

Research paper on effectiveness of the death penalty

[Law](#), [Death Penalty](#)



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Capital Punishment, also referred to as the death penalty, is a legal procedure in which an individual is put to death as punishment for crime. The crimes under capital punishments are capital crimes defined by penal codes of respective countries. Each nation has a defined penal code system normally enshrined in the constitution. The use of death penalty as a mode of punishing the most heinous of crimes dates back to the Roman times. Beheading was common practice for punishing murderers and deserters at war. As several countries settled into the nations we know today, death penalty was reviewed and abolished by most nations. Today however, some nations still use the death penalty.

The United States still allows the death penalty in its judicial system. Americans have always argued as to the effectiveness of the death penalty. Several issues have been brought the fold when it comes to discussion of possibly eliminating the entire capital punishments system. First the issues involved can be looked at from the deterrence point of view. It is important to analyze whether such brutal punishments deters future possible offences. Secondly, the debate can also be discussed from the economic perspective by considering the cost implication of entertaining the death penalty.

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Deterrence

The general theory under deterrence is based on the issues of comparison between the crime and the respective punishments. It is argued that in cases where the punishment for a crime is too severe then a criminal would rather not participate in the crime as the punishment far outweigh pleasures from the crime (Kurtis, 12). Here also, it is important to state that swift administration of the punishments would provide a good example to other possible offenders and thus discourage participation. This kind of deterrence that is directed towards the general public is referred to as general deterrence

The second kind of deterrence that death penalty seeks to achieve is referred to as direct deterrence. In this sense, by convicting known criminals, there would be a possible reduction of further crimes due to their punishments. This is so for the obvious reason that executed criminals cannot continue to kill again. While there is no argument as to the effectiveness in terms of direct deterrence, sociologists have argued on whether it is effective under general deterrence.

According to Kurtis, general deterrence from death penalty may not be evidenced in two ways. The first instance is in cases where there are two neighboring states can be reviewed in which one state employs capital punishments while the other does not (24). Delfino and Day assert that homicide rates between these two states were not significantly different (23). Homicide incidences were reported in nearly equal numbers. Kurtis argues that:

A comparison of the annual number of murders in death penalty states and

in non-death penalty states from 1990 to 2007 shows that there are consistently more murders in states which use the death penalty. The percentage difference ranged from a low of 4% in 1990 to a high of 46% in 2006. In other words, in 2006, there were 46% more murders in states with the death penalty than in states which do not use the death penalty; (pg, 24)

The second incidence is in a situation where state introduces the death penalty in the penal system yet it did not exist before. In such a case there was no evidence of reduced homicide rates (California Commission on the Fair Administration of Justice, 5). Thus there was no direct evidence on the deterrent impact of the death penalty.

However, other sociologists have argued that recent availability of guns and the explosive population may not reveal the deterrent results of capital punishment. Kurtis argues that if population and access to lethal weapons such as guns were to remain constant then there is a possibility that death penalty plays an important deterrent role in the American society (23).

Cost of the Death Penalty System

Capital punishment has been viewed as one of the most expensive modes of dealing with criminal cases. Delfino and Day emphasize that in the state of California it is six times more costly to execute a criminal than normal incarcerations (28). In Kansas, in order to succeed in executing a criminal it will cost nearly \$116, 700 more than a common murder trial without capital punishment. In Maryland, completing a single death penalty case would cost about \$ 1. 89 million more than a common trial (Delfino and Day, 29).

Lengthy jury sessions, paying expert witnesses, complex pretrial motions and appeals after appeals significantly increase the cost of dealing with just one criminal.

Moreover, the cost of such trial fully rests in the county governments. County government justice systems have to foot the entire cost of executing these criminals. Due to mounting costs and the recent recession, county governments have been forced to either release criminal with lesser offenses or to lay off police officers in order to keep the justice system running. In the year 1998, the state of Florida released nearly 3000 prisoners. Other states have had to lay off police officers and increased taxes on its citizens to meet this cost (Delfino and Day, 29)

Finally, death penalty is argued to be perhaps the most brutal form of punishment. Capital punishment leads to the death of an individual and thus killing members of the society is in itself dehumanizing

In conclusion, it is very clear the capital punishment is one the most inefficient means of passing punishment for delinquent character. While the brutal nature is supposed to have a deterrent result, little evidence suggest that it performs such as role. Additionally, it is a very expensive method financially. Capital punishment should be eliminated and the penal system reviewed to introduce other modes of punishment for these criminals.

Works Cited

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