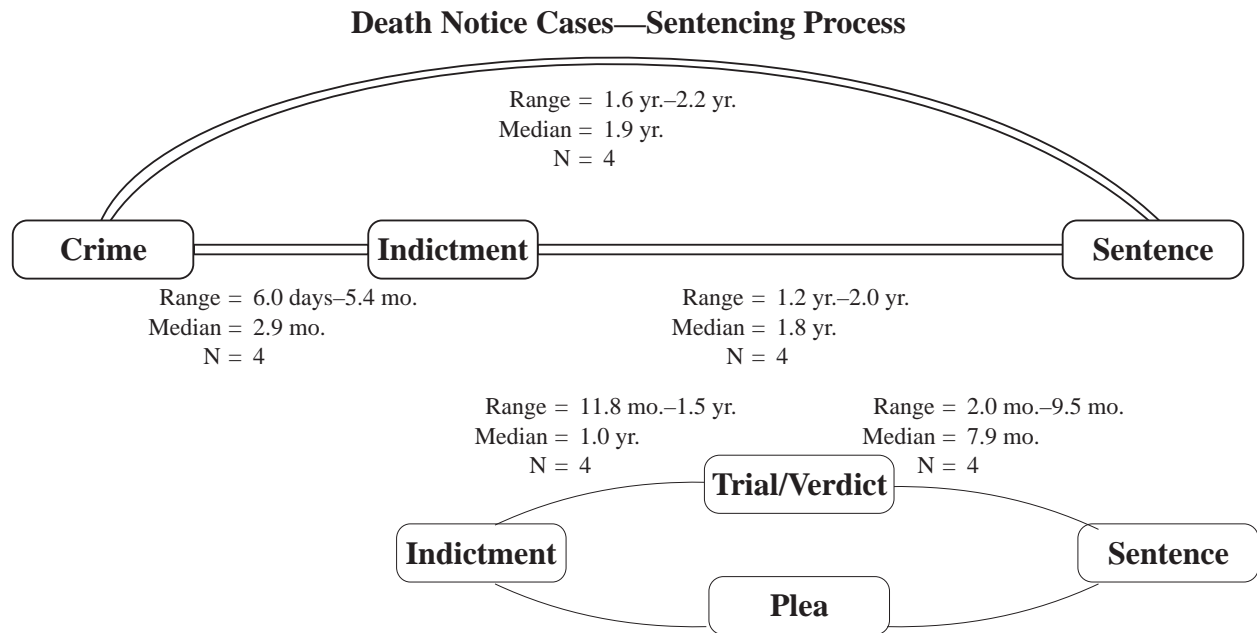
The median is the middle value in the ranked distribution of values.
The range indicates the lowest to the highest values.

Exhibit A-2a. Processing of First-degree Murder Indictments in Cochise County, 1995–1999



^a1 dismissed with prejudice and 2 dismissed without prejudice

Exhibit A-2b. Major Time Intervals for Death Notice Cases and No Death Notice Cases: First-degree Murder Indictments in Cochise County, 1995–1999



The median is the middle value in the ranked distribution of values.
 The range indicates the lowest to the highest values.

Exhibit A-3a. Processing of First-degree Murder Indictments in Coconino County, 1995–1999

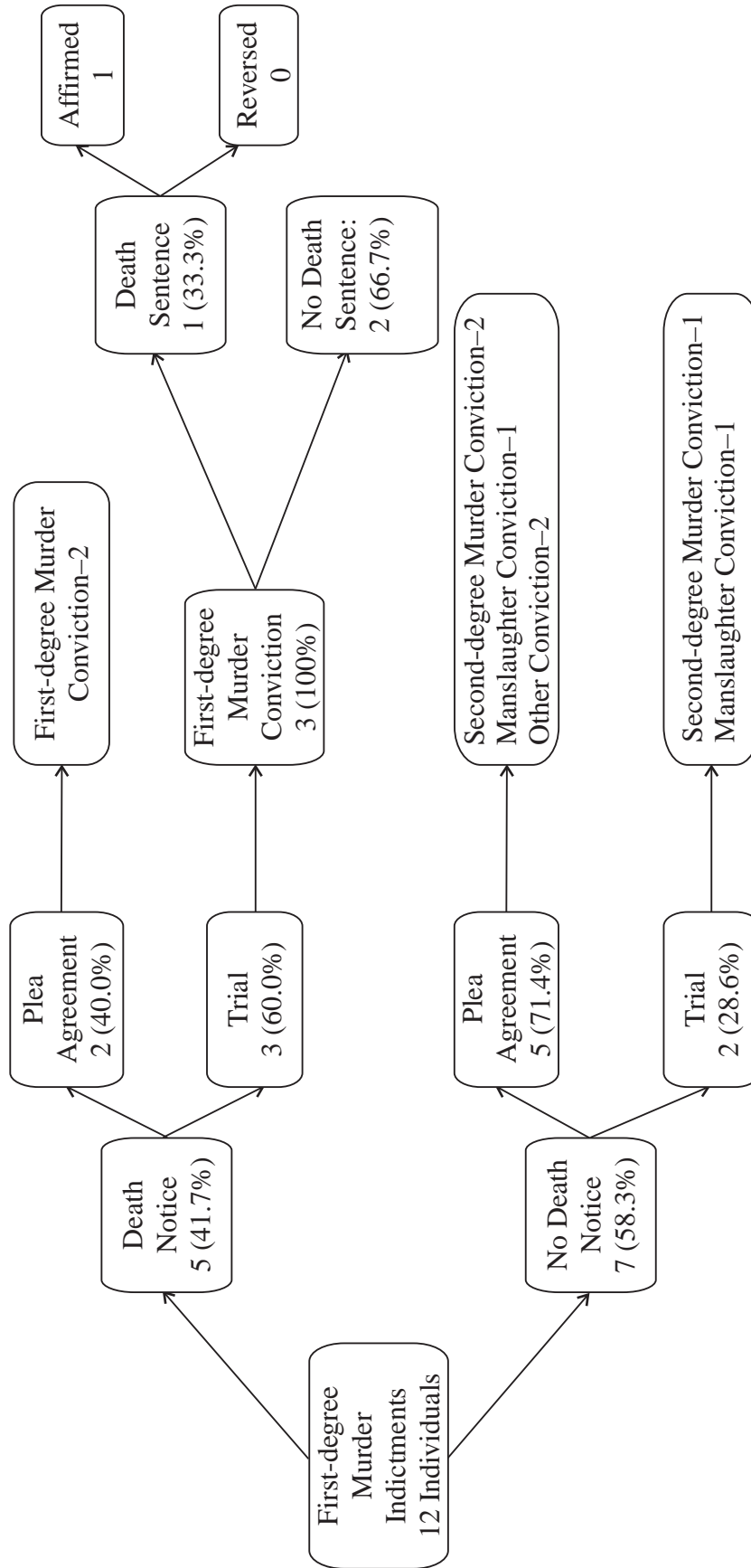
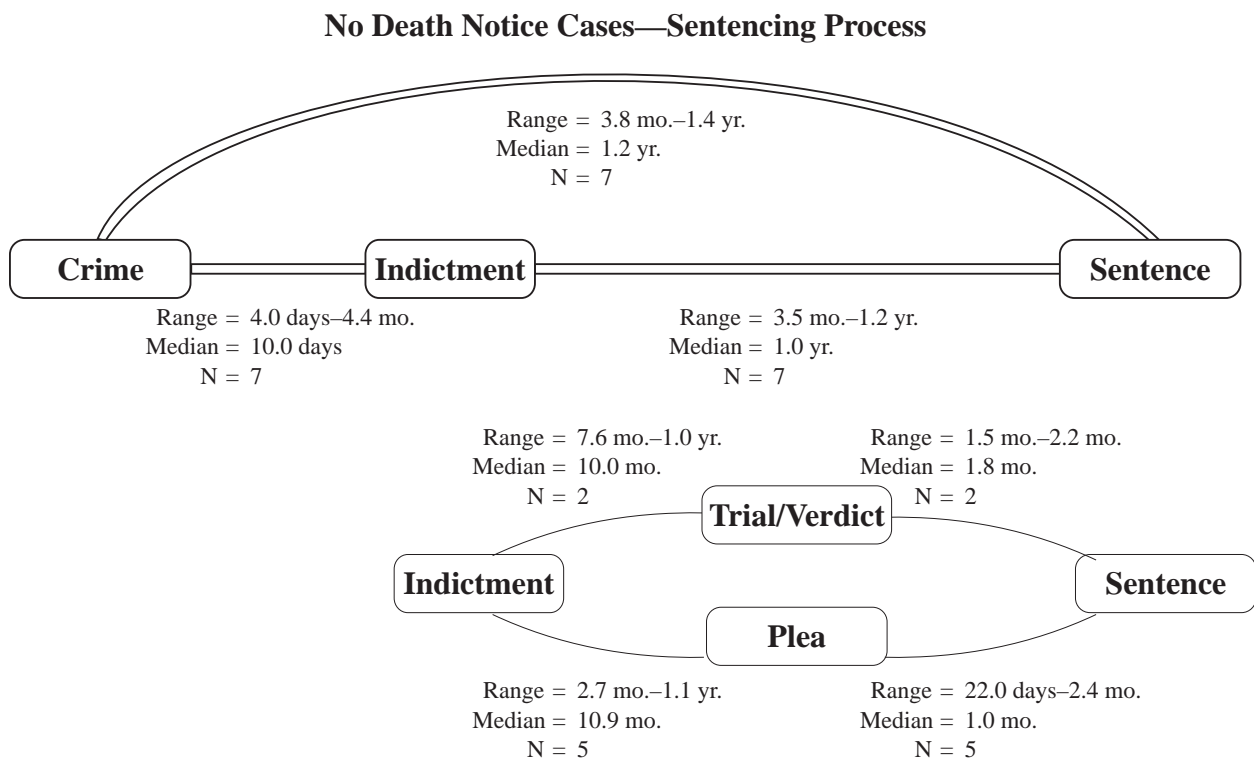
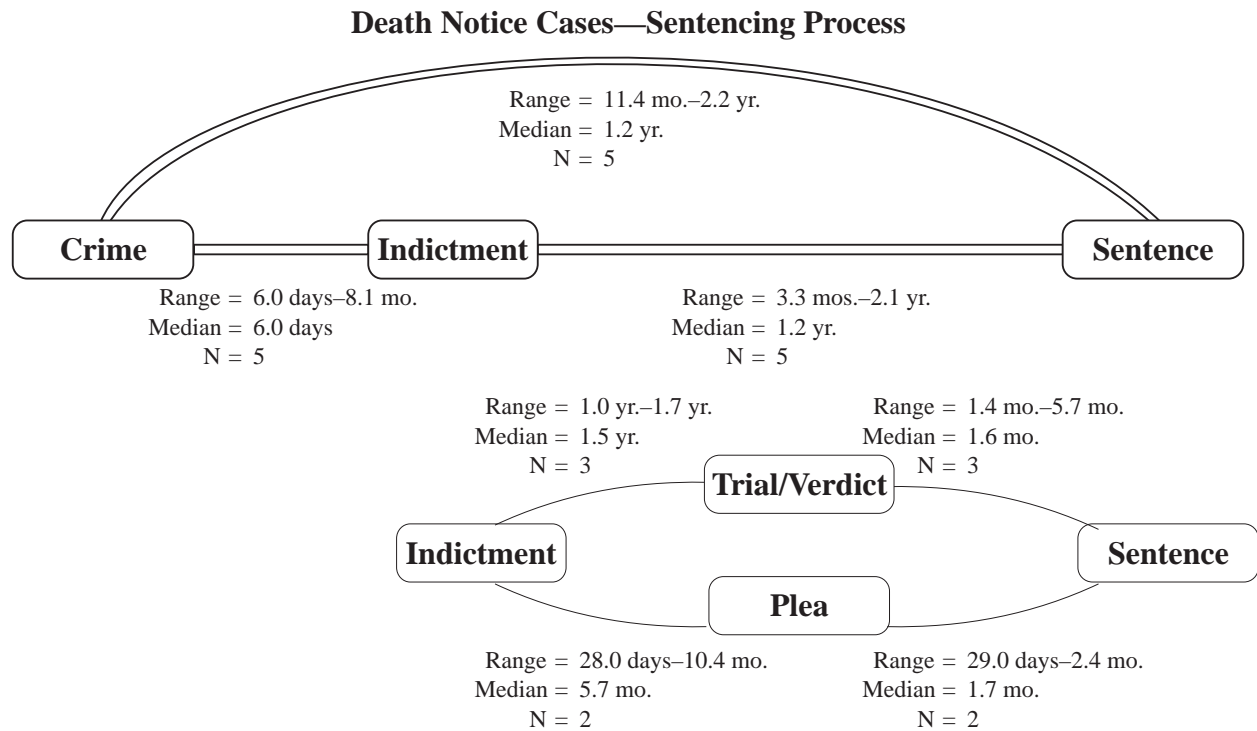


Exhibit A-3b. Major Time Intervals for Death Notice Cases and No Death Notice Cases: First-degree Murder Indictments in Coconino County, 1995–1999



The median is the middle value in the ranked distribution of values.
 The range indicates the lowest to the highest values.

