

Death Penalty Research Questions

death penalty research questions: Deterrence and the Death Penalty National Research Council, Division of Behavioral and Social Sciences and Education, Committee on Law and Justice, Committee on Deterrence and the Death Penalty, 2012-05-26 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 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.

death penalty research questions: A Question of Freedom Dwayne Betts, 2009-08-06 A unique prison narrative that testifies to the power of books to transform a young man's life At the age of sixteen, R. Dwayne Betts—a good student from a lower- middle-class family—carjacked a man with a friend. He had never held a gun before, but within a matter of minutes he had committed six felonies. In Virginia, carjacking is a certifiable offense, meaning that Betts would be treated as an adult under state law. A bright young kid, he served his nine-year sentence as part of the adult population in some of the worst prisons in the state. *A Question of Freedom* chronicles Betts's years in prison, reflecting back on his crime and looking ahead to how his experiences and the books he discovered while incarcerated would define him. Utterly alone, Betts confronts profound questions about violence, freedom, crime, race, and the justice system. Confined by cinder-block walls and barbed wire, he discovers the power of language through books, poetry, and his own pen. Above all, *A Question of Freedom* is about a quest for identity—one that guarantees Betts's survival in a hostile environment and that incorporates an understanding of how his own past led to the moment of his crime.

death penalty research questions: DeathQuest Robert M. Bohm, 2011-08-15 This fourth edition of the first true textbook on the death penalty engages the reader with a full account of the arguments and issues surrounding capital punishment. The book begins with the history of the death penalty from colonial to modern times, and then examines the moral and legal arguments for and against capital punishment. It also provides an overview of major Supreme Court decisions and describes the legal process behind the death penalty. In addressing these issues, the author reviews recent developments in death penalty law and procedure, including ramifications of newer case law, such as that regarding using lethal injection as a method of execution. The author's motivation has been to understand what motivates the deathquest of the American people, leading a large percentage of the public to support the death penalty. The book will educate readers so that whatever their death penalty opinions are, they are informed ones.

death penalty research questions: *Let the Lord Sort Them* Maurice Chammah, 2021-01-26 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 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.

death penalty research questions: *The Wrong Carlos* James S. Liebman, Shawn Crowley, Andrew Markquart, Lauren Rosenberg, 2014-07-08 In 1989, Texas executed Carlos DeLuna, a poor Hispanic man with childlike intelligence, for the murder of Wanda Lopez, a convenience store clerk. His execution passed unnoticed for years until a team of Columbia Law School faculty and students almost accidentally chose to investigate his case and found that DeLuna almost certainly was innocent. They discovered that no one had cared enough about either the defendant or the victim to make sure the real perpetrator was found. Everything that could go wrong in a criminal case did. This book documents DeLuna’s conviction, which was based on a single, nighttime, cross-ethnic eyewitness identification with no corroborating forensic evidence. At his trial, DeLuna’s defense, that another man named Carlos had committed the crime, was not taken seriously. The lead prosecutor told the jury that the other Carlos, Carlos Hernandez, was a “phantom” of DeLuna’s imagination. In upholding the death penalty on appeal, both the state and federal courts concluded the same thing: Carlos Hernandez did not exist. The evidence the Columbia team uncovered reveals that Hernandez not only existed but was well known to the police and prosecutors. He had a long history of violent crimes similar to the one for which DeLuna was executed. Families of both Carloses mistook photos of each for the other, and Hernandez’s violence continued after DeLuna was put to death. This book and its website (thewrongcarlos.net) reproduce law-enforcement, crime lab, lawyer, court, social service, media, and witness records, as well as court transcripts, photographs, radio traffic, and audio and videotaped interviews, documenting one of the most comprehensive investigations into a criminal case in U.S. history. The result is eye-opening yet may not be unusual. Faulty eyewitness testimony, shoddy legal representation, and prosecutorial misfeasance continue to put innocent people at risk of execution. The principal investigators conclude with novel suggestions for improving accuracy among the police, prosecutors, forensic scientists, and judges.

death penalty research questions: *American Roulette* Sarah Beth Kaufman, 2020-05-19 As the death penalty clings to life in many states and dies off in others, this first-of-its-kind ethnography takes readers inside capital trials across the United States. Sarah Beth Kaufman draws on years of ethnographic and documentary research, including hundreds of hours of courtroom observation in seven states, interviews with participants, and analyses of newspaper coverage to reveal how the

