

# Cons of capital punishment in america courts

Law



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## **Death Penalty – A Persuasive Argument**

What is the purpose of the Criminal Justice system? Is it an eye for an eye or is it reformation and punishment? Capital Punishment does not deter crime, it is a crime and an expensive one at that. I will discuss why the death penalty should be abolished not because of sympathy for criminals but because it costs a whole lot more than life in prison, bad lawyers are a Persistent Problem in Capital Cases and it risks execution of innocent people.

The Death Penalty is much more expensive than life in prison. Death penalty trials costs an average of 48% more than the average cost of trials in which prosecutors seek life imprisonment. For example, New York State spent \$170 million in 9 years, with no executions. Also, the death penalty has Cost New Jersey Taxpayers \$253 Million. In addition, it has been concluded that the cost of the death penalty in California has totaled over \$4 billion since 1978. A breakdown of this is as follows:

- \$1. 94 billion–Pre-Trial and Trial Costs
- \$925 million–Automatic Appeals and State Habeas Corpus Petitions
- \$775 million–Federal Habeas Corpus Appeals
- \$1 billion–Costs of Incarceration

While these are only a few examples, other states have faced a strong financial burden as well. It is time to end this costly, failed system.

Another common argument for stopping the Death Penalty is the fact of inadequate legal representation. Almost all defendants in capital cases cannot afford their own attorneys. In many cases, the appointed attorneys are overworked, underpaid, or lacking the trial experience required for death

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penalty cases. Two states that have had this issue are Washington State and North Carolina. In Washington State, one-fifth of the 84 people who have faced execution in the past 20 years were represented by lawyers who had been, or were later, disbarred, suspended or arrested. In North Carolina, at least 16 death row inmates, including 3 who were executed, were represented by lawyers who have been disbarred or disciplined for unethical or criminal conduct. Only a few states provide proper funds to compensate attorneys, frequently leaving capital defendants with inexperienced, over-worked and at times, an incompetent defense.

Lastly, a Life sentence is reversible, an execution is not. Since 1973, 143 people have been exonerated and freed from death row. 31 years later, in 2004, the state of Texas executed Cameron Todd Willingham for starting the fire that killed his children. After his execution, the Texas Forensic Science Commission found that the arson testimony that led to his conviction was based on flawed science. In addition to Todd Willingham, according to ListVerse. com, as of 2010 there are 9 other recent convicts presumed innocent after execution from 1989 to 2004. When it comes down to the question of life or death errors should not be a factor.

It comes down to whether we should keep a system for the sake of revenge and retribution even though the death penalty is much more expensive than life in prison, inadequate legal representation negatively affects the outcome in capital punishment cases and can lead to executions of innocent people. Killing does not solve killing. Sentencing a criminal to death does not solve the questions and problems that are left behind. Help make this world just and be against the death penalty.

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