

Research Paper Capital Punishment

Euthanasia, Abortion, Death Penalty and Religion - The Right to Life and its Limitations
Capital Punishment
Cruel & Unusual
Essays on the Death Penalty
Peculiar Institution
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Euthanasia, Abortion, Death Penalty and Religion - The Right to Life and its Limitations

The Death Penalty, Third Edition, brings together all

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the legal issues related to the death penalty and provides case briefs for the most important United States Supreme Court death penalty cases. No other book available brings together a discussion of the major constitutional issues surrounding the death penalty with a broad array of associated case briefs. The authors classify cases according to legal issues and provide a commentary on the various sub-topics, presenting legal materials in an easily understood form. Though the primary audiences of the book are undergraduates in criminal justice programs and practitioners in the corrections and justice systems, the book will also prove useful to anyone who has an interest in the death penalty, the criminal justice system, or the United States Constitution. Every chapter starts with commentaries regarding general case law in a sub-topic, such as aggravating and mitigating factors, followed by a chart of the cases briefed in the chapter, and then the case briefs. These case briefs acquaint the reader with Supreme Court cases by summarizing facts, issues, reasons, and holdings. *The Death Penalty, Third Edition* , is a succinct, trusted guide to the law of capital punishment in the United States.

Capital Punishment

Refusing to eradicate the death penalty, the U.S. has attempted to reform and rationalize capital punishment through federal constitutional law. While execution chambers remain active in several states, Carol Steiker and Jordan Steiker argue that the fate of the American death penalty is likely to be sealed by

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this failed judicial experiment.

Cruel & Unusual

Ten true tales of people falsely accused detail the flaws in the criminal justice system that landed these people in prison

Essays on the Death Penalty

The fifth edition of this highly praised study charts and explains the progress that continues to be made towards the goal of worldwide abolition of the death penalty. The majority of nations have now abolished the death penalty and the number of executions has dropped in almost all countries where abolition has not yet taken place. Emphasizing the impact of international human rights principles and evidence of abuse, the authors examine how this has fueled challenges to the death penalty and they analyze and appraise the likely obstacles, political and cultural, to further abolition. They discuss the cruel realities of the death penalty and the failure of international standards always to ensure fair trials and to avoid arbitrariness, discrimination and conviction of the innocent: all violations of the right to life. They provide further evidence of the lack of a general deterrent effect; shed new light on the influence and limits of public opinion; and argue that substituting for the death penalty life imprisonment without parole raises many similar human rights concerns. This edition provides a strong intellectual and evidential basis for regarding capital punishment as undeniably

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cruel, inhuman and degrading. Widely relied upon and fully updated to reflect the current state of affairs worldwide, this is an invaluable resource for all those who study the death penalty and work towards its removal as an international goal.

Peculiar Institution

Principles of Criminology

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

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substantial majority favors imposition of the death penalty. The pendulum can swing again, as it has done in the past.

American Roulette

This classic has been the most authoritative text in the field since 1924. The thoroughly revised Eleventh Edition continues to provide a sound, sophisticated, sociological treatment of the principal issues in criminology.

Capital Punishment

The issue of capital punishment is a continually-debated issue because it calls into question the values and direction of society. How is a civilisation supposed to handle lawbreakers? Are some crimes so heinous and some people so dangerous that the death penalty is the only appropriate response? The United States Constitution prohibits 'cruel and unusual punishment', but opinions on whether that includes capital punishment are vehement on both sides. Many states have some form of death penalty, and public opinion seems to indicate support of it in principle. However, many firestorms have erupted recently over the application of the penalty, including the topics of its use on minors and those with mental disabilities. There are also questions raised about how much of a factor race plays in a capital sentence. Internationally, several countries have foresworn the death penalty, with certain countries in Europe and the Americas refusing to extradite criminal suspects

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(including suspected terrorists) to the US if capital punishment is a possible sentence. With such politically flammable and ethically challenging issues hanging over it, capital punishment is a vitally important issue to understand. To help facilitate that study, this book assembles a carefully selected and substantial listing of literature focussing on the death penalty. Anyone researching this area of criminal justice will find this book an important tool as it offers easy access to the most relevant works about capital punishment. Following the bibliography, further access is provided with author, title, and subject indexes.