American justice system decides who deserves the most extreme punishment. The “super due process” accorded capital sentencing by the United States Supreme Court is the system’s best attempt at individuated sentencing. Resources not seen in most other parts of the criminal justice system, such as jurors and psychological experts, are required in capital trials, yet even these cannot create the conditions of morality or justice. Kaufman demonstrates that capital trials ultimately depend on performance and politics, resulting in the enactment of deep biases and utter capriciousness. American Roulette contends that the liberal, democratic ideals of criminal punishment cannot be enacted in the current criminal justice system, even under the most controlled circumstances.

death penalty research questions: *Debating the Death Penalty* Hugo Adam Bedau, Paul G. Cassell, 2005-03-24 Experts on both side of the issue speak out both for and against capital punishment and the rationale behind their individual beliefs.

death penalty research questions: *The Death Penalty* Brandon Garrett, Lee Kovarsky, 2018 Softbound - New, softbound print book.

death penalty research questions: *Deadly Justice* Frank R. Baumgartner, Marty Davidson, Kaneesha R. Johnson, Arvind Krishnamurthy, 2018 Forty years and 1,400 executions after the U.S. Supreme Court ruled the death penalty constitutional, eminent political scientist Frank Baumgartner and a team of younger scholars have collaborated to assess the empirical record and provide a definitive account of how the death penalty has been implemented. A Statistical Portrait of the Death Penalty shows that all the flaws that caused the Supreme Court to invalidate the death penalty in 1972 remain and indeed that new problems have arisen. Far from perfecting the mechanism of death, the modern system has failed.

death penalty research questions: *Facing the Death Penalty* Michael Radelet, 2011-02-07 An in-depth examination of what life under a sentence of death is like.

death penalty research questions: *Is the Death Penalty Immoral?* Greenhaven, 1986 Presents opposing viewpoints on the purpose, morality, deterrent influence, and application of the death penalty.

death penalty research questions: *The History of the Death Penalty in Colorado* Michael Radelet, 2017-01-15 In *The History of the Death Penalty in Colorado*, noted death penalty scholar Michael Radelet chronicles the details of each capital punishment trial and execution that has taken place in Colorado since 1859. The book describes the debates and struggles that Coloradans have had over the use of the death penalty, placing the cases of the 103 men whose sentences were carried out and 100 more who were never executed into the context of a gradual worldwide trend away from this form of punishment. For more than 150 years, Coloradans have been deeply divided about the death penalty, with regular questions about whether it should be expanded, restricted, or eliminated. It has twice been abolished, but both times state lawmakers reinstated the contentious punitive measure. Prison administrators have contributed to this debate, with some refusing to participate in executions and some lending their voices to abolition efforts. Colorado has also had a rich history of experimenting with execution methods, first hanging prisoners in public and then, starting in 1890, using the twitch-up gallows for four decades. In 1933, Colorado began using a gas chamber and eventually moved to lethal injection in the 1990s. Based on meticulous archival research in official state archives, library records, and multimedia sources, *The History of the Death Penalty in Colorado*, will inform the conversation on both sides of the issue anywhere the future of the death penalty is under debate.

death penalty research questions: *The Case Against the Death Penalty* Hugo Adam Bedau, 1984

death penalty research questions: *Moving Away from the Death Penalty* Ivan Šimonović, 2014 Capital punishment is irrevocable. It prohibits the correction of mistakes by the justice system and leaves no room for human error, with the gravest of consequences. There is no evidence of a deterrent effect of the death penalty. Those sacrificed on the altar of retributive justice are almost always the most vulnerable. This book covers a wide range of topics, from the discriminatory

application of the death penalty, wrongful convictions, proven lack of deterrence effect, to legality of the capital punishment under international law and the morality of taking of human life.

