Between 1967 and 1977, there was a moratorium on the death penalty in the U.S. One of the main reasons for this was the belief that there was a pattern of racial discrimination in death penalty sentencing. That is, some felt that black defendants were more likely to receive the penalty and that the law should therefore be considered null and void. When the racial bias argument was tested in court, defendants of the death penalty produced the following contingency table.

	Death F		
Defendant's Race	Yes	No	Totals
Black	17	149	166
White	19	141	160

Questions:

1. Find the risk of receiving the death penalty for black defendants.

17/166 = 0.1024

2. Find the risk of receiving the death penalty for white defendants.

19/160 = 0.1188

3. Find the relative risk of receiving the death penalty for black defendants compared to white defendants.

0.1024/0.1188 = 0.86 or 0.1188/0.1024 = 1.16

4. Interpret the relative risk from the previous question.

The risk of being sentenced to death is .86 times as large for black defendants as it is for white defendants; equivalently, black defendants are .86 times as likely to be sentenced to death as are white defendants.

If you calculate the relative risk with the risk for white defendants in the numerator, then the interpretation is as follows: White defendants are 1.16 times as likely to be sentenced to death as are black defendants.

5. Find the odds of receiving the death penalty for white defendants.

19/141

6. Find the odds of receiving the death penalty for black defendants.

17/149

7. Find the odds ratio.

(19/141) / (17/149) = 1.18 or (17/149) / (19/141) = 0.85

8. Interpret the odds ratio from the previous question.

The odds of getting the death penalty are 1.18 times larger for white defendants than for black defendants. Or, you could say the odds of getting the death penalty are 0.85 times as large for black defendants as for white defendants.

9. At this point, who does it appear is more likely to receive the death penalty: white or black defendants? Explain.

It appears that white defendants have a higher risk and higher odds of getting the death penalty.

After seeing these results, the death penalty supporters argued against the moratorium, claiming that there was no racial discrimination against black defendants in the use of the death penalty. However, we need to keep in mind the fact that this is an OBSERVATIONAL STUDY, and there may be some CONFOUNDING VARIABLES that have not yet been considered. For example, let's next consider the race of the victim in each crime. Two contingency tables are shown below: one for white victims and one for black victims.

For White Victims:			For Black Victims:					
	Death Penalty?				Death			
					Penalty?			
Defendant's Race	Yes	No	Totals	Defendant's Race	Yes	No	Totals	
Black	11	52	63	Black	6	97	103	
White	19	132	151	White	0	9	9	

For Black Victime

Fall 2017

Questions:

10. Consider the contingency table for the white victims. Find the relative risk of receiving the death penalty <u>when the victim was white</u> (use the risk of receiving the death penalty for black defendants in the numerator).

Risk for black defendants: 11/63 = 0.175 Risk for white defendants: 19/151 = 0.126 Relative Risk (or Risk Ratio) = 0.175/0.126 = 1.39

When the victim was white, black defendants were 1.39 times as likely to get the death penalty as were white defendants.

11. Find the odds ratio for receiving the death penalty when the victim was white.

Odds for black defendants: 11/52 Odds for white defendants: 19/132 Odds Ratio = (11/52) / (19/132) = 1.47

The odds of getting the death penalty were 1.47 times as large for black defendants than for white defendants when the victim was white.

12. Also look at the data to determine who was more likely to get the death penalty <u>when</u> <u>the victim was black</u>. At this point, who does it appear is more likely to receive the death penalty: white or black defendants? Explain. It appears that after accounting for the race of the victim, black defendants have a higher risk and higher odds of getting the death penalty.

This illustrates a concept known as **<u>Simpson's Paradox</u>**:

"An association or comparison that holds for all of several groups can reverse direction when the data are combined to form a single group" (*David Moore, The Basic Practice of Statistics, Fourth Edition*). That is, the effects of lurking variables can change (or even reverse) relationships between two categorical variables.

When the victim's race is ignored, it appears that white defendants are more likely to receive the death penalty. However, after accounting for the victim's race (a lurking variable), the data shows that black defendants are more likely to receive the death penalty. The paradox occurred because juries applied the death penalty more frequently when the victim was white, and defendants in such cases were mostly white. This case is one extreme example of the fact that observed associations can be misleading in the presence of confounding variables!