Deterrence and the Death Penalty

This volume provides analyses of a range of subjects and issues in the death penalty debate, from medicine to the media. The essays address in particular the personal complexities of those involved, a fundamental part of the subject usually overridden by the theoretical and legal aspects of the debate. The unique personal vantage offered by this volume makes it essential reading for anyone interested in going beyond the removed theoretical understanding of the death penalty, to better comprehending its fundamental humanity. Additionally, the international range of the analysis, enabling disaggregation of country specific motivations, ensures the complexities of the death penalty are also considered from a global perspective.

The Decline of the Death Penalty and the

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Discovery of Innocence

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.

Cheap on Crime

The Death Penalty

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Gruesome Spectacles tells the sobering history of botched, mismanaged, and painful executions in the U.S. from 1890 to the present. Since the book's initial publication in 2014, the cruel and unusual executions of a number of people on death row, including Clayton Lockett in Oklahoma and Joseph Wood in Arizona, have made headlines and renewed vigorous debate surrounding the death penalty in America. Austin Sarat's book instantly became an essential resource for citizens, scholars, and lawmakers interested in capital punishment—even the Supreme Court, which cited the book in its recent opinion, *Glossip v. Gross*. Now in paperback, the book includes a new preface outlining the latest twists and turns in the death penalty debate, including the recent galvanization of citizens and leaders alike as recent botched executions have unfolded in the press. Sarat argues that unlike in the past, today's botched executions seem less like inexplicable mishaps and more like the latest symptoms of a death penalty machinery in disarray. *Gruesome Spectacles* traces the historical evolution of methods of execution, from hanging or firing squad to electrocution to gas and lethal injection. Even though each of these technologies was developed to "perfect" state killing by decreasing the chance of a cruel death, an estimated three percent of all American executions went awry in one way or another. Sarat recounts the gripping and truly gruesome stories of some of these deaths—stories obscured by history and to some extent, the popular press.

The International Library of Essays on

Capital Punishment, Volume 3

Debate has long been waged over the morality of capital punishment, with standard arguments in its favour being marshalled against familiar arguments that oppose the practice. In *The Ethics of Capital Punishment*, Matthew Kramer takes a fresh look at the philosophical arguments on which the legitimacy of the death penalty stands or falls, and he develops a novel justification of that penalty for a limited range of cases. The book pursues both a project of critical debunking of the familiar rationales for capital punishment and a project of partial vindication. The critical part presents some accessible and engaging critiques of major arguments that have been offered in support of the death penalty. These chapters, suitable for use in teaching courses on capital punishment, valuably take issue with positions at the heart of contemporary debates over the morality of such punishment. The book then presents an original justification for executing truly terrible criminals, a justification that is free-standing rather than an aspect or offshoot of a general theory of punishment. Its purgative rationale, which has not heretofore been propounded in any current philosophical and practical debates over the death penalty, derives from a philosophical reconception of the nature of evil and the nature of defilement. As the book contributes to philosophical discussions of those phenomena, it also contributes importantly to general normative ethics with sustained reflections on the differences between consequentialist approaches to punishment and deontological approaches. Above all, the volume

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contributes to the philosophy of criminal law with a fresh rationale for the use of the death penalty and with probing assessments of all the major theories of punishment that have been broached by jurists and philosophers for centuries. Although the book is a work of philosophy by a professional philosopher, it is readily accessible to readers who have not studied philosophy. It will stir both philosophers and anyone engaged with the death penalty to reconsider whether the institution of capital punishment can be an appropriate response to extreme evil.

When the State Kills-

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

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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

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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

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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

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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

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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

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Gruesome Spectacles

This indispensable history of the Eighth Amendment and the founders' views of capital punishment is also a passionate call for the abolition of the death penalty based on the notion of cruel and unusual punishment

Capital Punishment in Canada

Death Penalty Cases presents significant verbatim excerpts of death-penalty decisions from the United States Supreme Court. The first chapter introduces the topics discussed throughout the book. It also includes a detailed history of the death penalty in the United States. After this introduction, the remaining eighteen chapters are divided into five parts: Foundational Cases, Death-Eligible Crimes and Persons, The Death Penalty Trial, Post-Conviction Review, and Execution Issues. The first part, consisting of five chapters, talks about the mandatory death penalty, mitigating evidence and racial bias. The next part covers death-eligible crimes, such as rape and other crimes that do not involve homicide and murder. The middle part presents the trial process, from choosing the appropriate decision-makers through the sentencing decision. Followed by this is a chapter focusing on the aftermath of conviction, such as claims of innocence. The book concludes by exploring issues related to execution, such as not executing insane convicts. Finally, execution methods are presented. Provides the most recent case material--no need to supplement Topical organization of cases provides a more logical

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organization for structuring a course Co-authors with different perspectives on the death penalty assures complete impartiality of the material Provides the necessary historical background, a clear explanation of the current capital case process, and an impartial description of the controversies surrounding the death penalty Provides the latest statistics relevant to discussions on the death penalty Clearly explains the different ways in which the states process death penalty cases, with excerpts of the most relevant statutes

America's Experiment with Capital Punishment

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 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,

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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.

