

# THE HIGH COST OF THE DEATH PENALTY

**Many people believe that the death penalty is more cost-effective than keeping someone in prison for life,** but multiple studies have revealed that the death penalty's constitutionally required appeals process, separate guilt and penalty phases at trial, and additional incarceration costs make it much more expensive.

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## HOW MUCH DOES THE DEATH PENALTY COST?

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- 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 obscured by a complex legal process that involves multiple agencies, including hours spent by judges, clerks, prosecutors, defense attorneys, experts, and law enforcement. In the time it takes to pursue just one capital case, law enforcement could investigate, prosecute, solve, and prevent scores of other crimes.

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## WHY DOES IT COST SO MUCH?

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- 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 a majority of cases being 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 one, but multiple capital trials.

- In many 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.*

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## WHO PAYS FOR THE DEATH PENALTY?

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- 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.

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## CAN WE MAKE IT CHEAPER?

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- 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 200 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 that could be better spent on programs that have actually shown that they help to reduce crime and improve public safety.

**Learn more at [enddeathpenalty.org](http://enddeathpenalty.org).**