Exhibit A-4a. Processing of First-degree Murder Indictments in Gila County, 1995–1999

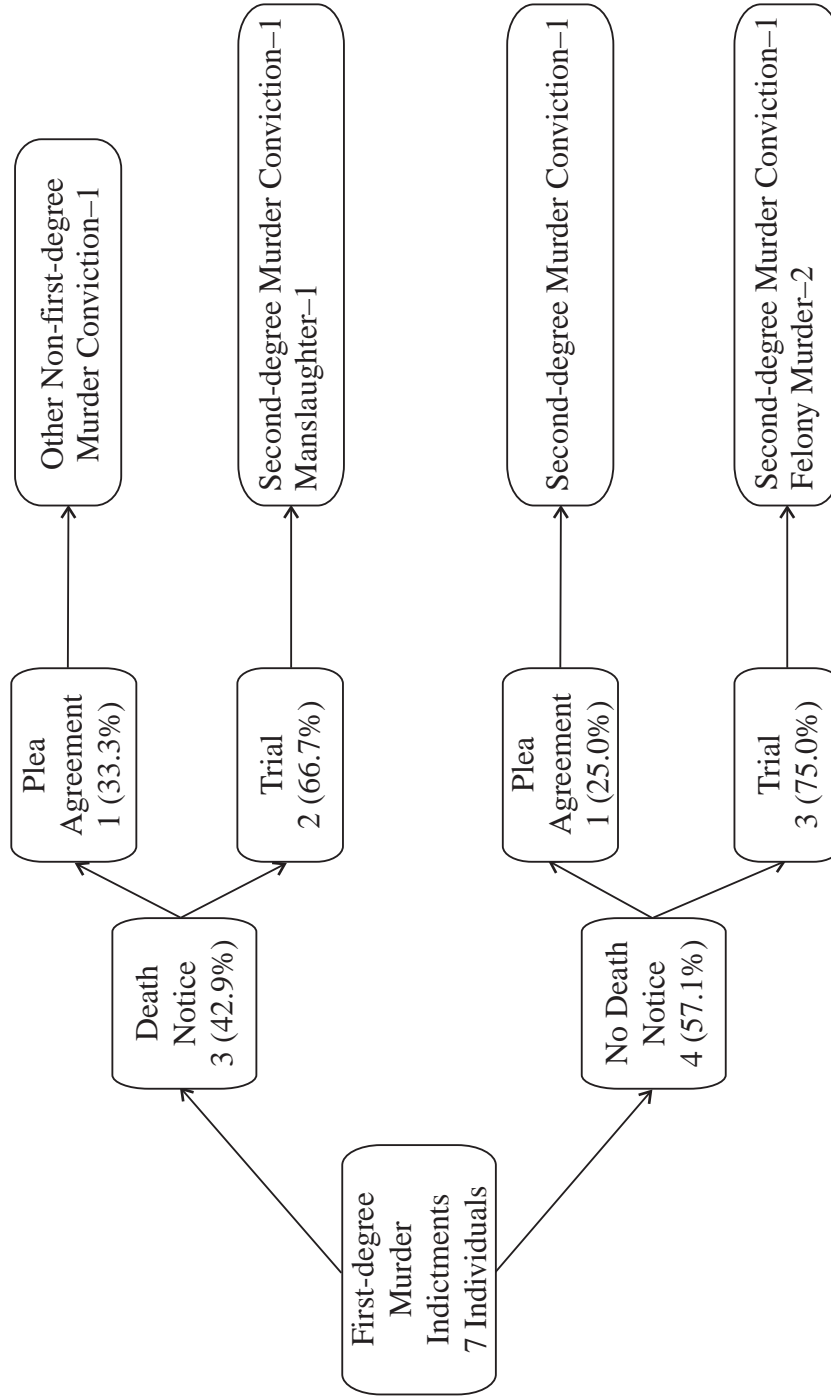
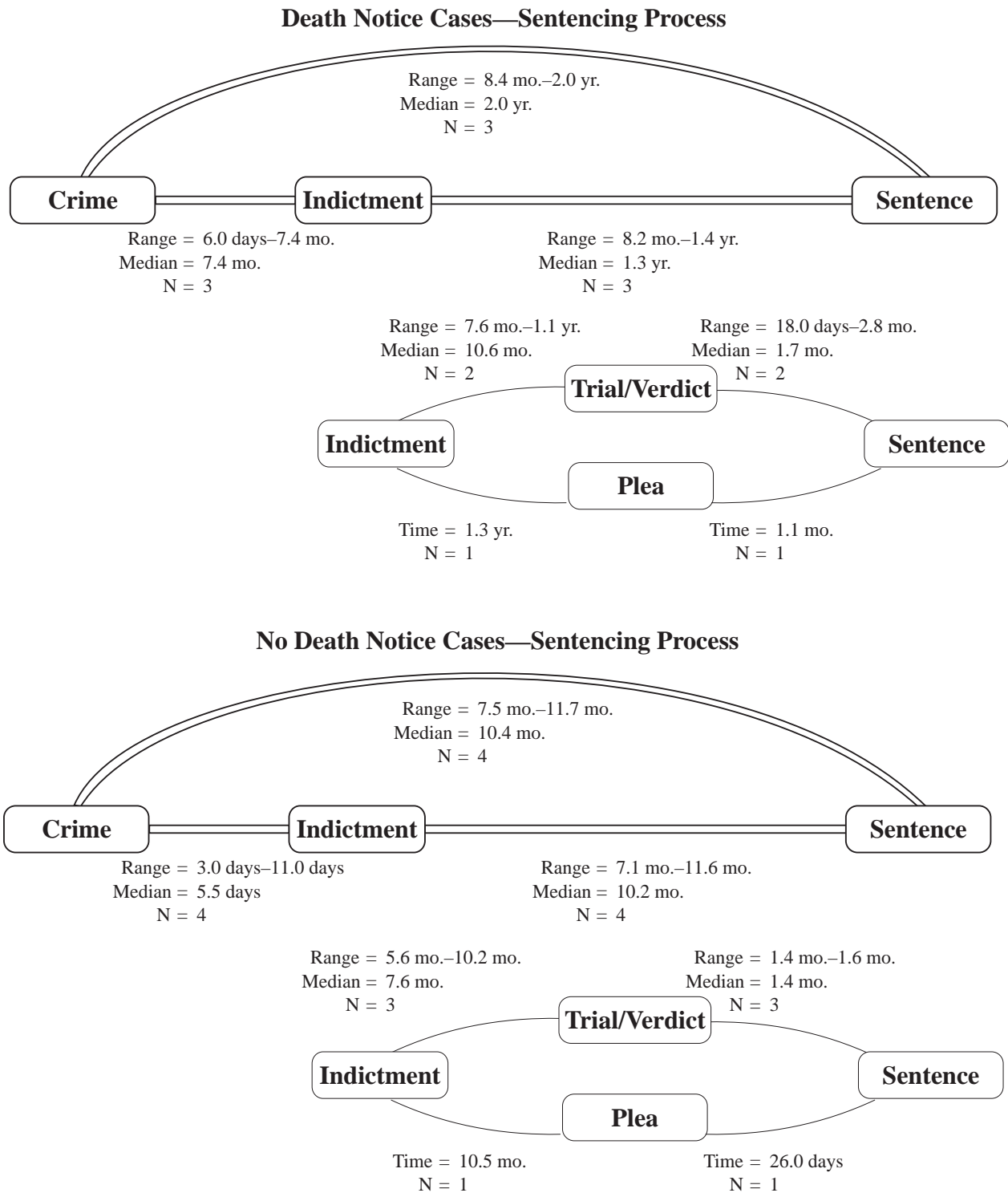


Exhibit A-4b. Major Time Intervals for Death Notice Cases and No Death Notice Cases: First-degree Murder Indictments in Gila County, 1995–1999



The median is the middle value in the ranked distribution of values.
 The range indicates the lowest to the highest values.

Exhibit A-5a. Processing of First-degree Murder Indictments in Graham County, 1995–1999

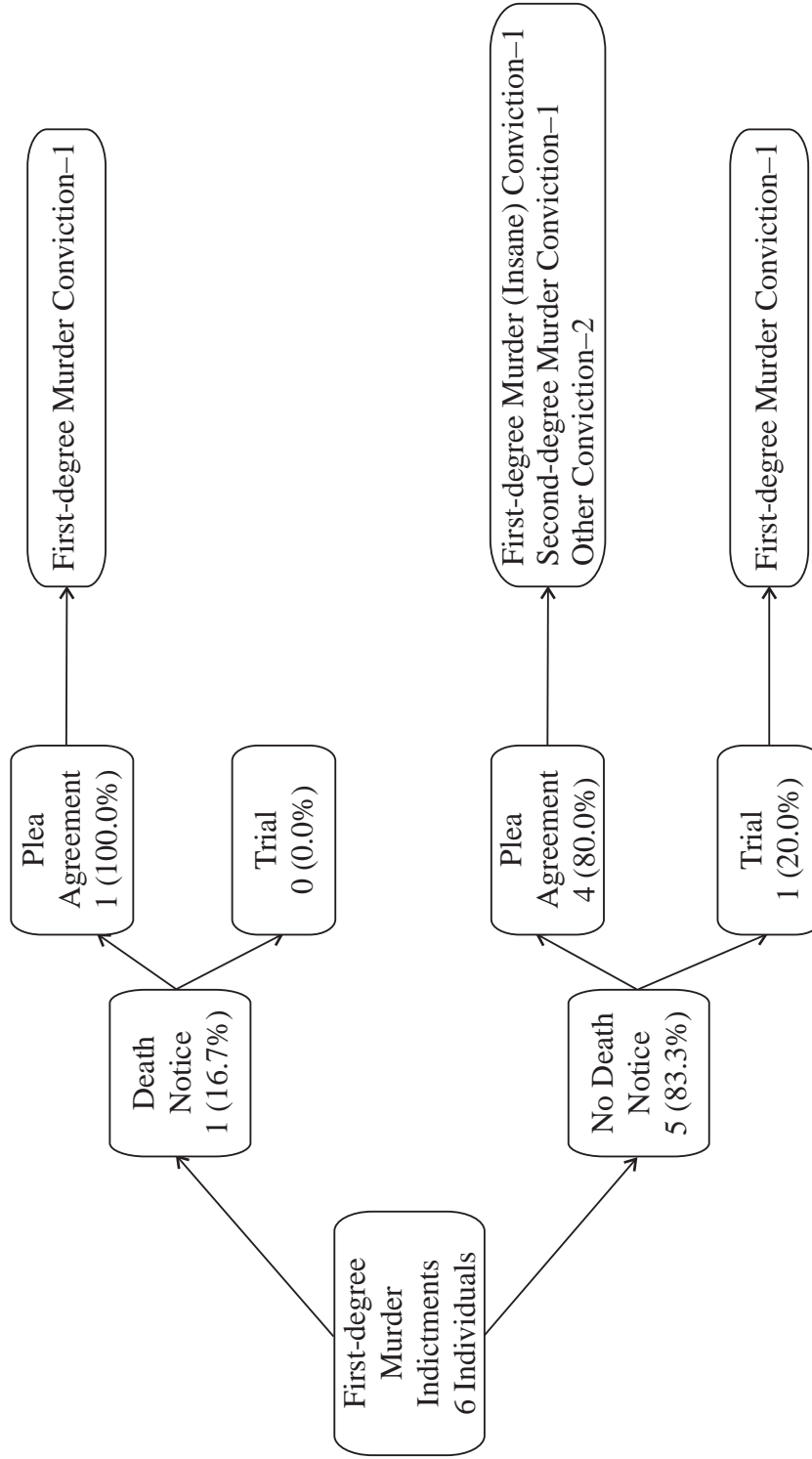
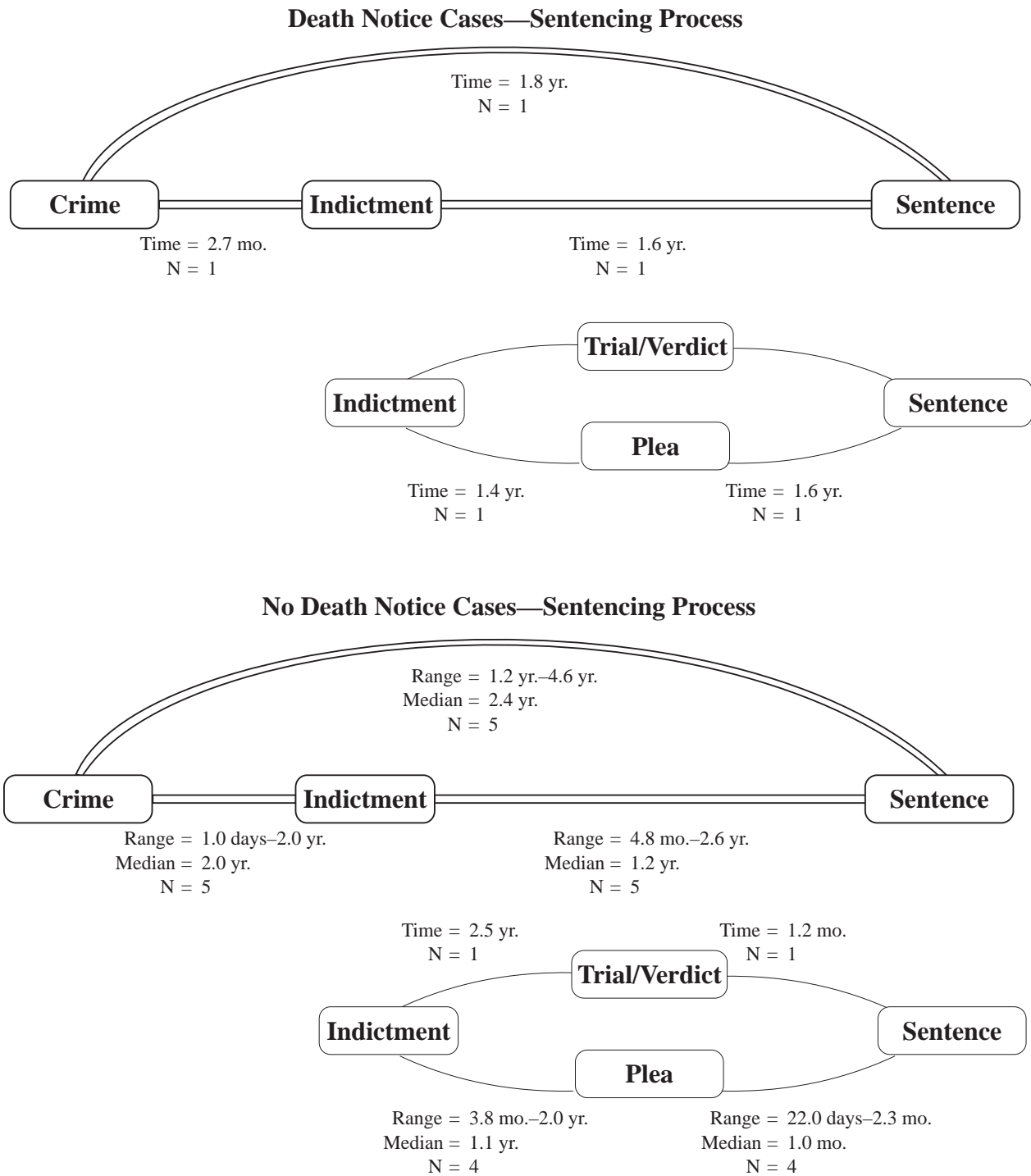


Exhibit A-5b. Major Time Intervals for Death Notice Cases and No Death Notice Cases: First-degree Murder Indictments in Graham County, 1995–1999



The median is the middle value in the ranked distribution of values.
 The range indicates the lowest to the highest values.

