

## FACT SHEET: THE HIGH COST OF THE DEATH PENALTY

*“Elimination of the death penalty would result in a net savings to the state of at least several tens of millions of dollars annually, and a net savings to local governments in the millions to tens of millions of dollars on a statewide basis.”*

– Joint Legislative Budget Committee of the  
California Legislature, Sept. 9, 1999

### **Capital punishment costs more than life without parole:**

- The death penalty does not exist in Wisconsin. Because the death penalty is a public policy, all costs will come from taxpayers and executions will be carried out in your name.
- The costs of the death penalty far exceed the costs of a system that uses life without parole, which is already a sentencing option in Wisconsin. Those costs could be better spent on increasing the police force, schools and job creation. (Death Penalty Information Center).
- The Indiana Criminal Law Study Commission issued a report in January of 2002, finding that total costs of the death penalty convictions are 38% greater than the total costs of life without parole convictions (*The Application of Indiana’s Capital Sentencing Law*, Indiana Criminal Law Study Commission, January 10, 2002).
- A Duke University study found that the death penalty costs North Carolina \$2.16 million per execution over the costs of a non-death penalty murder case (*The Costs of Processing Murder Cases in North Carolina*, Duke University, May 1993)

**Why does the death penalty cost more?** It’s not the appeals. Most death penalty costs come up front. Look at New Jersey. It has spent over a quarter billion dollars on the death penalty since 1983 and has executed nobody. Costs to New Jersey’s costly death penalty experiment (Source: New Jersey Policy Perspective, November 2005):

- Two to five times more pre-trial motions (10-25 motions instead of 5-7 in a non-capital cases)
- Three to five times longer for pre-trial defense investigation
- Up to *80 times longer* for jury selection (an average of five and a half days instead of half an hour to two hours)
- An average of 30 more court days per trial and \$66,000 more per case in court fees alone
- 10 times greater likelihood that a case will proceed to trial. The vast majority of non-capital cases are resolved through plea negotiations, saving the entire cost of a jury trial, whereas capital trials virtually always proceed through a full trial.
- Two defense lawyers instead of one.
- A larger jury pool.
- Two additional clerks at the New Jersey Supreme Court working almost full-time for mandatory review of death sentences.
- Longer and more complicated appeals.
- Proportionality review