

Review of 2004 Murder Arrests that are Pending or Resulted in Convictions

Data: Criminal history records for all offenders charged with 53a-54a, 53a-54b, or 53a-54c in the calendar year of 2004. Additional offender/victim/crime data were collected from newspaper reports.

1. There were 141 murder charges in 2004 for 100 people.

Type of Murder Charge	Number of Charges
Murder (53a-54a)	114
Capital Murder (53a-54b)	13
Felony Murder (53a-54c)	14
Total Charges	141

2. Of the 141 charges, guilty verdicts were reached on 47 (33%) and 13 (9%) were pending.

Court Disposition of Charges	Number	Percentage
Pending	13	9%
Dismissed	2	1%
Guilty	47	33%
Nolle	50	36%
Not Guilty	13	9%
Not Guilty by Mental Disease or Defect	1	1%
Sentence Modified	1	1%
Substitute Information	14	10%
Total	141	100%

3. The 60 charges that resulted in a conviction or were pending consisted of 49 people. Most of the offenders were males, over 30 years old, and had an age at first arrest of 16 or 17 years old.

Gender of Offender	Number	Percentage
Males	43	88%
Females	6	12%
Total	49	100%

Age of Offender	Number	Percentage
Under 16	4	8%
16-17 yrs old	3	6%
18-21 yrs old	13	27%
22-29 yrs old	13	27%
Over 30 yrs old	16	33%
Total	49	100%

*Average age is 27.90 yrs old.

Age at First Arrest	Number	Percentage
Under 16	5	10%
16-17 yrs old	20	41%
18-21 yrs old	7	14%
22-29 yrs old	8	16%
Over 30 yrs old	9	18%
Total	49	100%

*Average age at first arrest is 24.22 yrs old.

4. Of the 49 individuals, close to one-third (32%) had been arrested on at least six separate occasions prior to committing murder, most had no record of violence (59%), and most had not been sentenced to prison (59%).

Prior Arrest Incidents	Number	Percentage
0	12	24%
1	4	8%
2	5	10%
3 to 6	12	24%
6 to 10	8	16%
More than 10	8	16%
Total	49	100%

Prior Violence	Number	Percentage
Yes	20	41%
No	29	59%
Total	49	100%

Prior Prison Sentences	Number	Percentage
0	29	59%
1	4	8%
2	5	10%
3 or more	11	22%
Total	49	100%

5. Of the felony murders, most (10 out of 13) were committed during a robbery.

Other Felony	Number	Percentage
Robbery	10	76%
Burglary	1	8%
Reckless Endangerment	1	8%
Drug Sales	1	8%
Total	13*	100%

*We were unable to determine one of these

6. Of the 49 murder offenders, 13 (26%) could have been defined as “persistent offenders” prior to committing murder and 6 (12%) would have fallen under California’s three strikes laws.

Persistent Offender	Number	Percentage
Yes	13	26%
No	36	74%
Total	49	100%

Three Strikes	Number	Percentage
Yes	6	12%
No	43	88%
Total	49	100%