Exhibit A-6a. Processing of First-degree Murder Indictments in La Paz County, 1995–1999

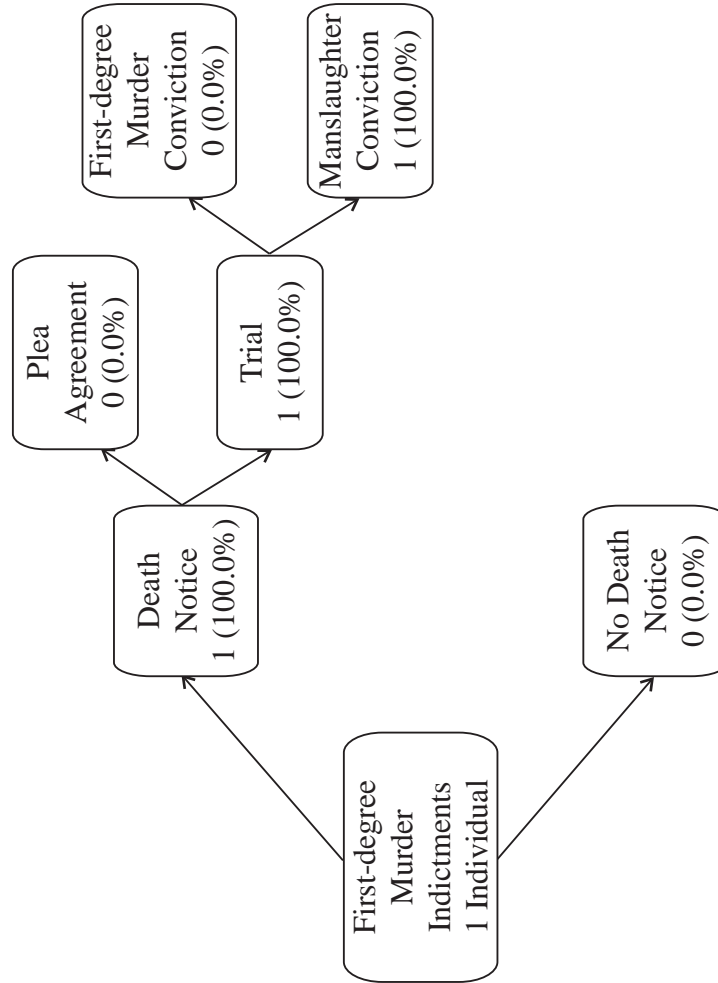
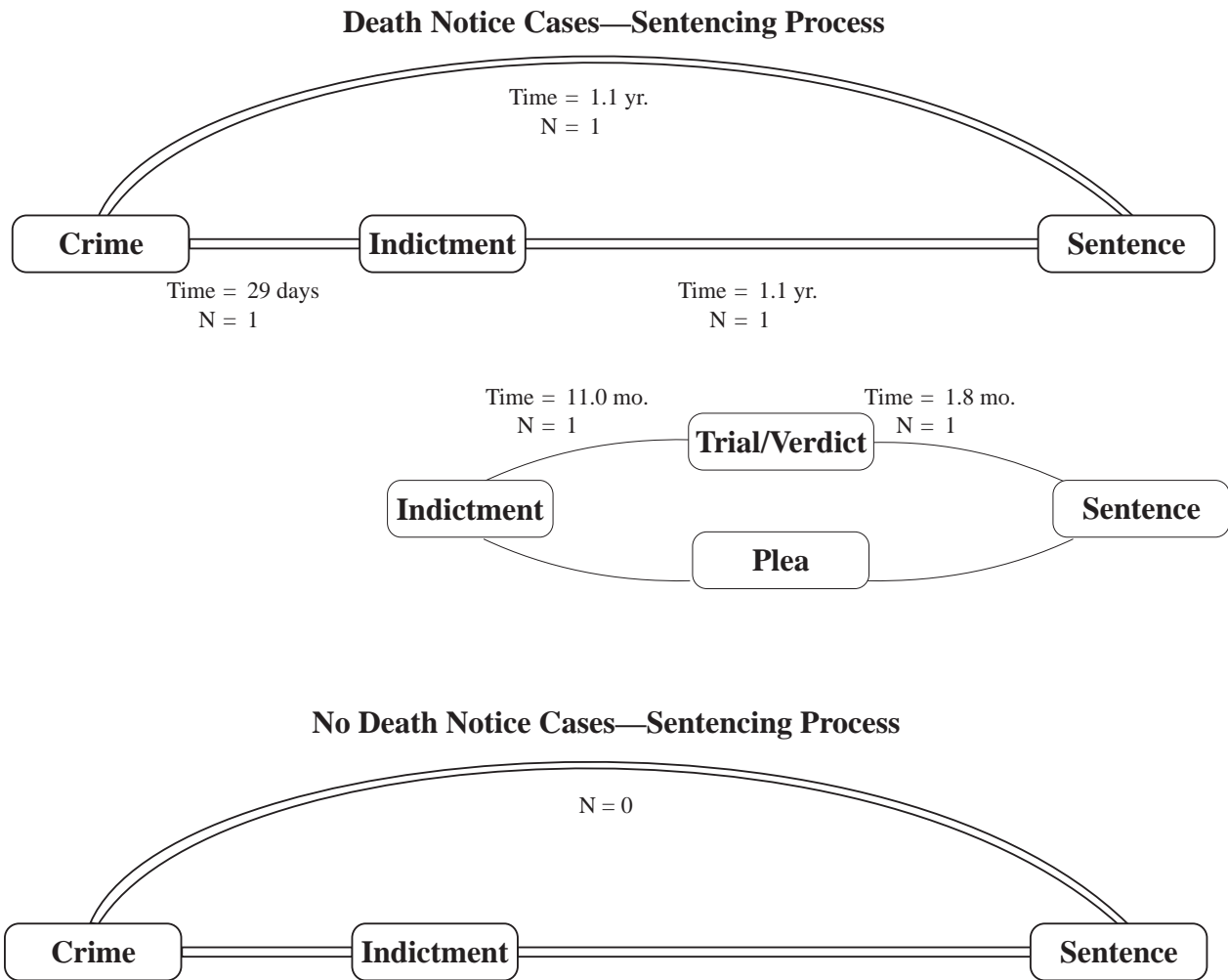


Exhibit A-6b. Major Time Intervals for Death Notice Cases and No Death Notice Cases: First-degree Murder Indictments in La Paz County, 1995–1999



The median is the middle value in the ranked distribution of values.
The range indicates the lowest to the highest values.

Exhibit A-7a. Processing of First-degree Murder Indictments in Maricopa County, 1995–1999

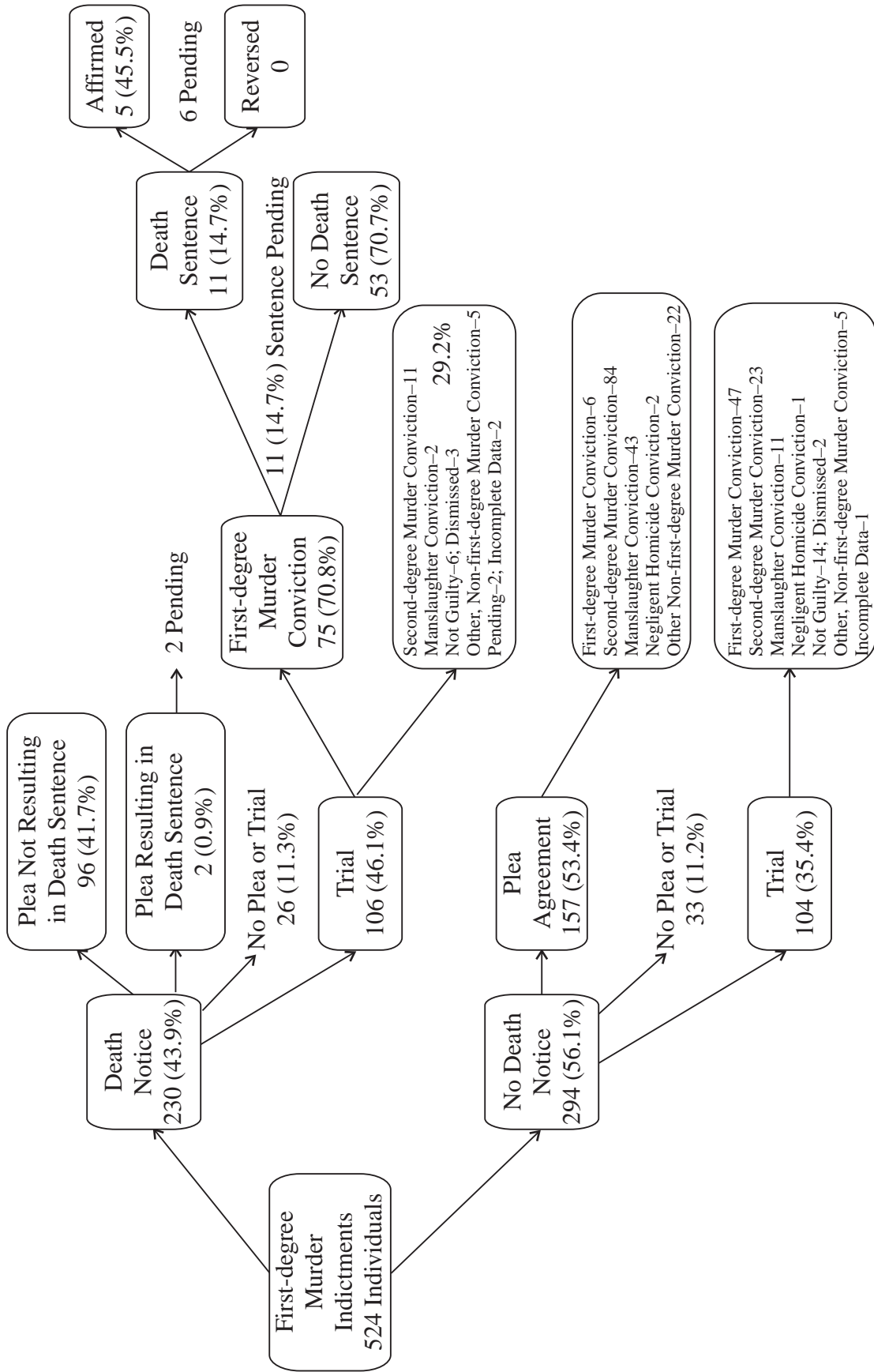
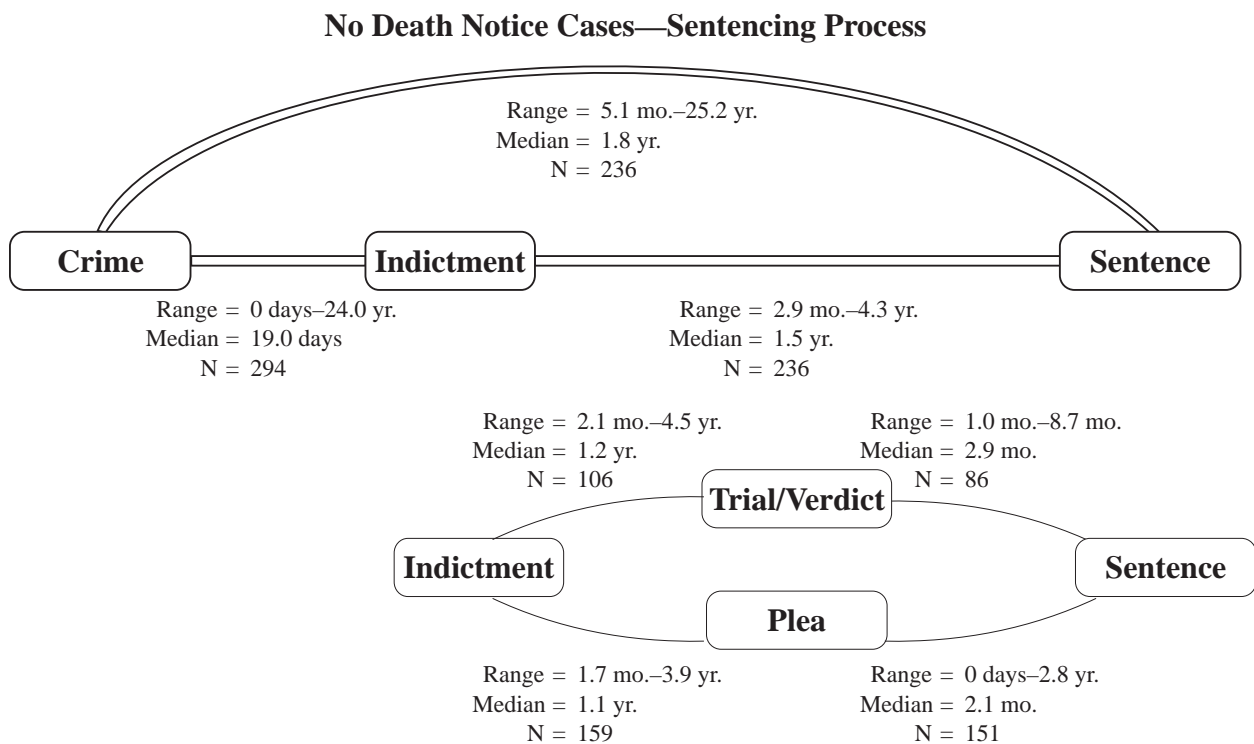
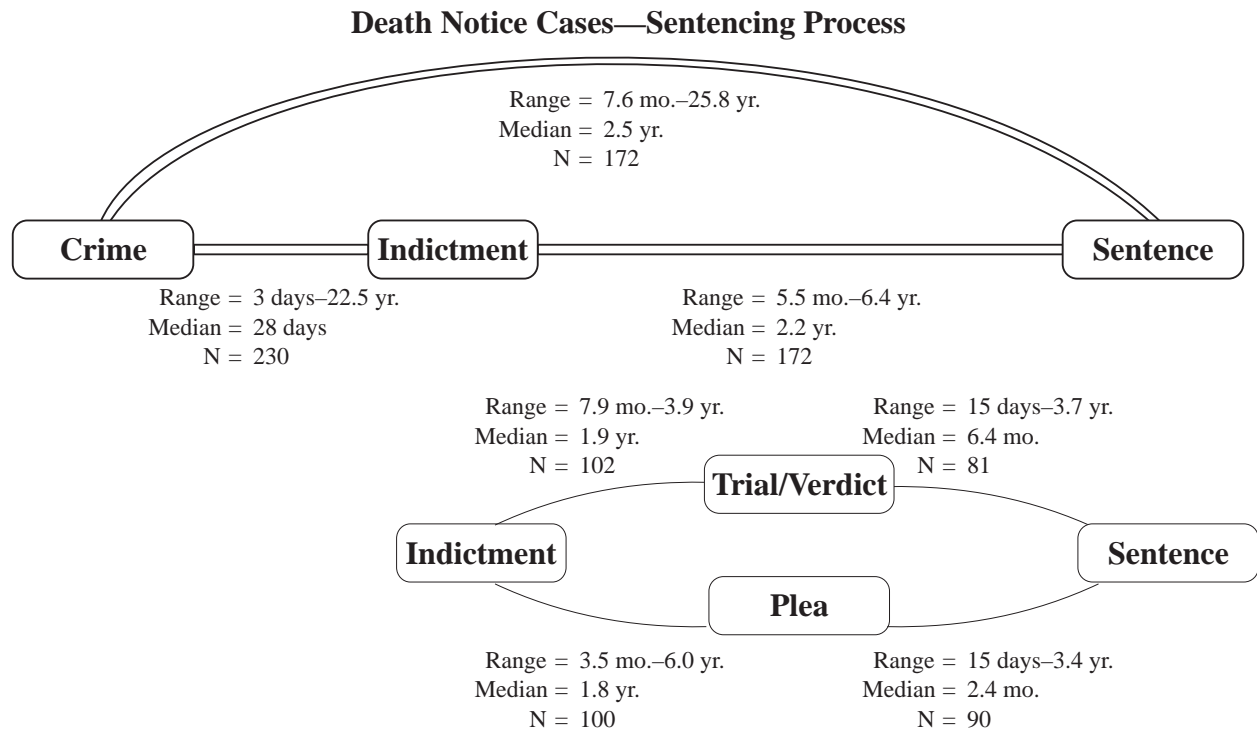


