

Good example of research proposal on deterrent effect of death penalty

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



Introduction

The purpose of this study is to determine the deterrent effect of the death penalty or capital punishment in the commission of future crimes. Most of the criminal experts believe that the justification for the imposition of the death penalty against criminals should be for retributive grounds and to make the criminals suffer the consequences of their actions. Thus, when a person kills another, the retributive effect of capital punishment or the death penalty is take the life of the murderer (Radelet & Akers, 1996). The main reason for the imposition of the death penalty is to discourage the murderers to kill innocent victims. There is a presumption that death penalty serves as a general deterrent to crimes in the future. The importance of this study is to identify whether capital punishment deters murder among the public at large. The study will cover cross-state differences based on the actual sentencing policy of each state and the propensity to seek the death penalty as the ultimate form of punishment (Chalfin, Haviland, & Raphael, 2013, p. 6).

For this study, the two research questions that will be answered shall include the following: 1.) What is the deterrent effect of the death penalty on heinous crimes such as murder or sexual assault? 2.) What is the current actual sentencing policy of the states in seeking the death penalty as the ultimate form of punishment?

Literature Review

The effects of the death penalty or capital punishment can be seen in various channels. The main justification for the imposition of the death penalty is

that it will shorten the life expectancy of the offender or murderer until the time of his or her death. The death penalty statute will be able to diminish the customary costs of capital murder. It is presumed that the offenders who are placed on the death row in every state serve jail sentences based under varying conditions as opposed to the other inmates who are made to suffer life imprisonment without parole (Chalfin, et al., 2013). The death penalty should be the sanction for murder. Studies will show that the incremental cost of the death penalty is less, as compared to the penalty of life imprisonment without parole of an inmate who shall be designated in a high security facility.

The deterrent effect of the death penalty to future crimes has been the subject of controversy since there also studies showing that the penalty of death carries the same outcome as long-term imprisonment for the crime of homicide. This was further substantiated by study that was conducted by Isaac Ehrlich in 1970 after he discovered the deterrent effect of the death penalty (Radelet & Akers, 1996). In his study Ehrlich was able to prove that the execution of offenders for the years 1933 until 1969 prevented at least eight (8) homicides. Such finding has affirmed the hypothesis that the death penalty has deterrent effects. Radelet & Lacock (2009) explained that in another study that was conducted by Thorsten Sellin, it was reaffirmed that the death penalty bears a significant deterrent effect on homicide rates than life imprisonment.

The deterrent effect of the death penalty was criticized by Nobel Laureate Lawrence R, Klein and the National Academy of Sciences claiming that such conclusion by economist Isaac Ehrlich needs careful examination. Klein's

opposition to Ehrlich's conclusion was based on the recent studies and available data on homicide rates.

Methodology and Research Design

For this particular study on the deterrent effect of the death penalty on future crimes, the qualitative research design shall be utilized since it has been efficient for a vast number of diversified participants (Ragin, Nagel & White, 2004). The researcher will use several sources to collect data including peer-reviewed journals, text books, scholarly articles and results from past studies involving similar issue and research questions.

The reliability the proposed research methodology shall be tested by using document analysis and literature review of the data that has been gathered.

The process of validation and data analysis shall be utilized for the assessment of the accuracy of the instrument (Creswell, 2003).

Since the deterrent effect of the death penalty remains to be a debatable issue, the need to conduct further studies that will provide concrete and convincing evidence should be done to justify its imposition. It has been identified that the primary goal of this research study is to examining and probe the criminality rate in United States for the past four (4) years and by comparing the same with the data that is currently available.

For data collection, one of the sources will be the Federal Bureau of Investigation Website (FBI) that shall provide the Uniform Crime Reports (UCR). The Uniform Crime Reporting (UCR) Program has been widely used and accepted by researchers, students of criminal justice, media men, law enforcement executives, and general public who gather information on

criminality rate for each state. The program has been providing accurate and reliable uniform crime statistics to the public and it is the agency of the FBI which has the duty to collect, publish, and tabulate the statistics in their records. The data that was collected came from various sources including cities, universities, colleges, various states and counties and other federal law enforcement agencies that voluntarily participated in the UCR program. These crime statistics and data were submitted using the state UCR Program or filed the information directly to the UCR program of the FBI.

