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# Death Penalty Research Papers

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Hidden Victims Inter-Univ Consortium for Powerful, wry essays offering modern takes on a primitive practice, from one of our most widely read death penalty abolitionists As Ruth Bader Ginsburg has noted, people who are well represented at trial rarely get the death penalty. But as Marc Bookman shows in a dozen brilliant essays, the problems with capital punishment run far deeper than just bad representation. Exploring prosecutorial misconduct, racist judges and jurors, drunken lawyering, and executing the innocent and the mentally ill, these essays demonstrate that precious few people on trial for their lives get the fair trial the Constitution demands. Today, death penalty cases continue to capture the hearts, minds, and eblasts of progressives of all stripes—including the rich

and famous (see Kim Kardashian ’ s advocacy)—but few people with firsthand knowledge of America ’ s “ injustice system ” have the literary chops to bring death penalty stories to life. Enter Marc Bookman. With a voice that is both literary and journalistic, the veteran capital defense lawyer and seven-time Best American Essays “ notable ” author exposes the dark absurdities and fatal inanities that undermine the logic of the death penalty wherever it still exists. In essays that cover seemingly “ ordinary ” capital cases over the last thirty years, Bookman shows how violent crime brings out our worst human instincts—revenge, fear, retribution, and prejudice. Combining these emotions with the criminal legal system ’ s

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weaknesses—purposely ineffective, arbitrary, or widely infected with racism and misogyny—is a recipe for injustice. Bookman has been charming and educating readers in the pages of *The Atlantic*, *Mother Jones*, and *Slate* for years. His wit and wisdom are now collected and preserved in *A Descending Spiral*.

Facing the Death Penalty Cambridge University Press

Focuses on what happens when the American public gets decide on the fate of capital punishment.

*The Contradictions of American Capital Punishment*  
Springer Science & Business Media

A provocative examination of the most recent shift in

court opinion that, in effect, works to expedite the administration of death sentences.

Living on Death Row The New Press  
Many studies during the past few decades have sought to determine whether the death penalty has any deterrent effect on homicide rates. Researchers have reached widely varying, even contradictory, conclusions. Some studies have concluded that the threat of capital punishment deters murders, saving large numbers of lives; other studies have concluded that executions actually increase homicides; still others, that executions have no effect on murder rates. Commentary among researchers, advocates, and policymakers on the scientific validity of the findings has sometimes been acrimonious. Against

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this backdrop, the National Research Council report *Deterrence and the Death Penalty* assesses whether the available evidence provides a scientific basis for answering questions of if and how the death penalty affects homicide rates. This new report from the Committee on Law and Justice concludes that research to date on the effect of capital punishment on homicide rates is not useful in determining whether the death penalty increases, decreases, or has no effect on these rates. The key question is whether capital punishment is less or more effective as a deterrent than alternative punishments, such as a life sentence without the possibility of parole. Yet none of the research that has been done accounted for the possible effect of noncapital punishments on homicide rates. The report recommends new avenues of

research that may provide broader insight into any deterrent effects from both capital and noncapital punishments. *Analysis of the value of the Death Penalty as deterrence to murder* Crown In March 2012, PRI published five new research papers on the abolition of the death penalty and its alternative sanctions in five regions of the world. The five research papers focus on the application of the death penalty and life imprisonment as an alternative to it. They aim to provide up-to-date information about the laws and practices relating to the application of the death penalty, including an analysis of the alternative sanctions and whether they reflect international human rights

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standards and norms. The papers provide detailed and practical recommendations tailored to each country to bring it in line with international human rights standards and norms. They are published here in English and Russian.

The Death Penalty GRIN Verlag

The death penalty is contested across modern social, political, academic, and legal institutions, and this interdisciplinary text helps readers analyze that debate. It begins with *Furman v. Georgia*, which doubles as the Supreme Court's only decision striking down the death penalty and as the origin of the modern American death penalty. The text explores the

legal rules and moral reasoning behind the principle that the death penalty be reserved for the worst offenders, as well as the most uncomfortable realities of American capital punishment--the likelihood of wrongful executions and the undeniable influence of race on death penalty practice. Discussion of law and theory is always supplemented with appropriate empirical studies, and is connected to the practice of lawyers on the ground. The text concludes with a glimpse to the future of the death penalty, and situates the increasingly exceptional American experience in an international context. This legal material is carefully presented so as to remain accessible to non-lawyers, and it is

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intended for anyone with an interest in capital punishment.

*Stephen Gifford Simmons and the Last Execution under Michigan Law* UPNE

This book examines public attitudes to the death penalty in Japan, focusing on knowledge and trust-based attitudinal factors relating to support for, and opposition to, the death penalty. A mixed-method approach was used. Quantitative and qualitative surveys were mounted to assess Japanese death penalty attitudes. The main findings show that death penalty attitudes are not fixed but fluid. Information has a significant impact on reducing support for the death penalty while retributive attitudes are associated with support. This book offers a new conceptual framework in understanding the death

penalty without relying on the usual human rights approach, which can be widely applied not just to Japan but to other retentionist countries.

