statement. There were 74 executions in 1997, and 18,209 homicides. Using only these data, we find a baseline in which the number of executions in 1997 was 0.4% of the number of homicides that year. If we assume an average of seven years from a homicide to the execution for that homicide, then these seventy–four executions in 1997 actually represent homicides that occurred in 1990. In that year, there were 23,438 homicides, so we would estimate that 0.3% of those homicides (74 of the 23,438) resulted in executions.

However, the number of executions has increased to over 100 in 2000. If we assume about 100 executions in 2002, based on the 21,606 homicides that occurred in 1995, then around 0.5% of homicides may eventually result in an actual execution. These are approximations, and varying the assumptions made, first, about length of time from murder to execution and, and second, about the average number of executions to be expected in any given year, this percentage can easily vary from 0.3% to 0.8%. If, for example, we assume the increase in the number of executions continues, and we reach 150 executions a year by 2004, those executions being from the 18,209 homicides in 1997, then 0.8% of homicides will result in executions. In fact, this estimated range of 0.3% to 0.8% is a calculated best–guess. But even with this range, and given the assumptions that have to be made, these figures closely match the data from Chicago of a century ago.

A. CHANGES OVER TIME

Further, with the changes in society that occurred over the fifty years represented in this database, it is reasonable to consider whether the proportion of all homicides which resulted in a death penalty have changed. Again, we must caution that the calculation of these changes rests upon assumptions as to the validity of the early data.

Review of the case files indicates that the lag from homicide to execution problem existing in the modern criminal justice system was not present during the Chicago data era. Executions commonly occurred within a year, frequently within a few months, of the crime. In these data, then, the lag problem is not an issue. Table 2 presents the number of homicides, the number of executions, and the percentage of homicides resulting in an execution by decade.

Table 2

Homicides, Homicides Resulting in Executions, and Proportion of Homicides Resulting in Execution: Chicago 1870 to 1930, n = 8712

Decade	Number of Homicides	Homicides Resulting in Execution	Percent Resulting in Execution
1870's	70	1	1.4%
1880's	291	3	1.0%
1890's	699	12	1.7%
1900's	1322	22	1.7%
1910's	1997	5	.2%
1920's	3822	27	.7%
1930*	511	6	1.2%

*. Note that 1930 is a single year, not a decade.

There is again remarkable consistency for most of the decades, with 0.7% to 1.7% of all homicides resulting in the death penalty. However, there is a significant decrease in the proportion of homicides which result in executions during the 1910's, which drops to an unusual low of 0.2%. This proportion begins to return to the levels seen in previous decades, and the data from the single year 1930 imply that the decline in the proportion from 1910 through the 1920's was out of the ordinary. Unfortunately, there is nothing in the data which provides any reason, or even any clues, as to why this occurred. This simply remains an anomaly that will require historical research into other data sources to resolve. In general, however, it appears that the percentage of cases resulting in the death penalty is not only relatively consistent through this era, but is very similar to modern percentages as well.

VI. RACE AND EMPLOYMENT OF OFFENDERS AND VICTIMS IN CHICAGO CAPITAL PUNISHMENT CASES

A. RACE AND THOSE EXECUTED AND NOT–EXECUTED

In calculating the data for the race of the victim and offender from our "intentional death" file of 9095 cases, we further ruled out law enforcement personnel acting in the line of duty, effectively excluding those cases of justifiable homicide. This produced a sample