Exhibit A-7b. Major Time Intervals for Death Notice Cases and No Death Notice Cases: First-degree Murder Indictments in Maricopa County, 1995–1999



The median is the middle value in the ranked distribution of values.
 The range indicates the lowest to the highest values.

Exhibit A-8a. Processing of First-degree Murder Indictments in Mohave County, 1995–1999

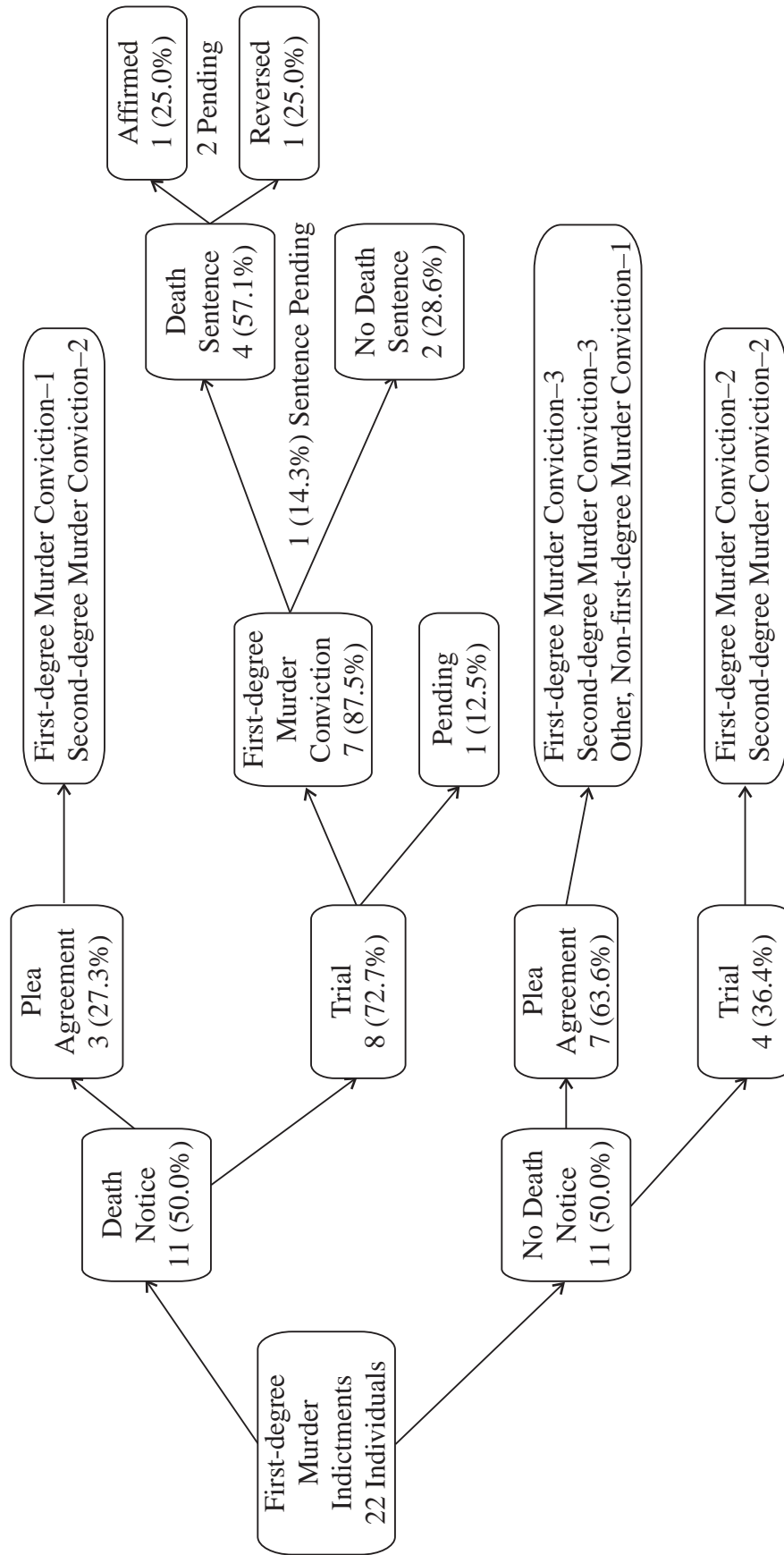
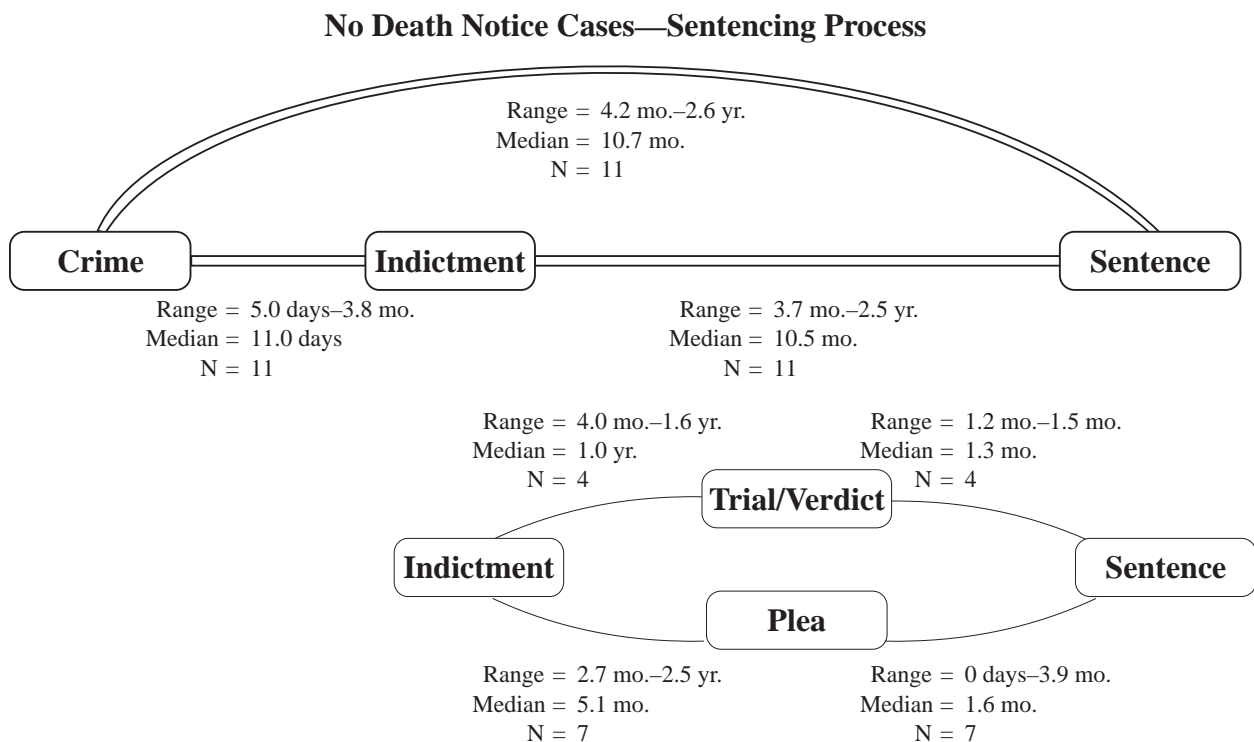
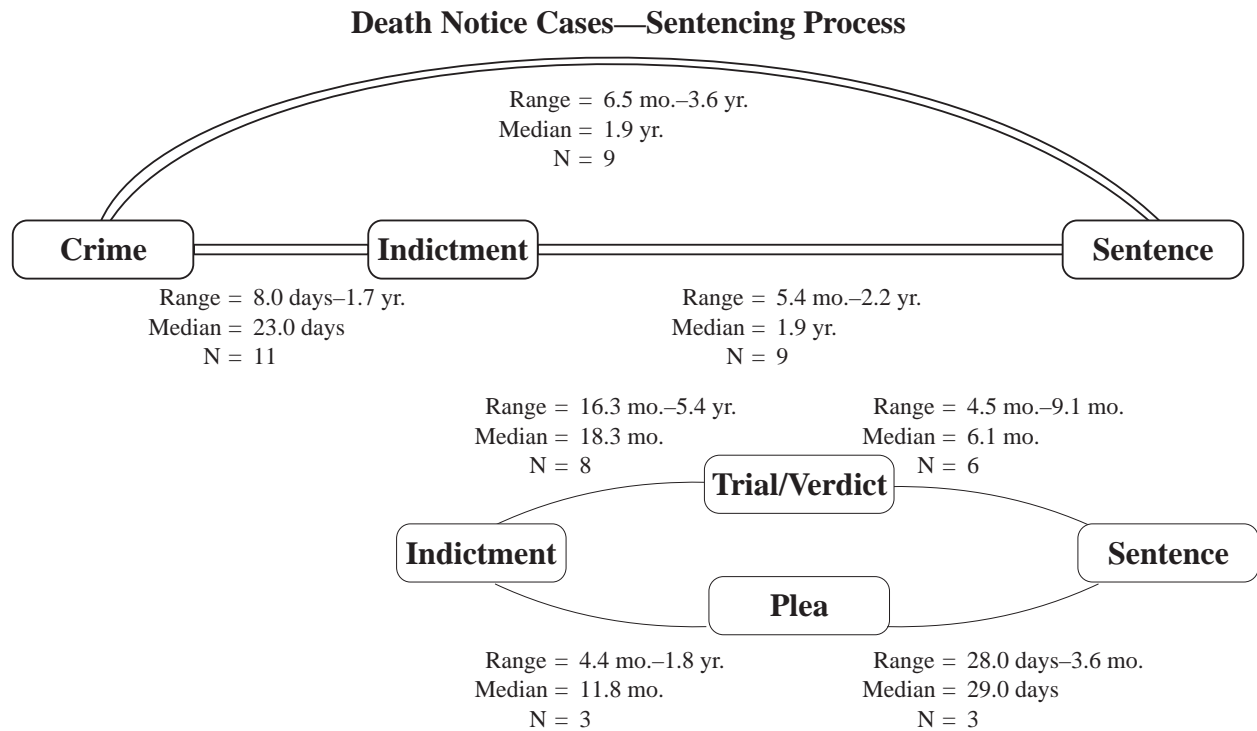
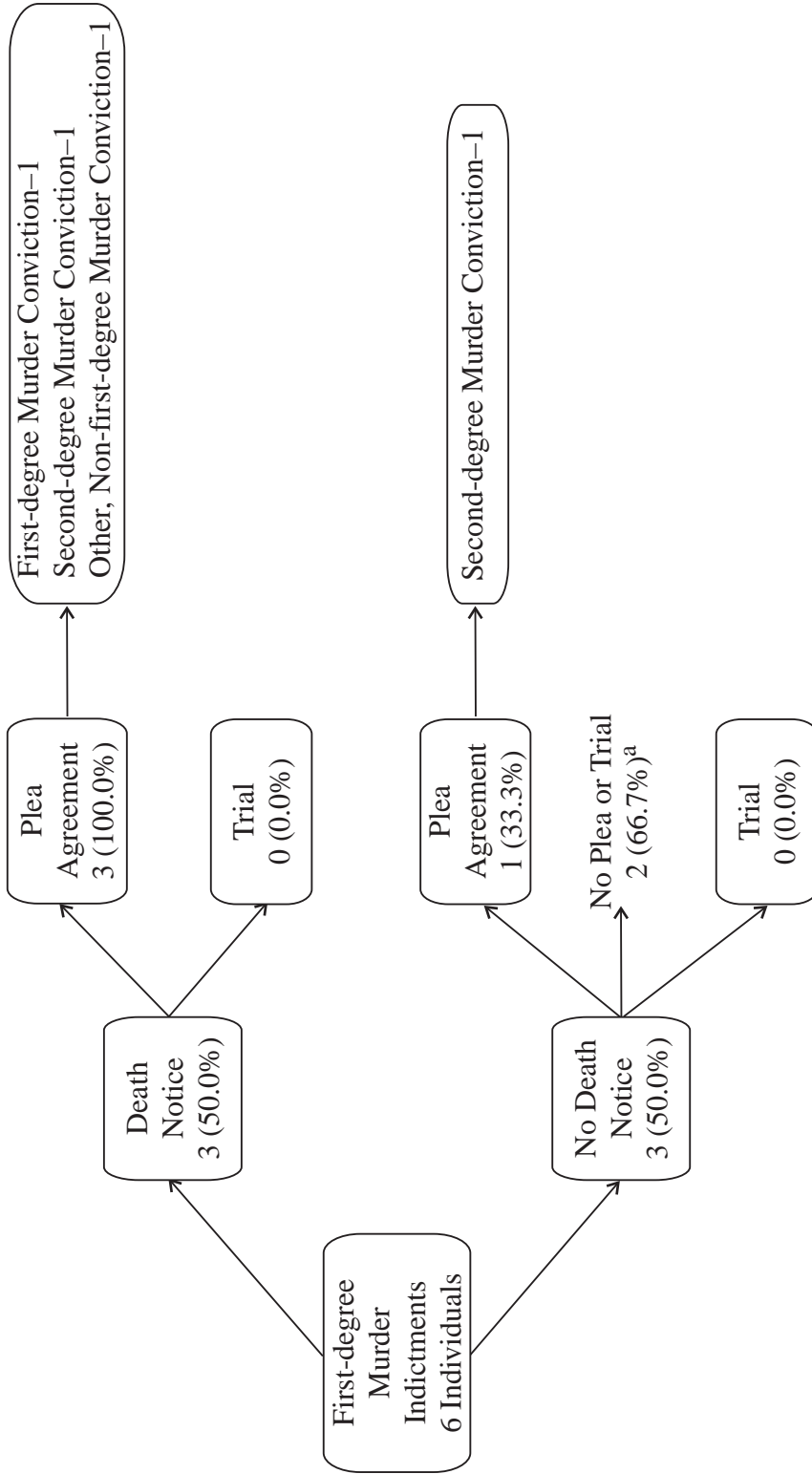