*The impact of homicides on the society of Trinidad and Tobago* National Academies Press

Built on in-depth interviews with movement leaders and the records of key abolitionist organizations, this work traces the struggle against capital punishment in the United States since 1972. Haines reviews the legal battles that led to the short-lived suspension of the death penalty and examines the subsequent conservative turn in the courts that has forced death penalty opponents to rely less on litigation strategies and more on political action. Employing social movement theory, he

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diagnoses the causes of the anti-death penalty movement's inability to mobilize widespread opposition to executions, and he makes pointed recommendations for improving its effectiveness. For this edition Haines has included a new Afterword in which he summarizes developments in the movement since 1994.

Elsevier

**Determinants of the Death Penalty** seeks to explain the phenomenon of capital punishment - without recourse to value judgements - by identifying those characteristics common to countries that use the death penalty and those that mark countries which do not. This global study uses statistical analysis to relate the popularity of the death

penalty to physical, cultural, social, economical, institutional, actor oriented and historical factors. Separate studies are conducted for democracies and non-democracies and within four regional contexts. The book also contains an in-depth investigation into determinants of the death penalty in the USA.

**Determinants of the Death Penalty** UN Research Paper (undergraduate) from the year 2015 in the subject Law - Criminal process, Criminology, Law Enforcement, grade: A, University of Alaska Fairbanks, language: English, abstract: This is an investigation into the death penalty and how it is applied across political lines in America. With a focus on the differences in Democratic run states and Republican run states. The death penalty and its effects on

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a state's murder rate have long been a point of controversy. It has been debated whether the death penalty is a deterrent to crime. There is an ongoing need to understand the deterrence effect of the death penalty, in order to understand how to properly lower the murder rates in a given area. Further, in order to understand if the death penalty is applied in a given state, it is important to look at the political orientation of a particular state. Political orientation can have a strong affect on the punishment type chosen by a particular state. This study seeks to clarify the debate by looking at the statistical facts, and formulating hypothesis. (1) the death penalty is a deterrent for the crime of murder. (2) Conservative states are more likely to employ the death penalty. Null

hypothesis, (1) the death penalty has no effect on the murder rate. (2) political leanings of a state do not determine if they have the death penalty.

*Executions in the United States, 1608-1987* Deterrence and the Death Penalty

From 1965 until 1980, there was a virtual moratorium on executions for capital offenses in the United States. This was due primarily to protracted legal proceedings challenging the death penalty on constitutional grounds. After much Sturm und Drang, the Supreme Court of the United States, by a divided vote, finally decided that "the death penalty does not invariably violate the Cruel and Unusual Punishment Clause of the Eighth Amendment." The Court's decisions,



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however, do not moot the controversy about the death penalty or render this excellent book irrelevant. The ball is now in the court of the Legislature and the Executive. Legislatures, federal and state, can impose or abolish the death penalty, within the guidelines prescribed by the Supreme Court. A Chief Executive can commute a death sentence. And even the Supreme Court can change its mind, as it has done on many occasions and did, with respect to various aspects of the death penalty itself, during the moratorium period. Also, the people can change their minds. Some time ago, a majority, according to reliable polls, favored abolition. Today, a substantial majority favors imposition of the death penalty. The pendulum can swing again, as it has done in the past.

**The Death Penalty in the Eighties** Harvard University Press

In the 1970s and the 1980s, polls in the United States showed approval of the death penalty growing consistently, with nearly 80 percent of the public favoring capital punishment for murderers in 1988. Yet during the last decade, when approximately 300 persons were sentenced to the death penalty each year, an average of only ten were executed each year. And those deaths that did occur were normally delayed for eight years after sentencing. What explains these significant refusals to implement policies of capital punishment? Raymond Paternoster demonstrates conclusively that despite the public's desire to punish criminals, to protect ourselves, to spend tax dollars

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effectively, and to compensate victims' families, we are reluctant to actually take the lives of prisoners, and, in fact, that most Americans would choose to abolish capital punishment if they knew of an effective alternative. That alternative, Paternoster asserts, is to replace the death penalty with sentences of life without parole, along with mandatory financial restitution to the victim's survivors. This policy would ensure that convicted murderers receive harsh punishment, and with parole forbidden in all cases, the public would be protected from any future crimes such criminals could commit. Paternoster shows that life sentences may actually be less expensive than execution and a more effective deterrent than the infrequently imposed death penalty. In addition, life sentences

could require prisoners to pay a portion of their prison wages to their victims' survivors. Most importantly, such a policy would ensure that the government does not execute innocent people. Paternoster's well-documented book argues cogently against capital punishment as an appropriate and effective response to murderers and offers a sound alternative that addresses the public's demand for justice, safety, and restitution.

*The Decline of the Death Penalty and the Discovery of Innocence* American Psychological Association (APA)

The first historical study—and a riveting account—of the last execution in Michigan.