Body and the State, The

The Death Penalty

Arbitrary Death

Why does the United States, alone among Western democracies, still have the death penalty? It's not a new question, but David Garland provides fresh answers from a multilayered analysisThe title hints at

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the most provocative part of Garland's answer. In American history, the "peculiar institution" is slavery. Anyone who thinks its vestiges were wiped out by the Emancipation Proclamation or civil rights laws should read this book and think again.

The Death Penalty

Courting Death

Traces the history of the writ of habeas corpus and its influence on federal-state relations.

Death Penalty Cases

After forty years of increasing prison construction and incarceration rates, winds of change are blowing through the American correctional system. The 2008 financial crisis demonstrated the unsustainability of the incarceration project, thereby empowering policy makers to reform punishment through fiscal prudence and austerity. In *Cheap on Crime*, Hadar Aviram draws on years of archival and journalistic research and builds on social history and economics literature to show the powerful impact of recession-era discourse on the death penalty, the war on drugs, incarceration practices, prison health care, and other aspects of the American correctional landscape.

Capital Punishment in the United States

The second edition of *America's Experiment with*

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Capital Punishment is an updated and expanded version of the comprehensive first edition. Authored by the country's leading legal and social science scholars, it includes information concerning racial disparities in the administration of the death penalty, wrongful convictions, deterrence, the prediction of future dangerousness, jury decision-making, public opinion about the death penalty, the effects of the capital punishment process on murder victims' and offenders' relatives, death row incarceration, the costs of capital punishment, execution methods, and many other issues. New legal developments are tracked, including the Supreme Court's 2002 decisions prohibiting the execution of mentally retarded offenders (*Atkins vs. Virginia*) and requiring juries to find all essential facts supporting sentences of death (*Ring vs. Arizona*); the moratorium on executions imposed by former Illinois Governor Ryan and Ryan's ensuing commutation in January 2003 of all Illinois prisoners under sentence of death; federal habeas corpus policies; and other changes in death penalty laws and practices. Two new chapters have been added to the second edition, one by Professor Richard Wilson analyzing international laws and trends in capital punishment and their implications for the United States, and another by Professor Robert Blecker examining the theological and historical roots of the death penalty and their significance to contemporary capital punishment theory and practice. The volume, comprised of 23 individually authored chapters, remains the most current and comprehensive collection available addressing legal, empirical, political, and philosophical aspects of capital punishment in America.

Slavery and the Death Penalty

It has long been acknowledged that the death penalty in the United States of America has been shaped by the country's history of slavery and racial violence, but this book considers the lesser-explored relationship between the two practices' respective abolitionist movements. The book explains how the historical and conceptual links between slavery and capital punishment have both helped and hindered efforts to end capital punishment. The comparative study also sheds light on the nature of such efforts, and offers lessons for how death penalty abolitionism should proceed in future. Using the history of slavery and abolition, it is argued that anti-death penalty efforts should be premised on the ideologies of the radical slavery abolitionists.

The Ethics of Capital Punishment

This book includes perspectives from a broad range of victims. including family members of the crime victims; convicted persons whose rights are violated by the justice system through wrongful convictions, unequal and discriminatory application of justice, lack of a due process, imposition for crimes that do not meet the most serious crimes threshold or to the categories of perpetrators that should be protected from the death penalty (minors, persons with mental or intellectual disabilities, pregnant women), as well as third parties including family members of the convicted person (especially children and primary caretakers) and persons included in criminal

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proceedings or executions (such as prosecutors, judges, lawyers and executioners). It is argued in this thought provoking book that the states right to execute violates the right to life and negatively reflects on human rights of its citizens in general.

Hidden Victims

Annotation In the US, murderers, particularly those sentenced to death, are usually considered as entirely different from the rest of us. Sociologist Susan F. Sharp challenges perspective by reminding us that those facing a death sentence, in addition to being murderers, are brothers or sisters, mothers or fathers, daughters or sons.

