

















































































































































**B. Selection Rates by Special Circumstance.**

Selection Rates for Found or Presence and Counts by Special Circumstance, for sample and estimated (weighted) universe with statistical significance shown for disparity in outcome between selection (for special circumstances or for death) and not (n = 1,226)<sup>123</sup>

A Special Circ ¶ # in Penal Code 190.2	B Special Circumstance Brief Name	C sample n	D weighted n	Part 1 Selection Rates & Counts for the Prosecutorial Decision to File Special Circ.				Part 2 Selection Rates & Counts for Death Sentencing			
				E sample pseek	F weighted pseek	G sample n	H weighted n	I sample death_08	J weighted death_08	K sample n	L weighted n
1	For Financial Gain	92	929	38%**	37%	35	343	4%	5%	4	48
2	Previous Murder	17	156	35%	13%*	6	20	18%***	6%	3	9
3	Multiple Murder	128	1,616	66%** *	69%***	84	1,119	19%***	19%***	25	308
10	Witness Victim	21	152	43%	64%***	9	98	5%	15%	1	23
15	Lying in Wait	601	8,063	(17%* **)	(16%*** )	102	1,308	(1%***)	(1%***)	5	57
17a	Robbery Felony	429	5,301	44%** *	49%***	189	2,601	8%***	7%*	36	354
17g	Burglary Felony	168	2,063	51%** *	57%***	85	1,179	10%***	7%	17	155
17ag	Robbery or Burglary Felony	456	5,639	45%** *	49%***	203	2,743	8%***	6%*	38	361
17b	Kidnapping Felony	51	659	55%** *	63%***	28	418	10%*	5%	5	30
17cd	Rape or Sodomy Felony	56	638	61%** *	60%***	34	381	14%***	24%***	8	151
17e	Child Sex Assault Felony	12	168	75%** *	88%***	9	149	42%***	83%***	5	140
17f	Child Sex Oral Assault Felony	9	106	78%** *	94%***	7	100	11%	40%***	1	42

<sup>123</sup> Special Circumstances with two or fewer cases in the study are not included. Special Circumstances 4 to 9, 11 to 14, 16, 17i, and 20.