Exhibit A-8b. Major Time Intervals for Death Notice Cases and No Death Notice Cases: First-degree Murder Indictments in Mohave County, 1995–1999



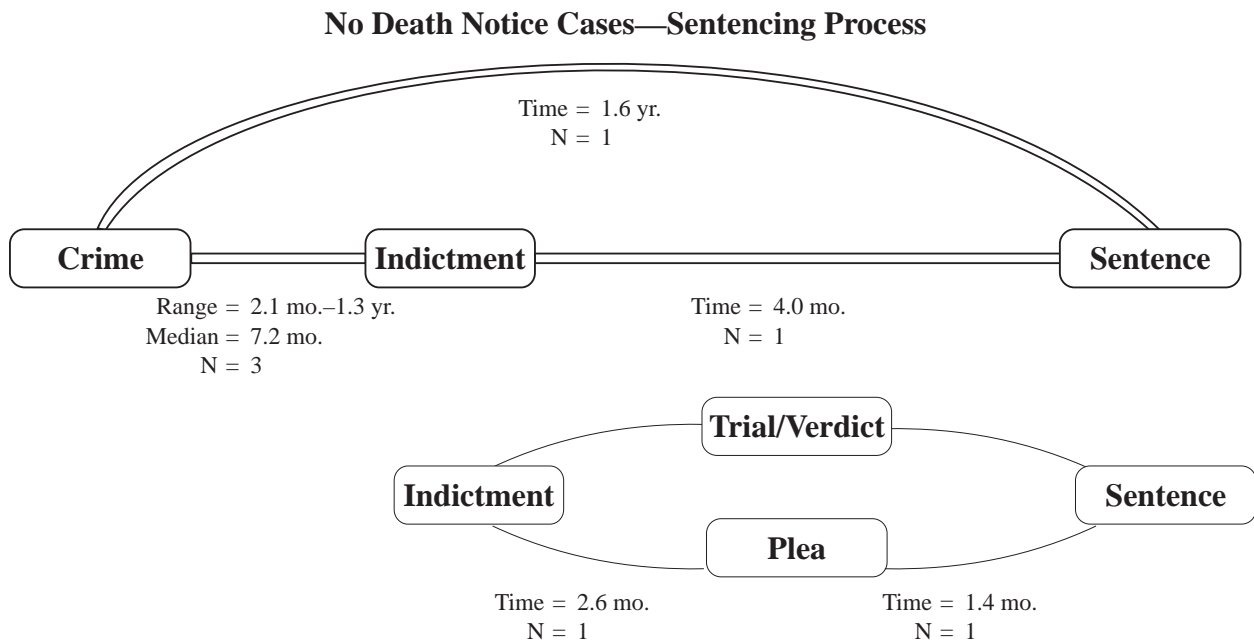
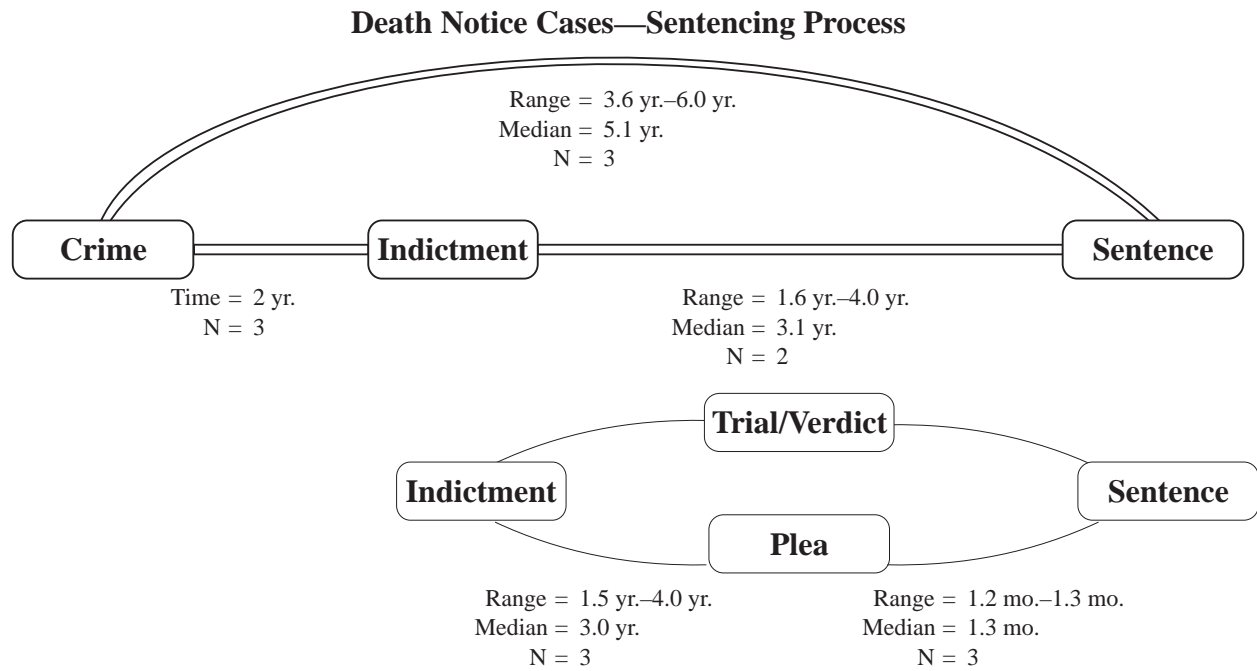
The median is the middle value in the ranked distribution of values.
The range indicates the lowest to the highest values.

Exhibit A-9a. Processing of First-degree Murder Indictments in Navajo County, 1995–1999



^a1 dismissed without prejudice and 1 outstanding arrest warrant

Exhibit A-9b. Major Time Intervals for Death Notice Cases and No Death Notice Cases: First-degree Murder Indictments in Navajo County, 1995–1999



The median is the middle value in the ranked distribution of values.
 The range indicates the lowest to the highest values.

Exhibit A-10a. Processing of First-degree Murder Indictments in Pima County, 1995–1999

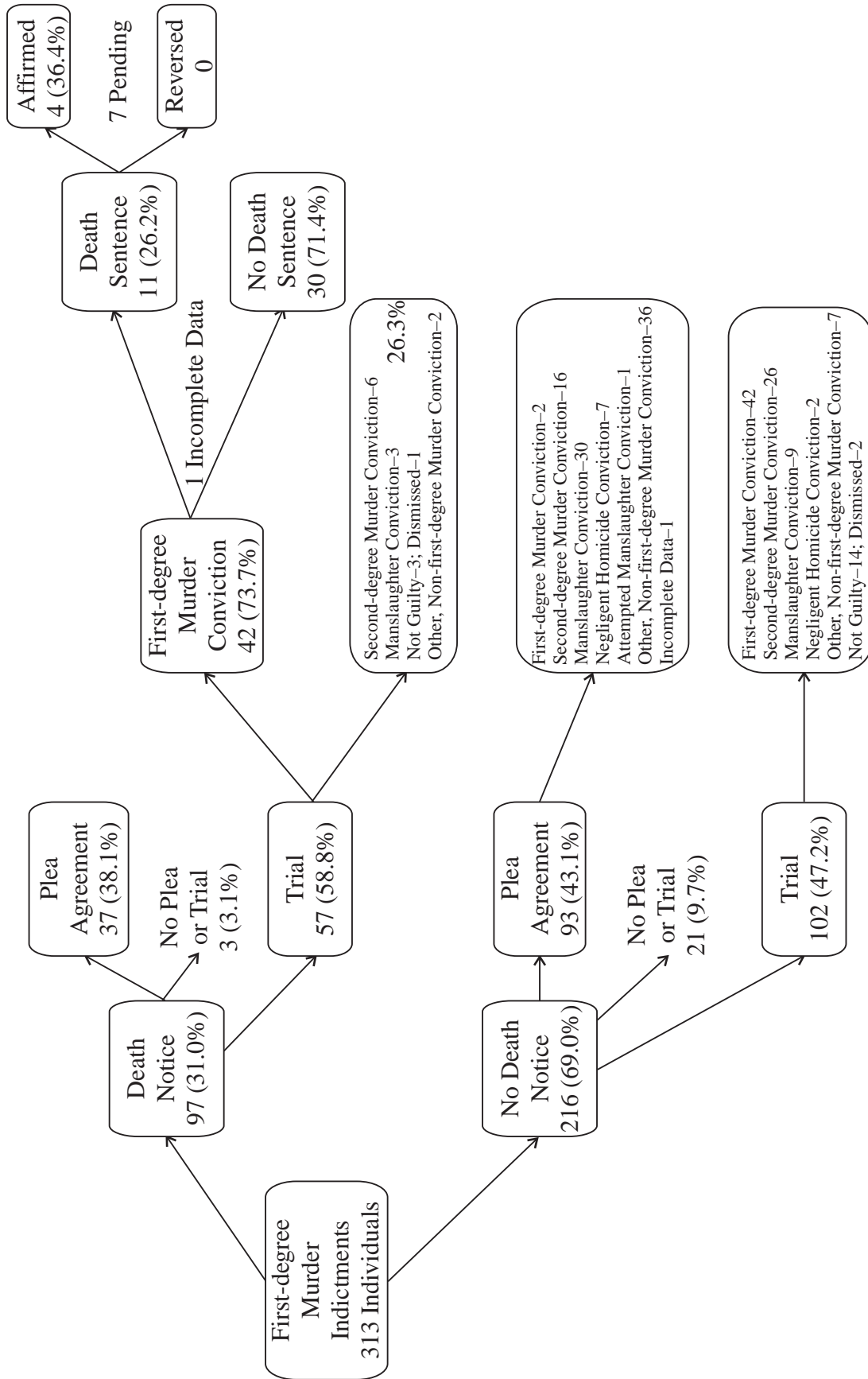
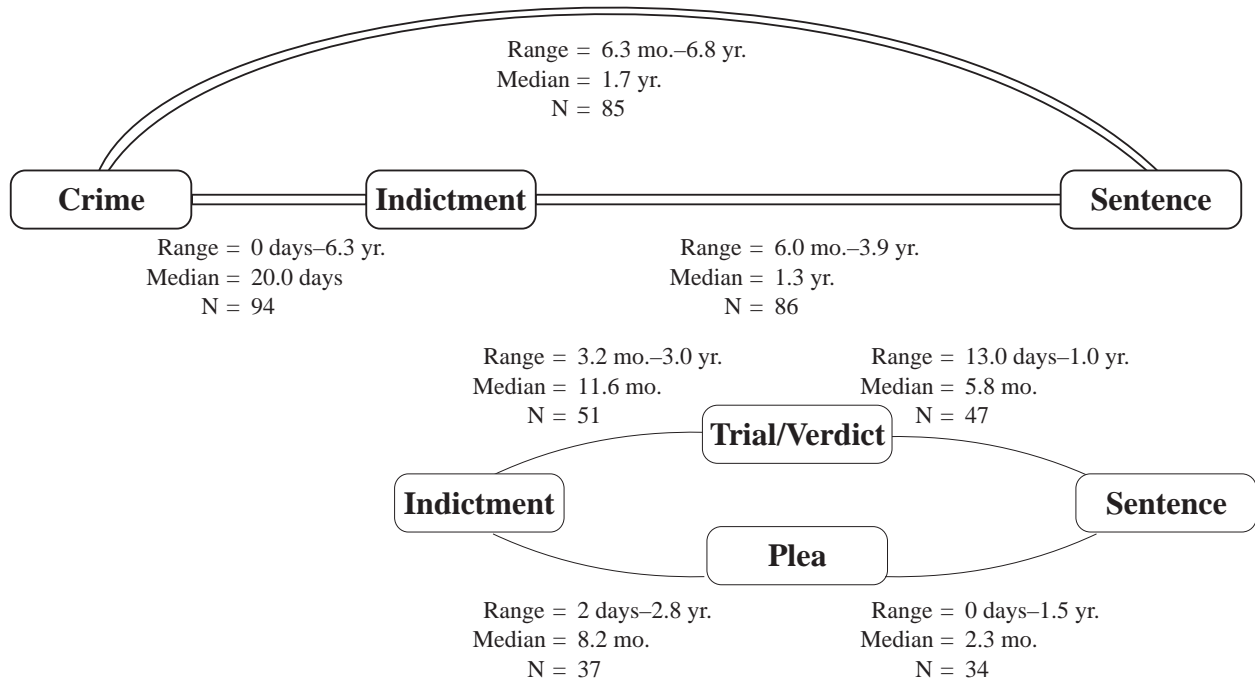
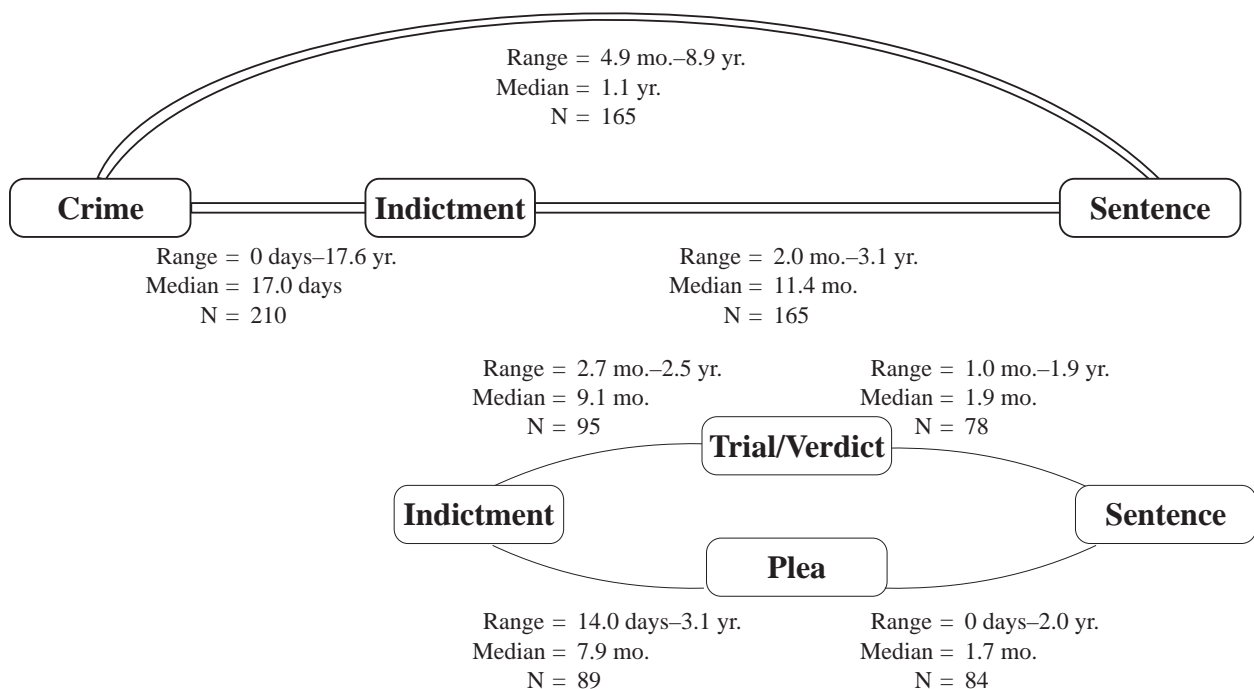