Moving Away from the Death Penalty

Since 1996, death sentences in America have declined by more than 60 percent, reversing a generation-long trend toward greater acceptance of capital punishment. In theory, most Americans continue to support the death penalty. But it is no longer seen as a theoretical matter. Prosecutors, judges, and juries across the country have moved in large numbers to give much greater credence to the possibility of mistakes - mistakes that in this arena are potentially fatal. The discovery of innocence, documented in this book through painstaking analyses of media coverage and with newly developed methods, has led to historic shifts in public opinion and to a sharp decline in use of the death penalty by juries across the country. A social cascade,

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starting with legal clinics and innocence projects, has snowballed into a national phenomenon that may spell the end of the death penalty in America.

The Death Penalty

Capital Punishment: The Defining Issues for the Next Generation, comprised of original chapters authored by nationally distinguished scholars, is an ambitious effort to identify the most critical issues confronting the future of capital punishment in the United States and the steps that must be taken to gather and analyze the information that will be necessary for informed policy judgments. Contributors will articulate the most pressing issues of administration, litigation, legislation, and executive action confronting the future of capital punishment, and identify research strategies designed to supply answers to those questions. The book represents a valuable academic contribution, particularly within criminal justice and law, and promises to be of interest as well to policymakers and practitioners. It will be published a generation after the Supreme Court's landmark decision in *Gregg v. Georgia* (1976) heralded the "modern era" of capital punishment, and at a time when the efficacy and operation of the death penalty are under intensive scrutiny by governmental study commissions throughout the country. The book is organized into six sections: (A) Institutional and Disciplinary Perspectives on the Death Penalty; (B) Capital Punishment: Public Policy Perspectives; (C) The Death Penalty as Applied; (D) Participants in the Capital Punishment Process; (E) The Punishment of

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Death; and (F) Interdisciplinary Perspectives: Toward a Research Agenda for the Future.

Just Revenge

Chandler has thoroughly researched the Canadian context of the recurring and often emotional discussion of capital punishment.

The Death Penalty

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

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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.

Editorial Research Reports, 1985

Risks to the innocent

The Future of America's Death Penalty

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

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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.

Capital Punishment in America

Facing the Death Penalty

Over a career spanning nearly four decades, Rick Unklesbay has tried over one hundred murder cases before juries that ended with sixteen men and women receiving the death sentence. *Arbitrary Death* depicts some of the most horrific murders in Tucson, Arizona, the author's prosecution of those cases, and how the death penalty was applied. It provides the framework to answer the questions: Why is America the only Western country to still use the death penalty? Can a human-run system treat those cases fairly and avoid unconstitutional arbitrariness? It is an insider's view from someone who has spent decades prosecuting murder cases and who now argues that the death penalty doesn't work and our system is fundamentally flawed. With a rational, balanced approach, Unklesbay depicts cases that represent how different parts of the criminal justice system are responsible for the arbitrary nature of the death penalty and work against the fair application of the law. The prosecution, trial courts, juries, and appellate courts

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all play a part in what ultimately is a roll of the dice as to whether a defendant lives or dies. Arbitrary Death is for anyone who wonders why and when its government seeks to legally take the life of one of its citizens. It will have you questioning whether you can support a system that applies death as an arbitrary punishment -- and often decades after the sentence was given.

Actual Innocence

An in-depth examination of what life under a sentence of death is like.

America's Death Penalty

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

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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.

Model Research Papers for Writers

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.

The Death Penalty in America

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A professor of social psychology explores the history of execution in America, weighing its social costs, discussing its potential benefits and problems, and building a new model for understanding the politics behind the death penalty.

Death Penalty and the Victims

This book considers how the termination of life might be accepted in the view of a general obligation to protect life. It features more than 10 papers written by scholars from 14 countries that offer international comparative empirical research. Inside, readers will find case studies from such areas as: India, Chile, Germany, Italy, England, Palestine, Lithuania, Nigeria, and Poland. The papers focus on three limitations of the right to life: the death penalty, abortion, and euthanasia. The contributors explore how young people understand and evaluate the right to life and its limitations. The book presents unique empirical research among today's youth and reveals that, among other concepts, religiosity matters. It provides insight into the acceptance, perception, and legitimation of human rights by people from different religious and cultural backgrounds. This investigation rigorously tests for inter-individual differences regarding political and judicial rights on religious grounds, while controlling for other characteristics. It will help readers better understand the many facets of this fundamental, yet controversial, philosophical question. The volume will be of interest to students, researchers, as well as general readers searching for answers.

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