

# Free essay on death penalty in the united states of america

[Law](#), [Capital Punishment](#)



**ASSIGN  
BUSTER**

Capital punishment is considered as legal sentence in 32 states and may be applied both by federal and state courts. In the United States, the traditions of capital punishment are borrowed from English common law. Historically, apart from the official, state-sanctioned executions, the United States had a peculiar phenomenon of public executions, also known as lynching.

In the Wild West, sheriffs who acted as law enforcement officials, at their own discretion, sentenced offenders to death and sometimes carried out the execution. Electric chair, as a method of execution, was invented at the end of the XIX century and in a short period of time became widely used around the country so that in many states it replaced hanging

Since 1960s, human rights activists have led the fight against capital punishment. In 1972, the Supreme Court, in *Furman v. Georgia*, admitted that the death penalty was a cruel punishment, and therefore unconstitutional, although the judges had a divided opinion as to the motivation of this conclusion (one part of judges believed that the death penalty was unacceptable as such, while the other part considered the lack of safeguards against miscarriage of justice to be unacceptable). The decision of the Court led to a de facto moratorium on capital punishment which was effective from 1972 to 1976. In 1976, in *Gregg v. Georgia*, The Supreme Court recognized the constitutionality of state laws which prescribed the capital punishment. Death penalty was restored in those 38 states where it had been abolished earlier, as well as at the federal level. Subsequently, a number of decisions of the Supreme Court recognized that the death penalty shall not be imposed for the crime of rape; in regard to accomplices who did not commit the murder; to mentally disabled persons or

to those who were juveniles at the time when the crime was committed.

Currently, various state laws provide for five methods of capital punishment: hanging, shooting, electric chair, gas chamber, and lethal injection.

Since the beginning of XXI century, the vast majority of executions were carried out by lethal injection. Other methods have not been applied since the end of the XX century. Those methods survived in the legislation of a few states, and all those states apply lethal injection, while the use of alternative methods in many cases is limited by various conditions. For example, only those convicts who committed a crime or received a death sentence prior to a certain date have the right to choose other methods of execution.

The culture of death penalty in U. S. typically includes the right of convict for last meal - meals that are prepared few hours before the execution in accordance with convict`s request (with certain restrictions), and the right to have the last word just before the execution of the sentence. The execution is usually carried out in the presence of witnesses. The amount and composition of persons entitled to be present at the execution differs from state to state. Usually the relatives of the convict, along with the lawyer and the priest, have the right to be present at the execution.

In 2009, the number of death row criminals in the United States was 106.

This is the lowest number since the restoration of the death penalty as capital punishment in 1976. The largest number of death sentences was in 1994 - 328.

## **Works Cited**

- Furman vs. Georgia, 408 U. S. 238 (1972)
- Gregg v. Georgia, Proffitt v. Florida, Jurek v. Texas, Woodson v. North Carolina, and Roberts v. Louisiana, 428 U. S. 153 (1976)