death penalty research questions: Death by Design Craig Haney, 2005-08-04 How can otherwise normal, moral persons - as citizens, voters, and jurors - participate in a process that is designed to take the life of another? In *DEATH BY DESIGN*, research psychologist Craig Haney argues that capital punishment, and particularly the sequence of events that lead to death sentencing itself, is maintained through a complex and elaborate social psychological system that distances and disengages us from the true nature of the task. Relying heavily on his own research and that of other social scientists, Haney suggests that these social psychological forces enable persons to engage in behavior from which many of them otherwise would refrain. However, by facilitating death sentencing in these ways, this inter-related set of social psychological forces also undermines the reliability and authenticity of the process, and compromises the fairness of its outcomes. Because these social psychological forces are systemic in nature - built into the very system of death sentencing itself - Haney concludes by suggesting a number of inter-locking reforms, derived directly from empirical research on capital punishment, that are needed to increase the fairness and reliability of the process. The historic and ongoing public debate over the death penalty takes place not only in courtrooms, but also in classrooms, offices, and living rooms. This timely book offers stimulating insights into capital punishment for professionals and students working in psychology, law, criminology, sociology, and cultural area studies. As capital punishment receives continued attention in the media, it is also a necessary and provocative guide that empowers all readers to come to their own conclusions about the death penalty.

death penalty research questions: Life Without Parole Charles J. Ogletree, Austin Sarat, 2012-06-04 Is life without parole the perfect compromise to the death penalty? Or is it as ethically fraught as capital punishment? This comprehensive, interdisciplinary anthology treats life without parole as "the new death penalty." Editors Charles J. Ogletree, Jr. and Austin Sarat bring together original work by prominent scholars in an effort to better understand the growth of life without parole and its social, cultural, political, and legal meanings. What justifies the turn to life imprisonment? How should we understand the fact that this penalty is used disproportionately against racial minorities? What are the most promising avenues for limiting, reforming, or eliminating life without parole sentences in the United States? Contributors explore the structure of life without parole sentences and the impact they have on prisoners, where the penalty fits in modern theories of punishment, and prospects for (as well as challenges to) reform.

death penalty research questions: Justice, Mercy, and Caprice Ian O'Donnell, 2017-11-09 *Justice, Mercy, and Caprice* is a work of criminal justice history that speaks to the gradual emergence of a more humane Irish state. It is a close examination of the decision to grant clemency to men and women sentenced to death between the end of the civil war in 1923 and the abolition of capital punishment in 1990. Frequently, the decision to deflect the law from its course was an attempt to introduce a measure of justice to a system where the mandatory death sentence for murder caused predictable unfairness and undue harshness. In some instances the decision to spare a life sprang from merciful motivations. In others it was capricious, depending on factors that should have had no place in the government's decision-making calculus. The custodial careers of those whose lives were spared repay scrutiny. Women tended to serve relatively short periods in prison but were often transferred to a religious institution where their confinement continued, occasionally for life. Men, by contrast, served longer in prison but were discharged directly to the community. Political offenders were either executed hastily or, when the threat of capital punishment had passed, incarcerated for extravagant periods. This book addresses issues that are of continuing relevance for countries that employ capital punishment. It will appeal to scholars with an interest in criminal justice history, executive discretion, and death penalty studies, as well as being a useful resource for students of penology.

death penalty research questions: The Hanging Judge Michael Ponsor, 2013-12-03 From the author of *The One-Eyed Judge*: A New York Times-bestselling novel about a federal death penalty

trial from the perspective of the presiding judge. When a drive-by shooting in Holyoke, Massachusetts, claims the lives of a drug dealer and a hockey mom volunteering at an inner-city clinic, the police arrest a rival gang member. With no death penalty in Massachusetts, the US attorney shifts the double homicide out of state jurisdiction into federal court so he can seek a death sentence. The Honorable David S. Norcross, a federal judge with only two years on the bench, now presides over the first death penalty case in the state in decades. He must referee the clash between an ambitious female prosecutor and a brilliant veteran defense attorney in a high-stress environment of community outrage, media pressure, vengeful gang members, and a romantic entanglement that threatens to capsize his trial—not to mention the most dangerous force of all: the unexpected. Written by judge Michael Ponsor, who presided over Massachusetts's first capital case in over fifty years, *The Hanging Judge* explores the controversial issue of capital punishment in a dramatic and thought-provoking way that will keep you on the edge of your seat. It is “a crackling court procedural” (Anita Shreve) and “gripping legal thriller” (Booklist) perfect for fans of Scott Turow.

