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**BACK FROM THE DEAD:  
TRACKING THE PROGRESS OF  
KENTUCKY'S FURMAN-COMMUTED  
DEATH ROW POPULATION**

**EXECUTIVE SUMMARY  
NUMBER 10**

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U.S. Department of Justice  
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ATTORNEY GENERAL

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The Kentucky Criminal Justice Statistical Analysis Center (SAC) was established in 1984 as a centralized clearinghouse for criminal justice statistics. A major objective of SAC is to gather concrete data about the criminal justice system in Kentucky and to disseminate that data statewide. With this information, policymakers will be better able to make criminal justice decisions.

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## THE CENTER

The Kentucky Criminal Justice Statistical Analysis Center is housed in the Office of the Attorney General, Commonwealth of Kentucky, and operated by the Urban Studies Center--the policy research component of the College of Urban and Public Affairs--in cooperation with the U.S. Bureau of Justice Statistics.

SAC is available to assist you in meeting your data and information needs. For more information, contact:

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BACK FROM THE DEAD:

TRACKING THE PROGRESS OF KENTUCKY'S FURMAN-COMMUTED DEATH ROW POPULATION

Research Report Series: Number 10

Conducted by

Urban Studies Center

College of Urban and Public Affairs

University of Louisville

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for

Kentucky Criminal Justice Statistical Analysis Center

David L. Armstrong

Attorney General

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## AUTHORS' NOTES

Dr. Gennaro Vito, associate professor of the School of Justice and Criminology and the principal investigator of this study, was responsible for overseeing the entire project. He directed instrument development, data collection and analysis, and preparation of the final report. Dr. Deborah Wilson, Research and Evaluation Director of the Corrections Cabinet of Kentucky, assisted in the analysis of the data and drafting of the final report.

This report is a product of the Kentucky Criminal Justice Statistical Analysis Center.

Co-Directors

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## EXECUTIVE SUMMARY

Following the U.S. Supreme Court decision of Furman v. Georgia (1972), 23 death row inmates at the Kentucky State Penitentiary at Eddyville had their capital sentences commuted. This report tracks these former death row inmates and reports on their current legal status.

Seventeen inmates were eventually paroled; five are still incarcerated (as of October 1, 1986); and one inmate died in prison. All of the paroled offenders eventually left the state. The parole performance of this group can be summarized in the following manner:

- Eleven of the offenders had performed well enough on parole that their continued close supervision was not warranted. This group was placed on "inactive supervision."
- Three of the parolees violated the conditions of their release from prison. Two of the offenders were arrested and one was convicted. All three offenders received revocation hearings and two were returned to prison.
- Four parolees were arrested and convicted for new crimes. One was sentenced to jail and three returned to prison on a new conviction. None of the offenders again committed murder; armed robbery was the most serious offense listed as a new crime.
- All of the recidivist activity for this group came from a single, identifiable source: offenders who had originally killed police officers during the course of an armed robbery. However, three parolees who also committed this type of offense did not cause any problems during their parole supervision period.
- Overall, the recidivism rate for this group was no worse than the rates reported in other studies of homicide offenders on parole.

Concerning the circumstances surrounding the original offense (homicide) for the entire group of offenders:

- The majority of homicides involved stranger-to-stranger crimes. In fact, the murder was most often committed for the purpose of robbery and/or ultimately eluding capture by the police.
- The majority of offenders were either "high" at the time of the offense or it was discovered that they had drug and/or alcohol problems.
- The homicides committed by this group were predominantly within the same racial group (i.e., whites killing whites) and gender (i.e., males killing males).
- In cases involving codefendants, the "triggerman" was always sentenced to death.

In light of the fact that this group literally came "back from the dead," their parole performance seems impressive. Their crimes were not "heat of passion" type murders, but their recidivism rate was no higher than that of paroled murderers elsewhere. In order to reach more definite conclusions, further research on Furman-commuted death row inmates is necessary. We plan to undertake such a study on a nationwide basis soon.

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