CAPITAL PUNISHMENT

Study: Racial bias in Harris death penalty cases

County juries top nation in imposing death penalty.

Associated Press

HOUSTON — A Harvard Law School study reports that racial bias, overly aggressive prosecutions and inadequate representation for poor defendants plagues Harris County’s handling of death penalty cases.

Juries in Harris County, the county where Houston is located, have imposed the death penalty more than any other county in the U.S. since the 1976 reinstatement of the death penalty, though the report by the law school’s Fair Punishment Project notes that the number of death sentences has fallen from 53 in 1998 through 2003 to 10 since 2010.

Harris County was named in the study as one of 16 “outlier” counties in the U.S. where five or more death
sentences were assessed in 2010-15. In the eight counties examined by the study, 41 percent of the death sentences were given to black defendants and 69 percent to minorities overall. In Harris County, all of the defendants condemned since 2004 are minority members.

“When you look at what the death penalty actually looks like on the ground in Harris County, you see things that should disturb you. There’s a pattern of overzealous prosecution that dates back for decades but is still present in the time period for the study, and is matched by under-zealous (defense) representation in cases,” Rob Smith, one of the researchers on the project, told the Houston Chronicle.

Harris County District Attorney Devon Anderson said her office is judicious in its use of the death penalty.

“When we seek death, it’s because we have a solid guilt/innocence case and a very strong punishment case. The death penalty is only appropriate for the worst of the worst,” she told the newspaper.

Anderson also said she doesn’t know the race of a defendant or victim when she and four top staff members meet to discuss whether to seek the death penalty.

“I think it’s very important that it be ‘blind’ in that regard,” she said.

Juries across the country are proving to be increasingly reluctant to sentence defendants to death, the report said, choosing instead the option of life imprisonment without parole.

The last Harris County trial in which prosecutors sought the death penalty ended in November, when 28-year-old Johnathan Sanchez was given life without parole. The last Harris County jury to assess a death sentence was in 2014, when Harlem Lewis was sent to death row for the slayings of Bellaire police officer Jimmie Norman and “Good Samaritan” Terry Taylor.

However, the Harris County district attorney’s office is now seeking the death penalty in two cases. Ronald Haskell, who is white, is accused of killing two adults and four children from his ex-wife’s family in spring of 2014. David Ray Conley,
who is black, is accused of killing last year his ex-girlfriend, her husband and six children, including his son.