The methodology that will be used for the study is a combination of qualitative and quantitative methods of research study. According to Starke (2013, p. 578), combining different qualitative procedures and quantitative methods in one research design carries better outcome. There are a number of characteristics of qualitative diffusion studies that can be differentiated in most quantitative research designs. Hence, both methods will complement each other in approaching causal mechanisms of diffusion. The quantitative studies shall take into account the conditional effects of various proxy variables in various diffusion mechanisms (Starke, 2013, p. 578). On the other the qualitative researchers use the process in order to trace the unfolding of diffusion processes that exists between different units of analysis. The strength of the quantitative approach that will be used for this study is to map the very specific patterns of diffusion such as the distinctive geographical pattern that can be applied across a large number of cases. However, it has to be emphasized that the empirical models are normally based different untested assumptions (Starke, 2013, p. 578).

Limitations of the Research Plan

There are various limitations on the research plan which will include, sample size, lack of reliable data, inadequacy of previous studies on the topic, self-reported data and the methods used to gather or collect the data. The sample size is important since the number of the units to be used for the data analysis is needed to find answers to the research problem being investigated. This is particularly true when the sample size is very small that it tends to cause difficulty in establishing relationships in the given data since a larger sample size is usually needed to make sure that there is even distribution of the population to get reliable results.

The lack of reliable data shall limit the scope of the analysis and will create an obstacle in determining the trend and a significant relationship between the samples used. It is also essential to cite previous research studies that will establish the basis of the literature review and lay the foundation to explain the research problem. Another obstacle is the measure used to gather and collect the data since the method of data collection may inhibit the ability of the researcher to conduct a complete analysis of the results. The self-reported data is also unreliable since it cannot be verified independently.

For this study, the researcher will use surveys, questionnaires and interviews on focus groups at face value. There is a strong possibility that the self-reported data may carry possible sources of bias due to selective memory on the past experiences, difficulty to recall events or telescoping, the act of attributing positive events and exaggerating events than what has been actually suggested that had been taken from other reliable data. The

other potential limitations to the researcher shall include the lack of access to resource persons, organizations, and other documents. The longitudinal effects shall refer to the instability of the sample, lack of literature review and the methods used to collect and interpret the results. Finally, cultural bias is also a limitation since may refer to a person, place, or thing that is viewed in a persistently inaccurate method that can be usually negative. Positive and negative biases in prior research studies must be identified in order to provide an opportunity to explain the measures taken to avoid propagating any form of biases.

For this particular study, the previous study of Radelet & Lacock (2009) shall be used to determine the possible deterrent effect of the death penalty. It involved a survey that was highly participated by some experts who are members of the American Society of Criminology (ASC). The sample size of the study belonged to the American Society of Criminology and has been globally recognized as the largest organization of academic criminologists. After using this methodology and identified 94 scholars who are considered as pool of experts in their field. The participants were given the set questionnaires and the results were tabulated.

At the same time, statistical results shall be used based on previous research studies. The, records from the past decades revealed that there is only one out of 300 murders committed in the state of Texas that had been punished by the penalty of death covering the years 1976 until 1997. Records show that the state of Texas carried the highest number of execution among other U. S. states. Choe (2010) argued that the distribution of execution in Texas had been tainted with cultural bias as compared with other states. The total

number of execution in the U. S. between the years 1995 until 2006 reached 792 (Choe, 2010). The 294 inmates who were executed within the same period came from the state of Texas alone. Thus, it was concluded that Texas has the highest execution rate which reached 37. 12 percent in the country.

For this study, the report of Choe (2010) will be useful since it conducted identified the three leading states that obtained the highest execution rates including Texas, with 294 executions, Oklahoma which had 80 executions and the state of Virginia, which garnered 74 executions. The three states imposed death penalty on 448 inmates, representing 56. 57 percent of total number executions made in the U. S. (Choe, 2010). However, another limitation in this study is the lack of availability of reliable data that will address the issue of execution rates for the death penalty analysis.