death penalty research questions: *Beyond Repair?* Stephen P. Garvey, 2003 Can the death penalty be administered in a just way - without executing the innocent, without regard to race, and without arbitrariness? All new, the essays in this collection focus on the period since 1976.

death penalty research questions: *The Death Penalty* Louis P. Pojman, 2000-01-01 Two distinguished social and political philosophers take opposing positions in this highly engaging work. Louis P. Pojman justifies the practice of execution by appealing to the principle of retribution: we deserve to be rewarded and punished according to the virtue or viciousness of our actions. He asserts that the death penalty does deter some potential murderers and that we risk the lives of innocent people who might otherwise live if we refuse to execute those deserving that punishment. Jeffrey Reiman argues that although the death penalty is a just punishment for murder, we are not morally obliged to execute murderers. Since we lack conclusive evidence that executing murderers is an effective deterrent and because we can foster the advance of civilization by demonstrating our intolerance for cruelty in our unwillingness to kill those who kill others, Reiman concludes that it is good in principle to avoid the death penalty, and bad in practice to impose it.

death penalty research questions: *The Death of Punishment* Robert Blecker, 2013-11-19 For twelve years Robert Blecker, a criminal law professor, wandered freely inside Lorton Central Prison, armed only with cigarettes and a tape recorder. *The Death of Punishment* tests legal philosophy against the reality and wisdom of street criminals and their guards. Some killers' poignant circumstances should lead us to mercy; others show clearly why they should die. After thousands of hours over twenty-five years inside maximum security prisons and on death rows in seven states, the history and philosophy professor exposes the perversity of justice: Inside prison, ironically, it's nobody's job to punish. Thus the worst criminals often live the best lives. *The Death of Punishment* challenges the reader to refine deeply held beliefs on life and death as punishment that flare up with every news story of a heinous crime. It argues that society must redesign life and death in prison to make the punishment more nearly fit the crime. It closes with the final irony: If we make prison the punishment it should be, we may well abolish the very death penalty justice now requires.

death penalty research questions: *End of Its Rope* Brandon Garrett, 2017-09-25 An awakening -- Inevitability of innocence -- Mercy vs. justice -- The great American death penalty decline -- The defense lawyering effect -- Murder insurance -- The other death penalty -- The execution decline -- End game -- The triumph of mercy

death penalty research questions: *Living on Death Row* Hans Toch, James R. Acker, Vincent Martin Bonventre, 2018 PROSE Award Finalist for Psychology This book synthesizes scholarly reflections with personal accounts from prison administrators and inmates to show the harsh reality of life on death row.

death penalty research questions: *In Cold Blood* Truman Capote, 2013-02-19 Selected by the Modern Library as one of the 100 best nonfiction books of all time From the Modern Library's new set of beautifully repackaged hardcover classics by Truman Capote—also available are *Breakfast at Tiffany's* and *Other Voices, Other Rooms* (in one volume), *Portraits and Observations*, and *The*

Complete Stories Truman Capote's masterpiece, *In Cold Blood*, created a sensation when it was first published, serially, in *The New Yorker* in 1965. The intensively researched, atmospheric narrative of the lives of the Clutter family of Holcomb, Kansas, and of the two men, Richard Eugene Hickock and Perry Edward Smith, who brutally killed them on the night of November 15, 1959, is the seminal work of the "new journalism." Perry Smith is one of the great dark characters of American literature, full of contradictory emotions. "I thought he was a very nice gentleman," he says of Herb Clutter. "Soft-spoken. I thought so right up to the moment I cut his throat." Told in chapters that alternate between the Clutter household and the approach of Smith and Hickock in their black Chevrolet, then between the investigation of the case and the killers' flight, Capote's account is so detailed that the reader comes to feel almost like a participant in the events.

death penalty research questions: *The Death Penalty* Ernest Van den Haag, John Phillips Conrad, 2013-06-29 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, 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.