Exhibit A-10b. Major Time Intervals for Death Notice Cases and No Death Notice Cases: First-degree Murder Indictments in Pima County, 1995–1999

Death Notice Cases—Sentencing Process

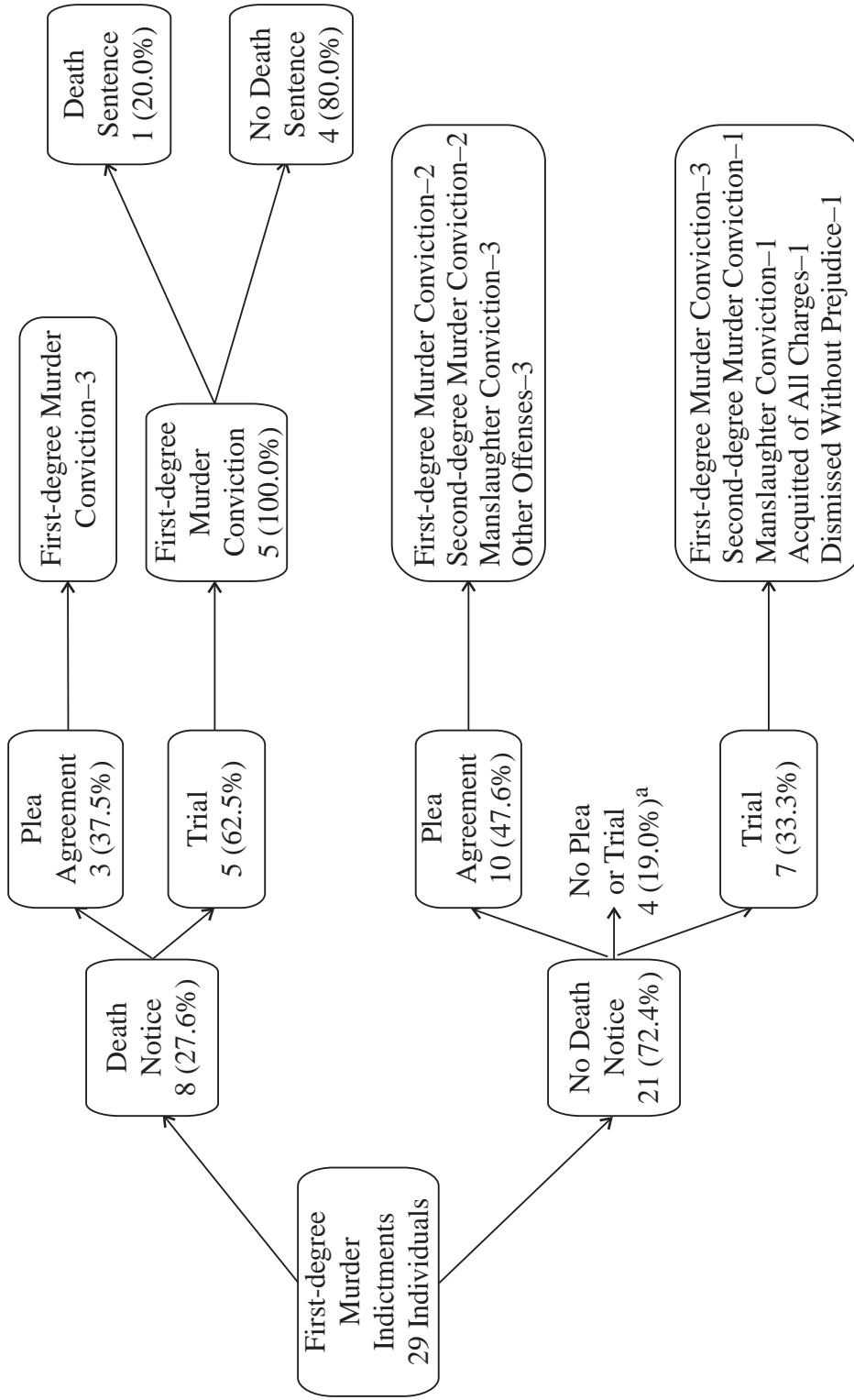


No Death Notice Cases—Sentencing Process



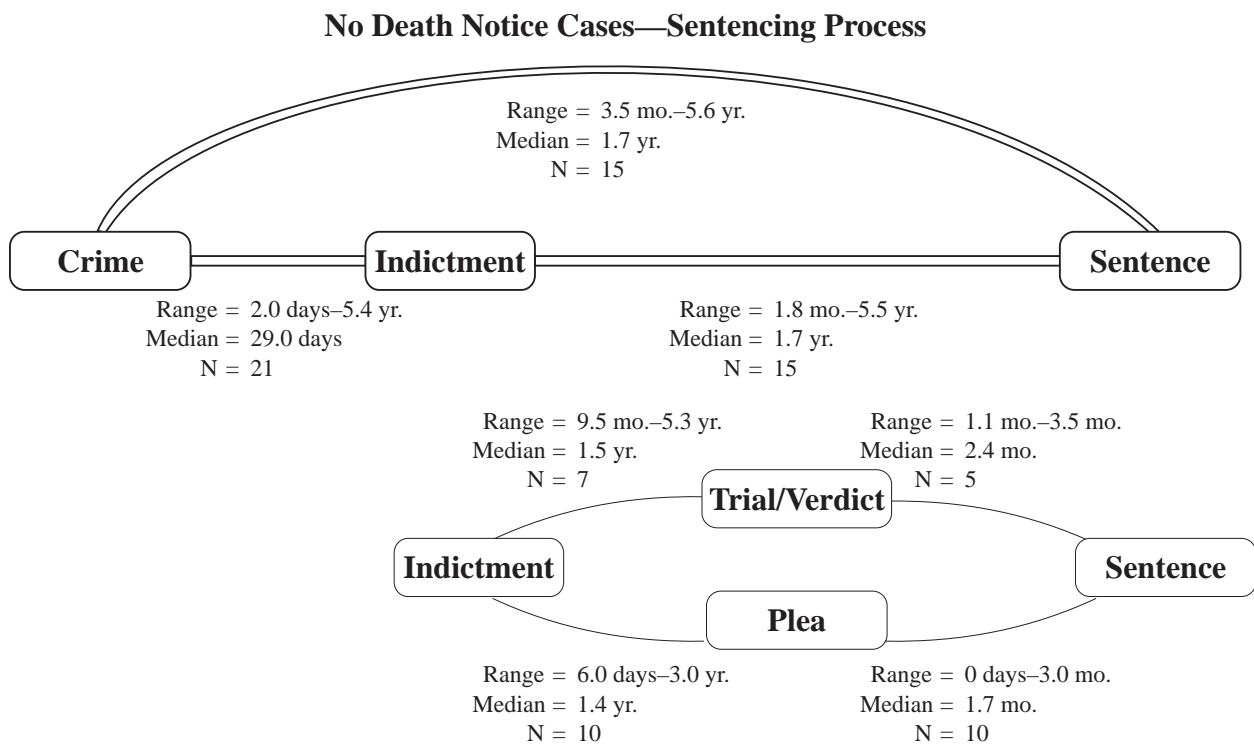
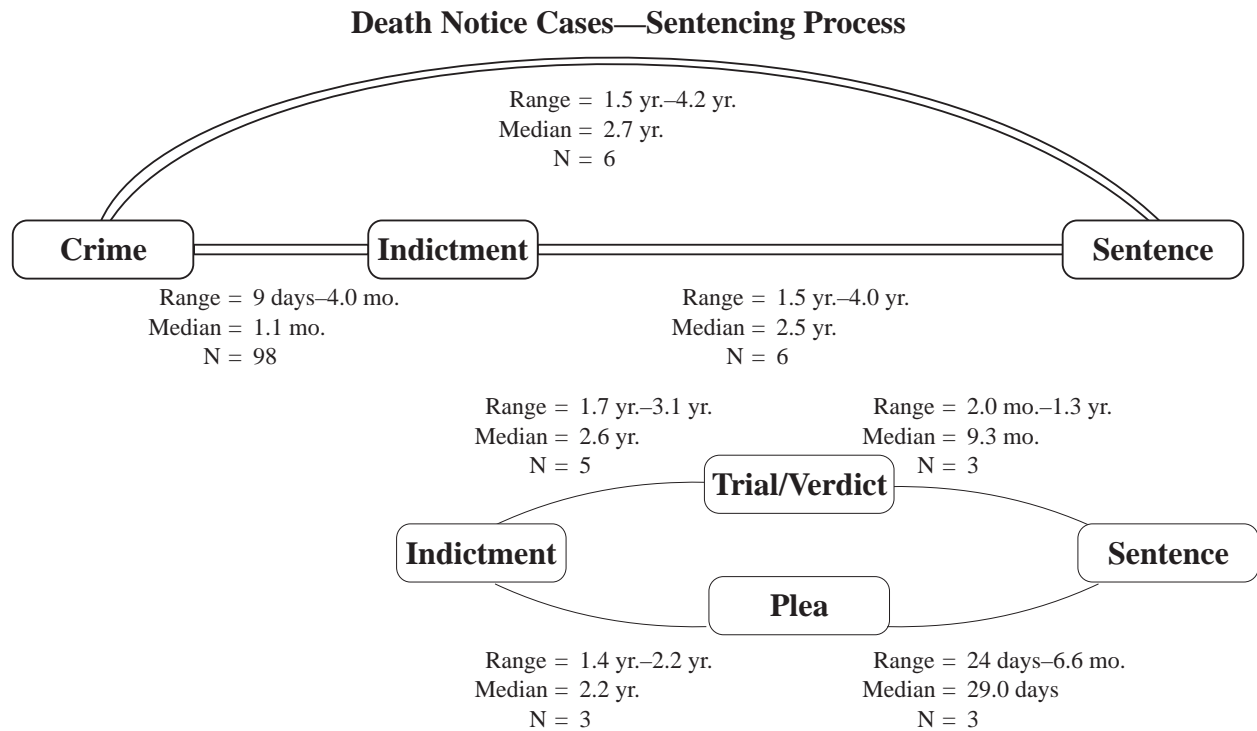
The median is the middle value in the ranked distribution of values.
 The range indicates the lowest to the highest values.