Institutional Review Board (IRB) Approval

There will be no problems to get the study approved by the university's Institutional Review Board (IRB) since the federal regulatory agencies will see to it that the institution shall review and approve the research topic after it has met the requirement of the federal classification of human subjects research. The determination of whether or not the project meets the federal description of human subjects research shall involve two processes. In this particular study, the investigator of the board shall determine whether the study meets the federal definition of research and the involvement of human subjects in the project. The research topic on the deterrent effect of the death penalty has met the requirement of the federal classification of human

subjects research and IRB review is no longer necessary since it involved the study of human subjects.

Ethical Considerations of the Study

The case of *Furman v. Georgia* (1972) and *McCleskey v. Kemp* (1987) had been the leading cases that laid down the basis for the imposition of the death penalty. The two cases served as the Court's consideration of empirical evidence which had reached inconsistent results (Shatz & Dalton, 2013, p. 1227). In the case of *Furman*, the Court used the statistical evidence which had shown that the death penalty was infrequently applied to defendants who are eligible to suffer the penalty of death. However, the case concluded that the Georgia death penalty scheme had to be declared unconstitutional for violation of the Eighth Amendment. On the other hand, in the case *McCleskey*, the Court upheld the revised Georgia scheme and *McCleskey's* death sentence ran counter with the Equal Protection Clause and the Eighth Amendment. However, in spite of the statistical evidence that was presented which revealed that race influenced the death-charging and death-sentencing in the state of Georgia, the legality of the death penalty was upheld in the *McCleskey* decision. As a result, said decision was called into question for using statistical evidence to challenge the death penalty (Shatz & Dalton, 2013, p. 1227).

Another consideration in the imposition of the death penalty is that most of the inmates on the death row who are awaiting the death penalty are poor. In the report of Hull (2010, p. 17) it was revealed that in the year 2007 in Tennessee, there is one out of 102 people on death row who cannot afford to

pay the professional services of an attorney. In the state of Missouri, the rate was eighty-one per cent. Therefore, it can be concluded that the death penalty is detrimental for the poor defendants since they cannot afford get excellent legal assistance in order to question the legality of the punishment. Hull (2010) explained that the compensation of lawyers in majority of the states is about \$20 per hour and there are more than half of the 200 inmates in Alabama who are currently awaiting death. They are being represented by appointed counsel whose reimbursement for trial preparation will cost about \$1000 (Hull, 2010).

Conclusion

Although the purpose of the death penalty is the incapacitation of the convicts for they can no longer commit further crimes, the imposition of the death penalty creates ethical considerations. However, the advocates for the death penalty emphasized that there are instances when defendants who have been found guilty of murder and who are place on death row had been released from incarceration. Given the very different racial demographics within the various states in the county and the distribution of homicide victims, it can be concluded that the overwhelming evidence of race effects in death-charging and death-sentencing within the country shows that there are ethical boundaries that have been trampled upon (Shatz & Dalton, 2013, p. 1227).

Therefore, there is a need to consider racial considerations, whether consciously or unconsciously in the imposition of the death penalty (Shatz & Dalton, 2013, p. 1227).

In the article of Decourcy (1995, p. 10), he argued that the possibility of being caught and punished has a deterrent effect since it will prevent some people to break the law. However, the statistics cannot accurately show how every person will behave in a given situation. In fact, there are some states which had imposed the death penalty based on the limited data provided by the FBI Uniform Crime Reports. The number of murders in some states varies since there are states that have fewer or greater murder incidents compared to others. History will show that in the case of the two men from Rhode Island, they decided to bring their victims to New Hampshire since the state did not impose a death penalty statute so they decided to kill their victims there. At this particular instance, there is a clear showing that the death penalty did not prevent the crime (Decourcy, 1995, p. 10). At this present age and time, majority of the citizens are appalled with the amount of crime that many urged the government to impose the death penalty. The deterrent effect of the death penalty cannot be considered as the only assurance that can come from its imposition since the executed person is believed that he will not kill again (Decourcy, 1995, p. 10).

However, some of the anti-death penalty advocates believe that the death penalty is a cruel and unusual punishment that violates the Eighth Amendment and cannot be a deterrent for criminal activity. The decision in the case of *Furman v. Georgia* (1972) was overturned despite the decision of the High Court which concluded that there should be a rational process to be followed before reaching the decision of charging the death penalty. At the same time, the case should be objectively reviewed on the basis of strong evidence to the contrary.

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