death penalty research questions: *The Death Penalty Today* Robert M. Bohm, 2017-11-13 More than 30 years after the US Supreme Court reinstated the death penalty, it is still plagued with egregious problems. Issues of wrongful conviction, inhumane practices, and its efficacy as a deterrent are hotly debated topics. As of August 2007, two-thirds of the world's countries have abolished the death penalty. Today, the US falls alongside I

death penalty research questions: *Courting Death* Carol S. Steiker, Jordan M. Steiker, 2016-11-07 Before constitutional regulation -- The Supreme Court steps in -- The invisibility of race in the constitutional revolution -- Between the Supreme Court and the states -- The failures of regulation -- An unsustainable system? -- Recurring patterns in constitutional regulation -- The future of the American death penalty -- Life after death

death penalty research questions: *Death Penalty on Trial* Bill Kurtis, 2009-03-25 Bill Kurtis, anchor of the wildly popular true-crime TV series *Cold Case Files* and *American Justice*, used to support the death penalty. But after observing the machinations of the justice system for thirty years, he came to a stunning realization that changed his life: Capital punishment is wrong. There can be no real justice in America until it is abolished. In *The Death Penalty on Trial*, Kurtis takes readers on his most remarkable investigative journey yet. Together, we revisit murder scenes, study the evidence, and explore the tactical decisions made before and during trials that send innocent people to death row. We examine the eight main reasons why the wrong people are condemned to death, including overzealous and dishonest prosecutors, corrupt policemen, unreliable witnesses and expert witnesses, incompetent defense attorneys, bias judges, and jailhouse informants. We see why the new jewel of forensic science, DNA, is revealing more than innocence and guilt, opening a window into the criminal justice system that could touch off a revolution of reform. Ultimately we come to a remarkable conclusion: The possibility for error in our justice system is simply too great to allow the death penalty to stand as our ultimate punishment.

death penalty research questions: *The Contradictions of American Capital Punishment* Franklin E. Zimring, 2004-11-18 Why does the United States continue to employ the death penalty when fifty other developed democracies have abolished it? Why does capital punishment become

more problematic each year? How can the death penalty conflict be resolved? In *The Contradictions of American Capital Punishment*, Frank 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 our country. On the one hand, execution would seem to violate our nation's highest legal principles of fairness and due process. It sets us increasingly apart from our allies and indeed is regarded by European nations as a barbaric and particularly egregious form of American exceptionalism. On the other hand, the death penalty represents a deeply held American belief in violent social justice that sees the hangman as an agent of local control and safeguard of community values. Zimring uncovers the most troubling symptom of this attraction to vigilante justice in the lynch mob. He shows that the great majority of executions in recent decades have occurred in precisely those Southern states where lynchings were most common a hundred years ago. It is this legacy, Zimring suggests, that constitutes both the distinctive appeal of the death penalty in the United States and one of the most compelling reasons for abolishing it. Impeccably researched and engagingly written, *Contradictions in American Capital Punishment* casts a clear new light on America's long and troubled embrace of the death penalty.

death penalty research questions: The Death Penalty Stuart BANNER, Stuart Banner, 2009-06-30 The death penalty arouses our passions as does few other issues. Some view taking another person's life as just and reasonable punishment while others see it as an inhumane and barbaric act. But the intensity of feeling that capital punishment provokes often obscures its long and varied history in this country. Now, for the first time, we have a comprehensive history of the death penalty in the United States. Law professor Stuart Banner tells the story of how, over four centuries, dramatic changes have taken place in the ways capital punishment has been administered and experienced. In the seventeenth and eighteenth centuries, the penalty was standard for a laundry list of crimes--from adultery to murder, from arson to stealing horses. Hangings were public events, staged before audiences numbering in the thousands, attended by women and men, young and old, black and white alike. Early on, the gruesome spectacle had explicitly religious purposes--an event replete with sermons, confessions, and last minute penitence--to promote the salvation of both the condemned and the crowd. Through the nineteenth century, the execution became desacralized, increasingly secular and private, in response to changing mores. In the twentieth and twenty-first centuries, ironically, as it has become a quiet, sanitary, technological procedure, the death penalty is as divisive as ever. By recreating what it was like to be the condemned, the executioner, and the spectator, Banner moves beyond the debates, to give us an unprecedented understanding of capital punishment's many meanings. As nearly four thousand inmates are now on death row, and almost one hundred are currently being executed each year, the furious debate is unlikely to diminish. *The Death Penalty* is invaluable in understanding the American way of the ultimate punishment. Table of Contents: Abbreviations Introduction 1. Terror, Blood, and Repentance 2. Hanging Day 3. Degrees of Death 4. The Origins of Opposition 5. Northern Reform, Southern Retention 6. Into the Jail Yard 7. Technological Cures 8. Decline 9. To the Supreme Court 10. Resurrection Epilogue Appendix: Counting Executions Notes Acknowledgments Index Reviews of this book: [Banner] deftly balances history and politics, crafting a book that will be valuable to anyone interested in knowing more about capital punishment, no matter what his or her views are on the ethical issues surrounding the topic. --David Pitt, Booklist Reviews of this book: In this well-researched and clear account...Banner charts how and why this country went from having one of the world's mildest punitive systems to one of its harshest. --Publishers Weekly Reviews of this book: Stuart Banner's book is fine and balanced and important. His lucid history of this grim subject is scrupulously accurate...It is refreshingly free of the tendentiousness and the sensationalism that this subject invites. --Richard A. Posner, New Republic Reviews of this book: [The] contrast between the past and the present can now be seen with great clarity thanks to...Stuart Banner and his comprehensive book, *The Death Penalty*...American historians have been slow to undertake anything like a full-scale study of the subject...Banner's book does much to fill [the gaps]. His book is an important and comprehensive...treatment of the topic. --Hugo Adam Bedau, Boston Review Reviews of this book:

Despite the gruesome nature of the book's topic, it is difficult to stop reading. Banner's research is fascinating, his writing style compelling. Given the emotional nature of the subject (few people known to me are wishy-washy about whether the death penalty is moral or immoral), Banner walks the line of neutrality skillfully, without seeming evasive. --Steve Weinberg, Legal Times Reviews of this book: Stuart Banner's *The Death Penalty* is a tour de force, remarkable for its neutrality as it traces the ways in which the death penalty has been applied, and for what kinds of crimes, from the Colonial era to the present. Banner...writes like a historian who believes perspective is best gained by dispassionately setting out what happened and letting everyone come to his or her own conclusions. I think, in this book, that works wonderfully. On a subject in which emotions run so high, it seems awfully useful to have a dispassionate voice. After all, if Banner allowed his own feelings on the death penalty--pro, con or somewhere in the middle--to be known, the book easily could be dismissed as a diatribe. He doesn't, and it can't. --Judith Neuman Beck, San Jose Mercury News Reviews of this book: Law professor Banner...offers a persuasive examination of the evolution of capital punishment from Colonial times onward. He makes clear that the death penalty has possessed generally consistent support from the US populace, although changes in the sensibilities of juries, executioners, legal theoreticians, and judges have occurred...Highly recommended. --R. C. Cottrell, Choice Reviews of this book: Stuart Banner aptly illustrates in *The Death Penalty*, like the nation, the death penalty has changed with the times...Banner's account spotlights a number of interesting trends in American history...Mostly evenhanded in the tour he provides through the history of the death penalty and its role in and reflection of American society, he has managed to provide an accessible look at what is a profoundly controversial and complicated subject. --Steven Martinovich, Ft. Lauderdale Sun-Sentinel Reviews of this book: For centuries, Stuart Banner tells us, Americans had been proud to possess a criminal-justice system that made less use of the death penalty than just about any other place on the globe, including the countries of western Europe. But no longer. Now we possess one of the harshest criminal codes in the world. *The Death Penalty* helps explain that turnaround, but only in the course of a complicated story in which different factors emerge at different times to play often unforeseeable roles...[This is a] superbly told history. --Paul Rosenberg, Denver Post and Rocky Mountain News Reviews of this book: Stuart Banner's lucid, richly researched book brings us, for the first time, a comprehensive history of American capital punishment from colonial times to the present. He describes the practices that characterized the institution at different periods, elucidates their ritual purposes and social meanings, and identifies the forces that led to their transformation. The book's well-ordered narrative is interspersed with individual case histories, that give flesh and blood to the account. --David Garland, Times Literary Supplement Reviews of this book: [An] informative, even-handed, chillingly fascinating account of why and how the U.S. government and many state governments decided to sponsor executions of criminals--even though innocent defendants might die, too. --Jane Henderson, St. Louis Post-Dispatch Reviews of this book: Stuart Banner's *The Death Penalty* is a splendidly objective achievement. Delightfully written, free of academic pretense, liberally sprinkled with apt references from contemporary sources, the book exhaustively explores the multifaceted evolution of America's penal practices. --Elsbeth Bothe, Baltimore Sun *The Death Penalty* is certain to be the definitive account of the American experience with capital punishment, from its beginnings in the seventeenth century, to the execution of Timothy McVeigh in 2001. This is a first rate piece of scholarship: well written, deeply researched, fascinating to read, and full of insights and good common sense. It is, in my view, one of the finest books to deal with this troubled and troubling subject. Historical and legal scholarship owe a debt of gratitude to Stuart Banner. --Lawrence Friedman, Stanford Law School A masterful book. This is a long overdue account which fills a huge gap in our understanding of America's long and complex relationship to state killing. With meticulous scholarship and lucid prose, Banner has written a compelling account of the place of capital punishment in our society. It sets the standard for all future scholarship on the history of the death penalty in America. --Austin Sarat, author of *When the State Kills: Capital Punishment and the American Condition* *The Death Penalty*, a study we have badly needed, is the first history of the nation's engagement--as well as its