Exhibit A-11a. Processing of First-degree Murder Indictments in Pinal County, 1995–1999



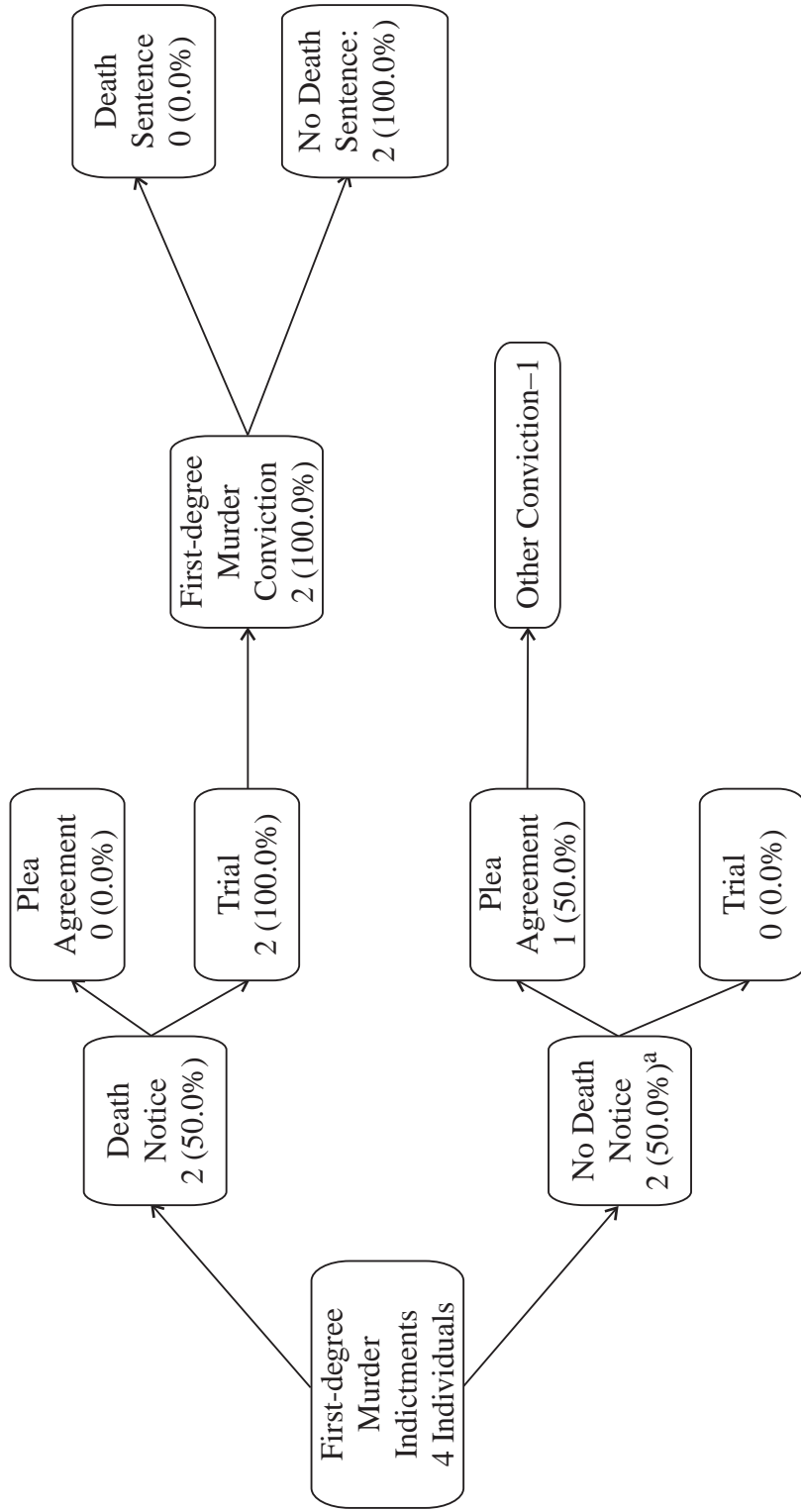
^a1 dismissed without prejudice, 2 pending, and 1 outstanding arrest warrant

Exhibit A-11b. Major Time Intervals for Death Notice Cases and No Death Notice Cases: First-degree Murder Indictments in Pinal County, 1995–1999



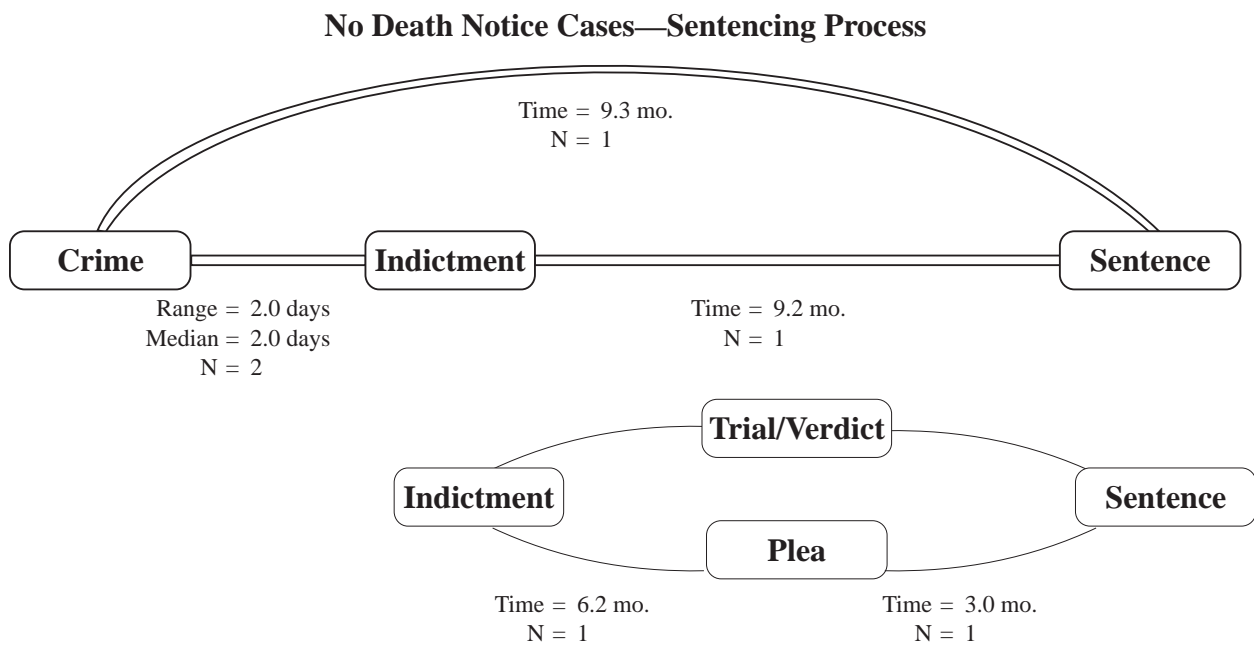
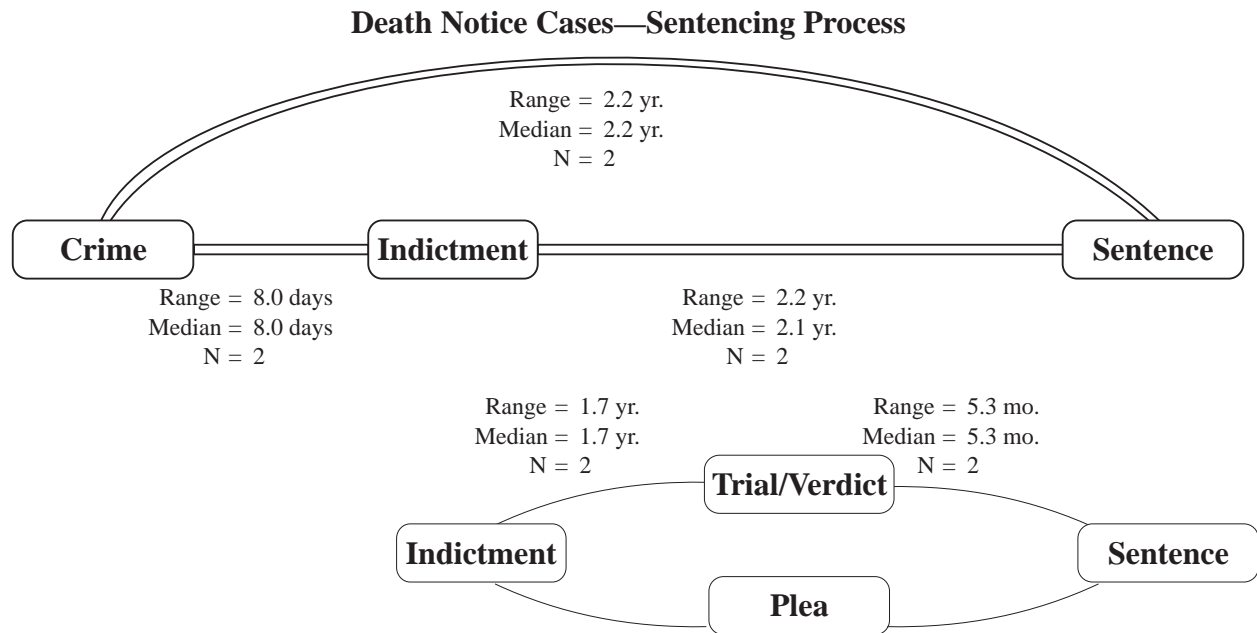
The median is the middle value in the ranked distribution of values.
 The range indicates the lowest to the highest values.

Exhibit A-12a. Processing of First-degree Murder Indictments in Santa Cruz County, 1995–1999



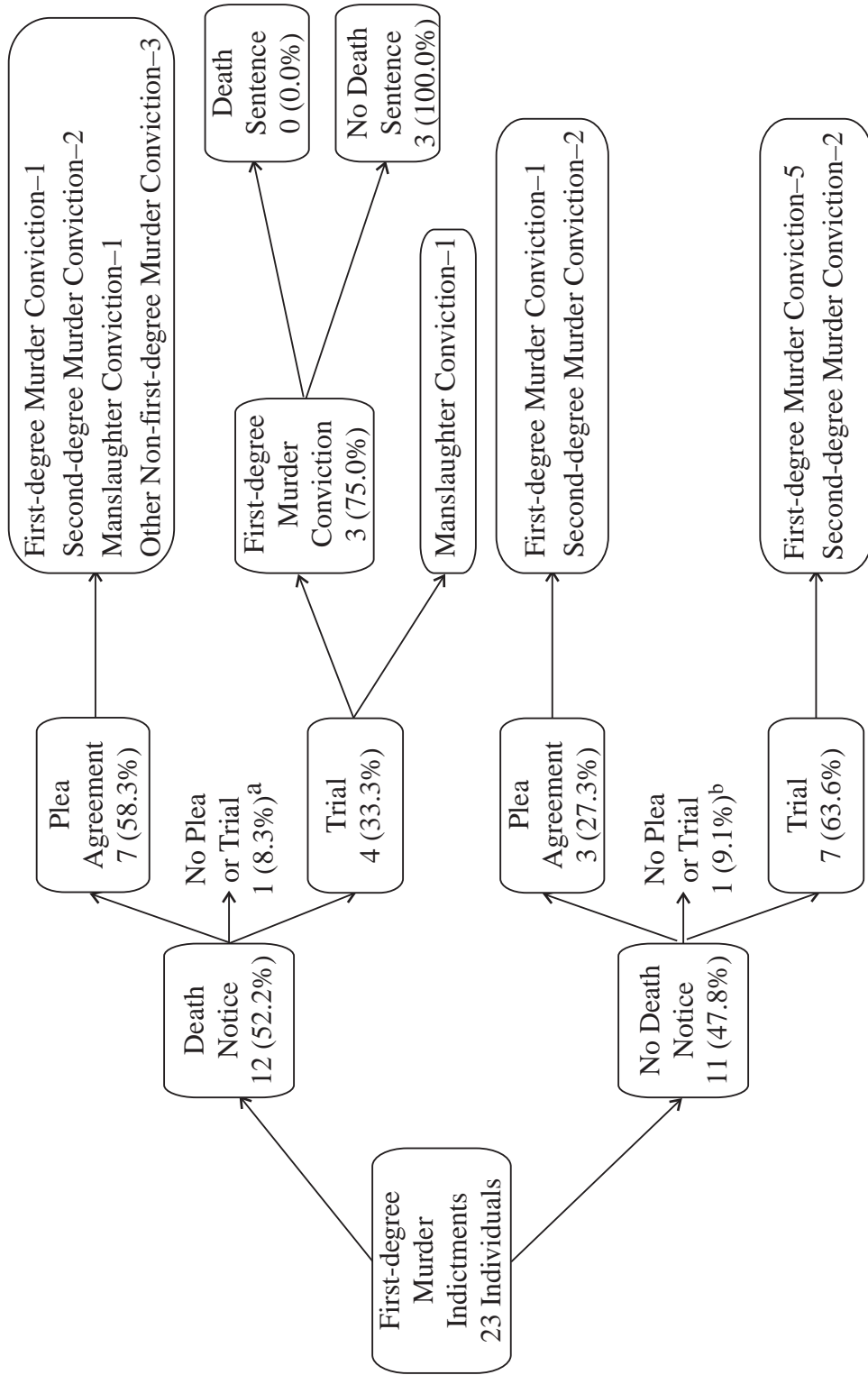
^aDismissed, Defendant Died-1

Exhibit A-12b. Major Time Intervals for Death Notice Cases and No Death Notice Cases: First-degree Murder Indictments in Santa Cruz County, 1995–1999



The median is the middle value in the ranked distribution of values.
The range indicates the lowest to the highest values.

