



Wasteful and Inefficient

The alarming cost of the death penalty

Many people believe that the death penalty is more cost-effective than housing and feeding someone in prison for life. In reality, the death penalty's complexity, length, and finality drive costs through the roof, making it much more expensive. It is a bloated government program that has bogged down law enforcement, delayed justice for victims' families, and devoured millions of crime-fighting dollars that could save lives and protect the public.

How much does the death penalty cost?

- ◆ More than a dozen states have found that death penalty cases are up to 10 times more expensive than comparable non-death penalty cases.
- ◆ The most rigorous cost study in the country found that *a single death sentence in Maryland costs almost \$2 million more* than a comparable non-death penalty case. Before ending the death penalty, Maryland spent \$186 million *extra* to carry out just five executions. A similar study showed that California has spent over \$4 billion extra for the death penalty since 1978.
- ◆ A study in North Carolina looked at cases in 2005 and 2006 and concluded that repealing the death penalty could have saved the state nearly \$22 million in just those two years.
- ◆ Most costs associated with the death penalty never appear as line items in any budget. Instead they are buried in a thicket of legal proceedings and hours spent by judges, clerks, prosecutors, and other agencies. In the time it takes to pursue just one capital case, law enforcement could investigate, prosecute, solve, and prevent scores of other crimes.

"I think I could prove to you that I could put someone in the Waldorf Hotel for 60 to 70 years and feed them three meals a day cheaper than we can litigate a single death penalty case."

*– Sterling Goodspeed,
former District Attorney,
Warren County, New York*

Why does it cost so much?

- ◆ The death penalty process is more complicated because a life is on the line. Capital cases involve more lawyers, more witnesses, more experts, a longer jury selection process, more pre-trial motions, an entirely separate trial for sentencing, and countless other expenses – racking up exorbitant costs before a single appeal is even filed.
- ◆ Most death penalty trials are found to be significantly flawed, which leads to 68% of cases to be overturned, according to a Columbia Law School study. When prosecutors continue to seek the death penalty after a death sentence has been overturned, taxpayers have to pay for not just one but multiple capital trials.

- ◆ In most cases where the death penalty is sought, it is never imposed. And even when it is imposed, it is rarely carried out. Yet taxpayers are saddled with the death penalty's extra costs *even in cases where the defendant is not sentenced to death or executed.*

Who pays for the death penalty?

- ◆ A key study found that the costs of the death penalty are borne primarily by increasing taxes and cutting services like police and highway funding, with county budgets bearing the brunt of the burden.
- ◆ The burden is even higher on smaller counties. Jasper County, Texas, raised property taxes by nearly 7% just to pay for a single death penalty case. Two capital cases forced Jefferson County, Florida, to freeze employee raises and slash the library budget.
- ◆ The death penalty diverts resources that could be used to help families of the victims heal, including grief and trauma counseling, scholarships for orphaned children, professional leave to attend court proceedings, and financial support.
- ◆ Police chiefs nationwide rate the death penalty as one of the most inefficient uses of taxpayer dollars. Surveys show that law enforcement would prefer adding police or reducing drug abuse.

Can we make the system cheaper?

- ◆ Many of the extra costs are legally mandated to reduce the risk of executing an innocent person, but even these safeguards are not enough. At least 160 people have been exonerated from death row after waiting years for the truth to come out. Streamlining the process would only heighten the already real risk of executing an innocent person.
- ◆ Even states with the fewest protections and a faster process face exorbitant death penalty costs. In Texas, for example, the death penalty still costs an average of three times more than 40 years in prison at maximum security.

We've learned a lot about the death penalty in the last 40 years. It is a bloated and expensive system that has bogged down law enforcement, delayed justice for victims' families, and squandered millions of crime-fighting dollars. Can we afford the price?

"We've had the death penalty since 1994, and we continue to pay for the process with little results...But we continue to cut the programs that could prevent these types of crimes."

– Kansas State Senator Carolyn McGinn, a Republican, who sponsored legislation to repeal the death penalty in order to save funds

"As a police chief, I find this use of state resources offensive... Give a law enforcement professional like me that \$250 million, and I'll show you how to reduce crime. The death penalty isn't anywhere on my list."

– James Abbott, Police Chief and former death penalty supporter, West Orange, New Jersey

Sources available at ejusa.org