

III. Data/Research Subcommittee

Purpose

At the inception of the Capital Case Commission, the Data/Research Subcommittee was established to work in consultation with the Center for Urban Inquiry, College of Public Programs at Arizona State University to compile empirical data about the death penalty process in Arizona. The Subcommittee designed a three stage process for compiling data. Data Set I includes all capital cases for individuals sentenced from 1974 through July 1, 2000. Data Set I profiles all defendants and victims and summarizes the processing of capital cases in Arizona, including time intervals between major decision points, analysis of statutes and rules governing the litigation of death penalty cases in Arizona, and in-depth study of all cases in which there have been conviction-related or sentence-related reversals, remands or modifications.

The Center for Urban Inquiry began by compiling the complete appellate history of each death penalty case in Arizona since *Furman v. Georgia* 408 U.S. 238 (1972). The Subcommittee was then charged with providing available information to the Capital Case Commission, responding to Commission requests for relevant information, maintaining a record of research projects suggested by Commission deliberations, assessing the feasibility of further research, and assisting in the preparation of Commission recommendations.

Dr. Peg Bortner, Director of the Center for Urban Inquiry at Arizona State University, chairs the Data/Research Subcommittee for the Commission and has designed the research methods for the study of Arizona's capital cases in Data Sets I and II. To date, the work on Data Sets I and II has been performed through services provided without charge by Dr. Bortner, Dr. Andy Hall, and their colleagues at the Center for Urban Inquiry. The Attorney General and the Commission are deeply grateful for these services and for the assistance the Center for Urban Inquiry continues to provide. Data Set II is well underway and includes all first degree murder cases charged between January 1, 1995 and December 31, 1999 in Maricopa, Pima, Coconino, and Mohave counties. Data Set II will profile defendants and victims in these cases using data points from Data Set I and will review aggregate data from these cases including the number of first degree murder prosecutions, the number of convictions and the results. Finally, Data Set II will be used to identify differences between capital murder cases and a non-capital murder cases.

Data Set III will use a representative sample of cases defined by the Data/Research Subcommittee, and will utilize data from Data Sets I and II, when possible, to estimate the incremental additional costs, if any, of prosecuting, defending and appealing a capital murder case compared to a non-capital murder case. Data Set III is currently underway and is being performed by The Williams Institute of Tempe.