*Slavery and the Death Penalty* Rutgers University Press

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## NEW YORK TIMES EDITORS' CHOICE

- A deeply reported, searingly honest portrait of the death penalty in Texas—and what it tells us about crime and punishment in America “If you’re one of those people who despair that nothing changes, and dream that something can, this is a story of how it does.”—Anand Giridharadas, *The New York Times* Book Review WINNER OF THE J. ANTHONY LUKAS AWARD In 1972, the United States Supreme Court made a surprising ruling: the country’s death penalty system violated the Constitution. The backlash was swift, especially in Texas, where executions were considered part of the cultural fabric, and a dark history of lynching

was masked by gauzy visions of a tough-on-crime frontier. When executions resumed, Texas quickly became the nationwide leader in carrying out the punishment. Then, amid a larger wave of criminal justice reform, came the death penalty’s decline, a trend so durable that even in Texas the punishment appears again close to extinction. In *Let the Lord Sort Them*, Maurice Chammah charts the rise and fall of capital punishment through the eyes of those it touched. We meet Elsa Alcala, the orphaned daughter of a Mexican American family who found her calling as a prosecutor in the nation’s death penalty capital, before becoming a judge on the state’s highest court. We

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meet Danalynn Recer, a lawyer who became obsessively devoted to unearthing the life stories of men who committed terrible crimes, and fought for mercy in courtrooms across the state. We meet death row prisoners—many of them once-famous figures like Henry Lee Lucas, Gary Graham, and Karla Faye Tucker—along with their families and the families of their victims. And we meet the executioners, who struggle openly with what society has asked them to do. In tracing these interconnected lives against the rise of mass incarceration in Texas and the country as a whole, Chammah explores what the persistence of the death penalty tells us about forgiveness and

retribution, fairness and justice, history and myth. Written with intimacy and grace, *Let the Lord Sort Them* is the definitive portrait of a particularly American institution.

*A Worldwide Perspective* Rowman & Littlefield  
Pub Incorporated

Zimring reveals that the seemingly insoluble turmoil surrounding the death penalty reflects a deep and long-standing division in American values--a division that he predicts will soon bring about the end of capital punishment in this country.

*Capital Punishment in America* Routledge

This book synthesizes scholarly reflections with personal accounts from prison administrators and inmates to show the harsh reality of life on death row.

*A Descending Spiral* Springer

Does the death penalty save lives? A surge of

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recent interest in this question has yielded a series of papers purporting to show robust and precise estimates of a substantial deterrent effect of capital punishment. We assess the various approaches that have been used in this literature, testing the robustness of these inferences. Specifically, we start by assessing the time series evidence, comparing the history of executions and homicides in the United States and Canada, and within the United States, between executing and non-executing states. We analyze the effects of the judicial experiments provided by the Furman and Gregg decisions and assess the relationship between execution and homicide rates in state panel data since 1934. We then revisit the existing instrumental variables approaches and assess two recent state-specific execution moratoria. In each case we find that previous inferences of large deterrent effects based upon specific examples, functional forms, control variables, comparison groups, or IV strategies are extremely fragile and even small changes in the specifications yield dramatically different results. The fundamental difficulty is that the death penalty -- at least as it has been implemented in the United States -- is applied so rarely that the number of homicides that it can plausibly have caused or deterred cannot be reliably disentangled from the large year-to-year changes in the homicide rate caused by other factors. As such, short samples and particular specifications may yield large but spurious correlations. We conclude that existing estimates appear to reflect a small and unrepresentative sample of the estimates that arise from alternative approaches. Sampling from the broader universe of plausible approaches suggests not just "reasonable doubt" about whether there is any deterrent effect of the death penalty, but profound uncertainty -- even about its sign.

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**The Death Penalty** Wayne State University Press

This study furnishes data on executions performed in the United States under civil authority. It includes a description of each individual executed and the circumstances surrounding the crime for which the person was convicted. Variables include age, race, name, sex, and occupation of the offender, place, jurisdiction, date and method of execution and the crime for which the offender was executed.

*For Capital Punishment* Springer Science & Business Media

This distinguished constitutional theorist takes a hard look at current criminal law and the Supreme Court's most recent decisions regarding the legality of capital punishment. Examining the

penal system, capital punishment, and punishment in general, he reviews the continuing debate about the purpose of punishment for deterrence, rehabilitation, or retribution.

The Effects of the Death Penalty on Families of the Accused Oxford University Press

TCR Singles Contains one featured essay from a previous issue of The Concord Review (TCR). TCR contains essays from a unique international journal of exemplary history research papers by secondary students of history. This issue features: "Capital Punishment" was written by Benjamin Patrick Chiacchia while attending Lincoln High School in Lincoln, Rhode

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IslandAbstract:Capital punishment has served a unique function in the American penal system, and its 400-year history in the United States has been surrounded by controversy. While the death penalty has a complicated history of influence, including religious norms, social sentiments, and political fervor, its exercise has often fallen to the will of the people. Activism on both sides, coupled with the normal political processes that influence this contentious facet of criminal justice, has lead to a nationwide struggle over the continuation and methods used to carry out capital punishment. In the absence of a constitutional provision regarding the

death penalty, debate has and continues to revolve around how and if this form of punishment will continue to be employed by the United States. This paper explores the relationship between the people and the death penalty, as well as the general history of capital punishment and the arguments posed by both sides of the debate.