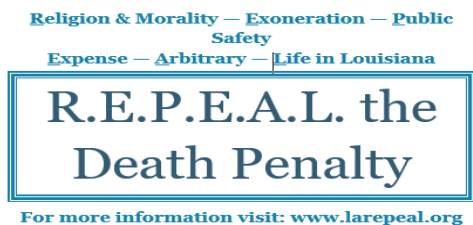


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LAREPEAL is a Project of the **Promise of Justice Initiative**

## **New Study Shows LA Death Penalty has \$281 Million Price Tag**

**New Orleans** – Former Chief Judge of the Orleans Criminal District Calvin Johnson, and William Quigley, Professor of Law at Loyola University New Orleans, have conducted a [new analysis](#) of the costs of Louisiana’s death penalty and found that it would cost the state at least two hundred and eighty-one million dollars (\$281,000,000) to secure an execution for someone arrested after August 1, 2019. These costs are *above and beyond* the costs to the State of pursuing and securing a life sentence without parole. The analysis is based upon information from the Louisiana Department of Corrections, the Louisiana Public Defender Board, the Louisiana Legislative Fiscal Office along with other available information. The analysis takes into consideration the average number of potential capital cases and the length of time (17.6 years) it takes for a case to progress from arrest to conviction and sentence to an execution.

On average, Louisiana spends at least \$15 million a year to maintain our capital punishment system. These costs include the expense of defense and corrections to maintain the death penalty and death row, and the costs incurred by the courts and prosecutors for trials of capital cases. The authors’ note that “The actual costs may be significantly higher, as the costs do not include the prosecution or court costs spent on capital cases that ultimately did not go to trial as a capital case, or the costs of Louisiana Supreme Court review.”

Professor Quigley observed: “Louisiana has spent over \$200 million in the past 15 years, to operate a broken death penalty system in which 83% of the death sentences imposed at trial have been overturned. Louisiana has to decide whether it wants to spend more than \$250 million dollars in the future, for a death penalty system that has resulted in more exonerations than executions over the last 15 years.” The paper details costs studies from eighteen other states that “have found the costs of administering the death penalty to be substantially higher than administering a system limited to life without parole sentences.”

The Honorable Calvin Johnson notes, “Louisiana’s death penalty is exorbitantly expensive, but when the State is attempting to execute a citizen, the Constitution imposes costs that are unavoidable. And when the moral authority of the state – and a person’s life -- is at stake, we can’t cut corners.” The new study concludes, “we are paying hundreds of millions of dollars for a system that we do not use and that does not work.”

Ben Cohen, of Counsel at the Promise of Justice Initiative, says of the study: “Proponents of the death penalty say you can’t put a price tag on justice. But the sticker price on the death penalty in Louisiana is more than a quarter of a billion dollars. That is a lot of roads, a lot of schools, a lot of health care for a lot of people. Not much fairness and no justice.”

An Analysis of the Economic Cost of Maintaining A Capital Punishment System In The Pelican State

Presented by Honorable Calvin Johnson, retired Chief Judge of the Orleans Criminal District, and William P. Quigley, Professor of Law, Loyola University New Orleans College of Law

## FINDINGS

### The Cost of Louisiana's Death Penalty:

Over the past fifteen years, Louisiana has spent over two hundred million dollars on its death penalty system resulting in a single execution. Maintaining Louisiana's capital punishment system – prosecution, defense, court and corrections – imposes a cost on the State of Louisiana of at least fifteen million, six hundred thousand dollars (\$15,600,000) per year.

To maintain a capital punishment system from arrest to execution for an offense committed after August 1, 2019, the State will have to pay at least two hundred and eighty one million dollars (\$281,000,000). This more than a quarter-billion dollars is *above* the ordinary costs that these cases would otherwise impose.

### Cases

- There are on average 80 potentially capital first degree murder arrests each year in Louisiana resulting in an average of 32 capital indictments.
- 96% of these potentially capital cases are resolved with a non-capital trial, a plea to a lesser offense, or a plea to life without parole.
- There are on average three capital trials per year.

### Time

- It takes approximately three years from the date of arrest to trial.
- The average length of time on the row for those currently sentenced to death is 17.6 years.

### Outcomes

- There is on average one death sentence per year.
- 83% of death sentences imposed at trial that have completed appellate review have been overturned.
- There was one execution in the last fifteen years. The defendant volunteered for execution.

Louisiana has the highest reversal rate in capital cases in the country, and has the highest per capita exonerations from death row.