disengagement--with capital punishment from the country's earliest days to the present. With a sure grasp of the constitutional issues, Stuart Banner greatly advances a conversation at last underway about the rightness of putting people to death for having inflicted a death. Banner's greatest and most useful feat is remaining dispassionate on a subject that he cares deeply about--as do a growing number of his fellow Americans. --William S. McFeely, author of *Proximity to Death* The Death Penalty beautifully explains the changing paths traveled by supporters and opponents of capital punishment over the years. It explores a subject of enormous symbolic importance to Americans today, linking our views about the death penalty to our larger concerns about crime. --David Oshinsky, author of *Worse Than Slavery: Parchman Farm and the Ordeal of Jim Crow Justice* Banner's book is a superbly detailed and textured social history of a subject too often treated in legal abstractions. It demonstrates how capital punishment has gnawed at the conscience and imagination of Americans, and how it has challenged their efforts to define themselves culturally, politically, and racially. --Robert Weisberg, Stanford Law School

death penalty research questions: *America's Death Penalty* David Garland, Randall McGowen, Michael Meranze, 2011-01-25 Over the past three decades, the United States has embraced the death penalty with tenacious enthusiasm. While most of those countries whose legal systems and cultures are normally compared to the United States have abolished capital punishment, the United States continues to employ this ultimate tool of punishment. The death penalty has achieved an unparalleled prominence in our public life and left an indelible imprint on our politics and culture. It has also provoked intense scholarly debate, much of it devoted to explaining the roots of American exceptionalism. *America's Death Penalty* takes a different approach to the issue by examining the historical and theoretical assumptions that have underpinned the discussion of capital punishment in the United States today. At various times the death penalty has been portrayed as an anachronism, an inheritance, or an innovation, with little reflection on the consequences that flow from the choice of words. This volume represents an effort to restore the sense of capital punishment as a question caught up in history. Edited by leading scholars of crime and justice, these original essays pursue different strategies for unsettling the usual terms of the debate. In particular, the authors use comparative and historical investigations of both Europe and America in order to cast fresh light on familiar questions about the meaning of capital punishment. This volume is essential reading for understanding the death penalty in America. Contributors: David Garland, Douglas Hay, Randall McGowen, Michael Meranze, Rebecca McLennan, and Jonathan Simon.

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commission which investigated the administration of the death penalty and influenced Governor George Ryan's unprecedented commutation of the sentences of 164 death row inmates on his last day in office. Along the way, he provides a brief history of America's ambivalent relationship with the ultimate punishment, analyzes the potent reasons for and against it, including the role of the victims' survivors, and tells the powerful stories behind the statistics, as he moves from the Governor's Mansion to Illinois' state-of-the art 'super-max' prison and the execution chamber. Ultimate Punishment, this gripping, clear-sighted, necessary examination of the principles, the personalities, and the politics of a fundamental dilemma of our democracy has all the drama and intellectual substance of Turow's celebrated fiction.

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reversals. Yet the Supreme Court insists that the issue is to be decided by local political actors and public opinion. So the death penalty continues to respond to popular will, enhancing the power of criminal justice professionals, providing drama for the media, and bringing pleasure to a public audience who consumes its chilling tales. Garland brings a new clarity to our understanding of this peculiar institution— and a new challenge to supporters and opponents alike.

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