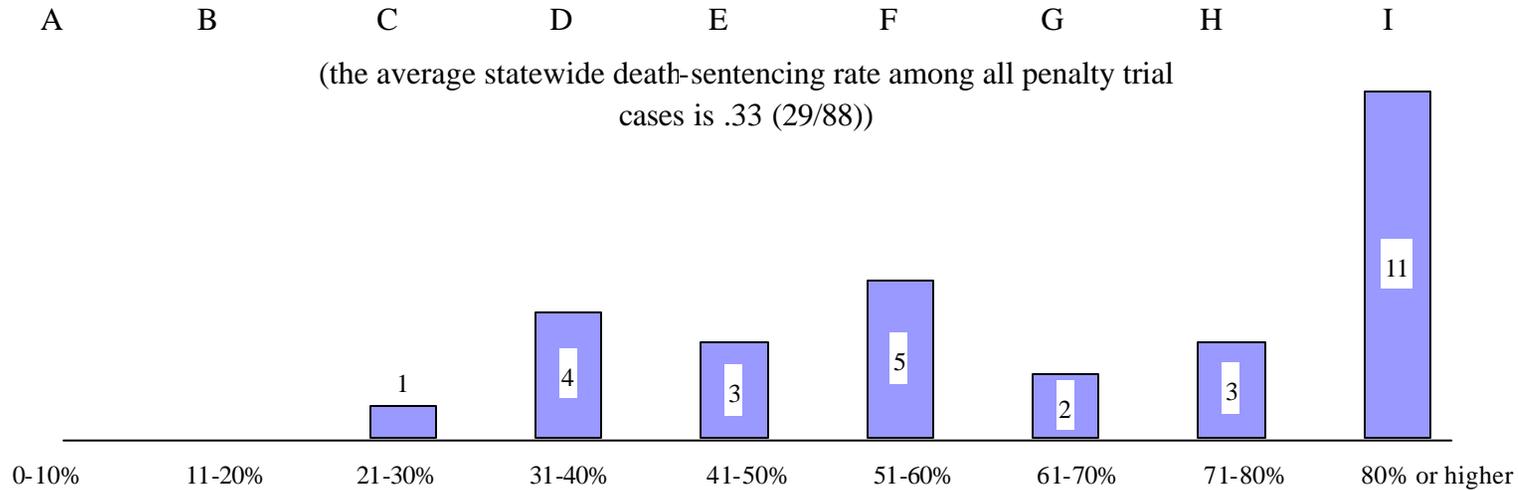


FIGURE 25

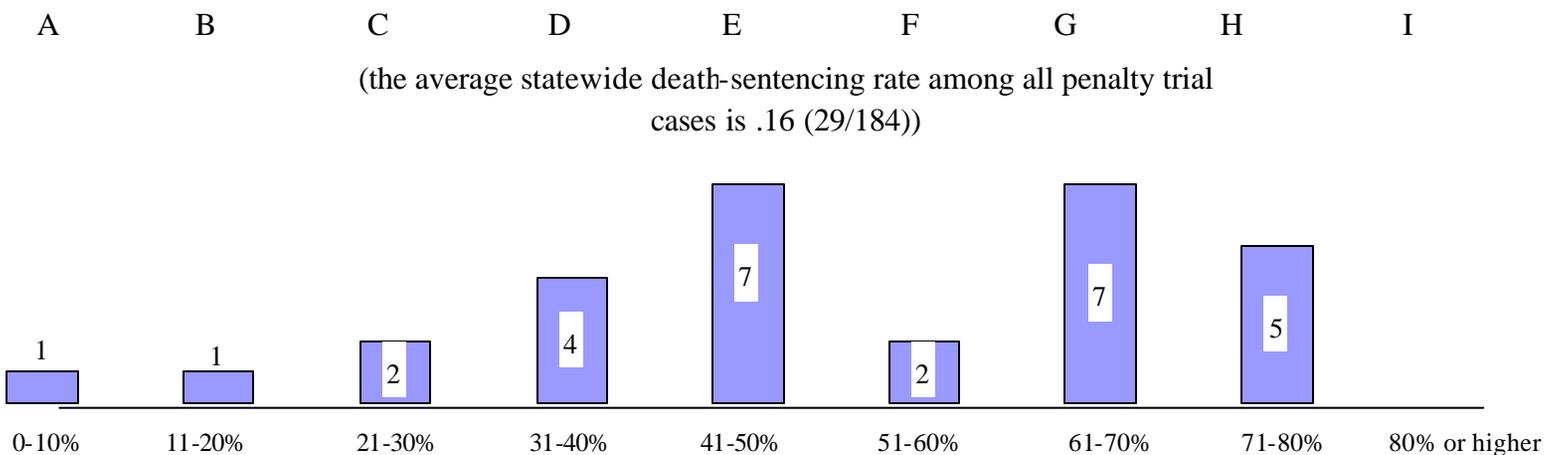
EVIDENCE OF INCONSISTENCY AND COMPARATIVE EXCESSIVENESS IN NEBRASKA DEATH SENTENCED CASES, 1973-1999:
 A CLASSIFICATION OF DEATH SENTENCED OFFENDERS ACCORDING TO THE DEATH-SENTENCING RATE AMONG CASES WITH
 COMPARABLE LEVELS OF CULPABILITY (“NEAR NEIGHBORS”), MEASURED WITH AN AVERAGE OF FOUR DIFFERENT MEASURES OF
 DEFENDANT CULPABILITY¹

(the bars indicate the number of death sentenced offenders with the death-sentencing rates among near neighbors that is indicated at the foot of each bar).²

Part I. Average Death-Sentencing Rates Among Near Neighbors Whose Cases Advanced to a Penalty Trial



Part II. Average Death-Sentencing Rates Among Near Neighbors Identified Among All Death-Eligible Offenders



¹ The measures of culpability are the number of aggravating circumstances, the number of aggravating and mitigating circumstances, the salient factors of the case measure, and regression based scales measures. See supra Section IV.A.3 for a description of the measures. Detail on the death-sentencing rates among each death sentenced offender’s near neighbors is presented in Appendix B.

² For example, Part I, Column F indicates that for 5 death sentenced offenders our data indicate that the death-sentencing rate among near neighbors was between 51% and 60%.