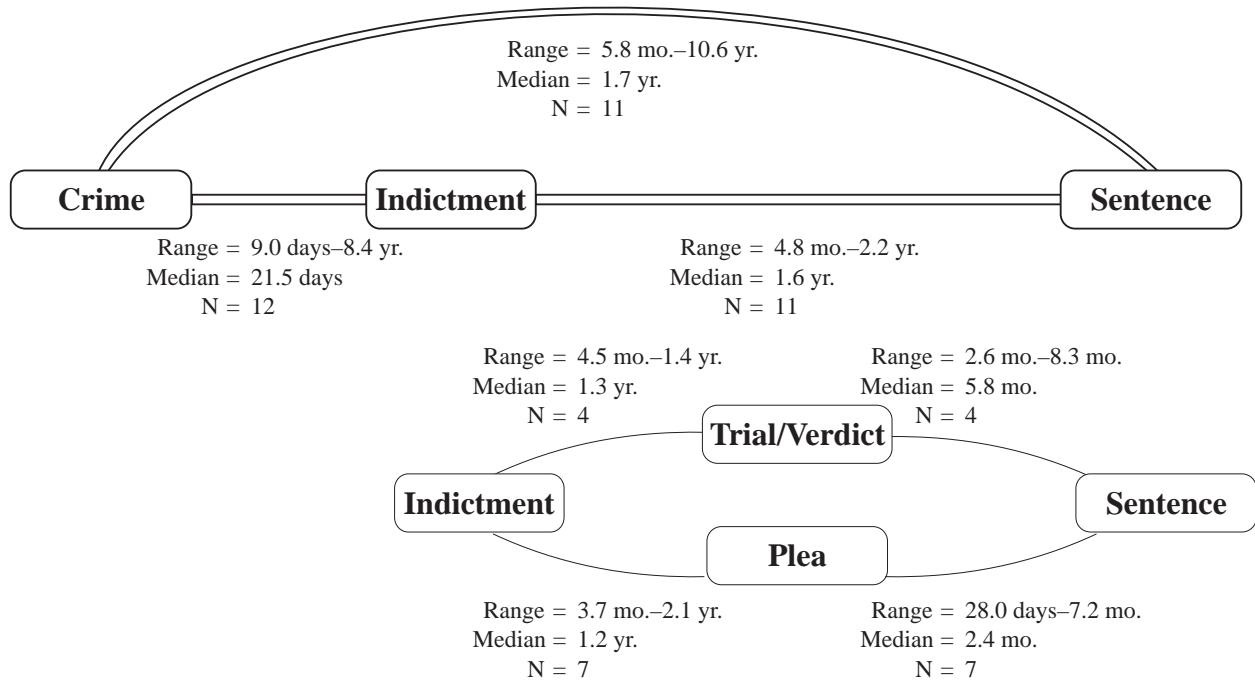
Exhibit A-13a. Processing of First-degree Murder Indictments in Yavapai County, 1995–1999



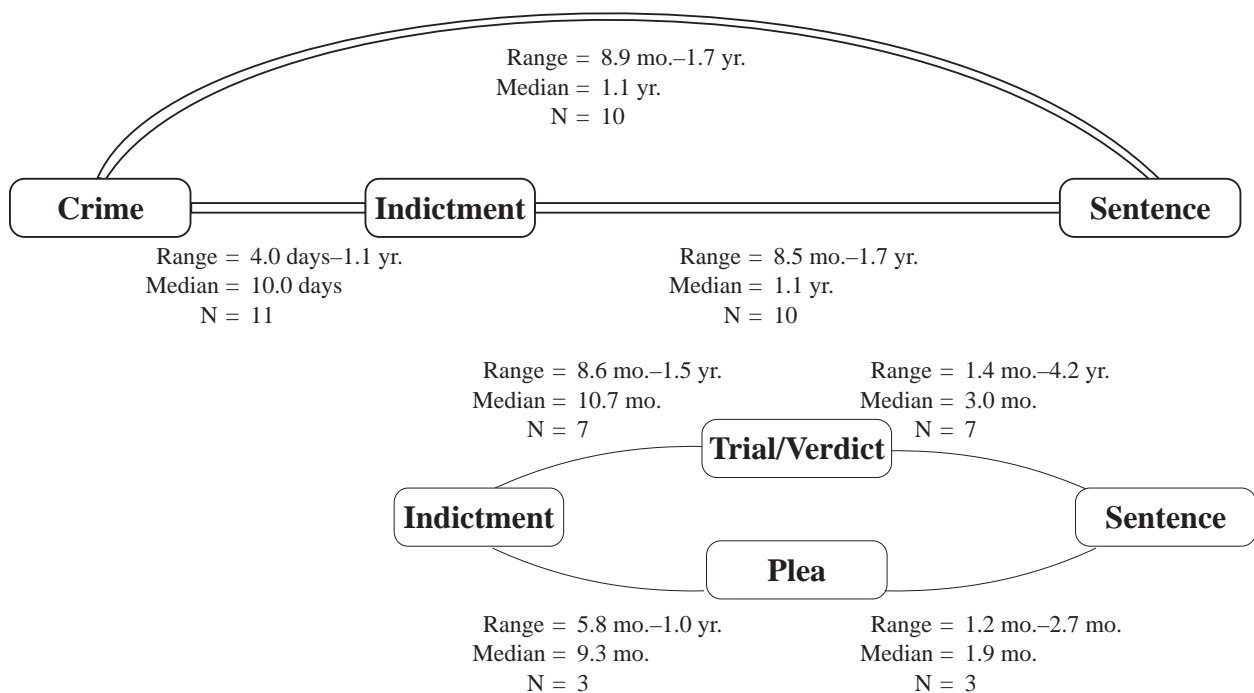
^aDismissed without prejudice
^bDismissed without prejudice

Exhibit A-13b. Major Time Intervals for Death Notice Cases and No Death Notice Cases: First-degree Murder Indictments in Yavapai County, 1995–1999

Death Notice Cases—Sentencing Process

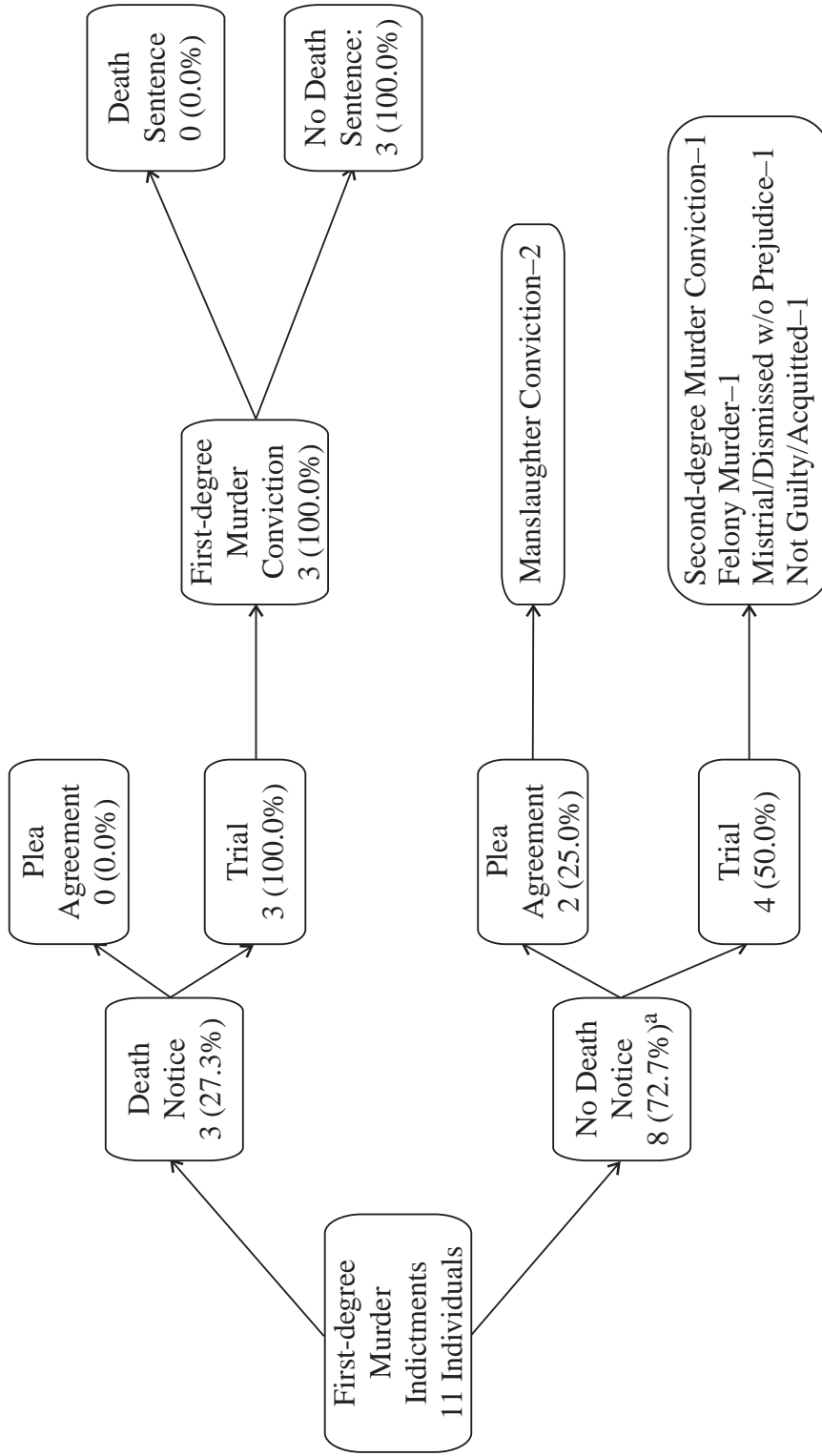


No Death Notice Cases—Sentencing Process



The median is the middle value in the ranked distribution of values.
 The range indicates the lowest to the highest values.

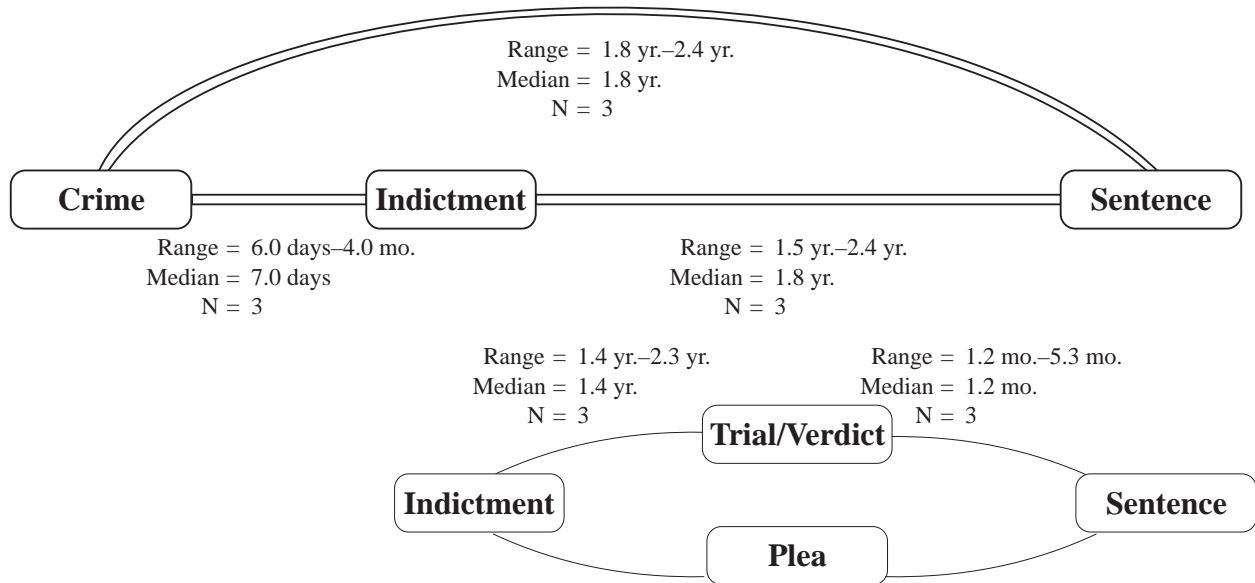
Exhibit A-14a. Processing of First-degree Murder Indictments in Yuma County, 1995–1999



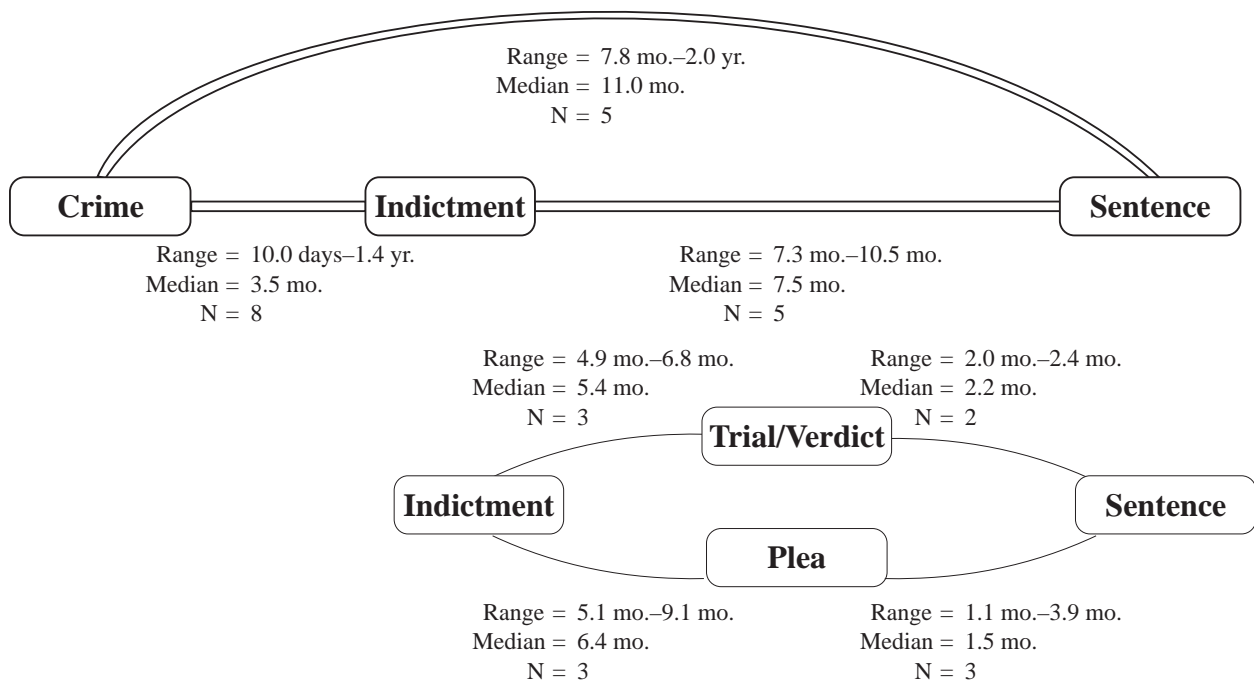
^aPrior to Trial/Plea:
Dismissed without Prejudice-2

Exhibit A-14b. Major Time Intervals for Death Notice Cases and No Death Notice Cases: First-degree Murder Indictments in Yuma County, 1995–1999

Death Notice Cases—Sentencing Process



No Death Notice Cases—Sentencing Process



The median is the middle value in the ranked distribution of values.
 The range indicates the lowest to the highest values.