# The death sentence and probability essay sample

Law, Capital Punishment

The Error Rate, in probability terms refers to the number of mistakes/errors committed per a stated number of statistical attempts or actions. In the death row context, the error rate would hence represent the number of wrongful executions conducted per the total number of executions completed over a stated time period. Given the sanctity of human life, the Error Rate in capital punishment is only acceptable when it is at 0%. However, wrongful convictions are in most cases unintentional and regrettable and hence there is a need to mitigate the possibility of such occurrence and this can be greatly accomplished by the use of probability and inferential statistics in capital punishment cases.

According to Innocence Project, the number of DNA-based post-conviction exonerations since 1989 in the United States is 311. Since 1976, The Clark County Prosecuting Attorney notes that there have been 1, 342 executions across the country. This means that the Error Rate potentially stands at 23. 1%, which has been calculated as 311/1342. Due to the use of DNA, 23% of the convicted felons during this time have been proven not guilty of the crimes that they had been convicted of. According to probability however, there is a 50: 50 likelihood of a person being falsely executed by the US Civil Authority. The use of DNA has therefore reduced that 0. 5 probability of a wrongful execution by an impressive 23%.

Innocence Project notes also that of the 311 people exonerated since 1989, 193 of them representing 62% were African Americans. In terms of probability, this statistic might imply a number of things. For starters, it might mean that the probability of a capital punishment offender in the United Sates being of African American decent is 0. 62. It may also mean

that the Error Rate in the conviction and sentencing to death of alleged perpetrators of the Black American race is 62%. What has been revealed here is that probability can be used as a stop-check measure or a final step once a suspected offender has been determined to be guilty, to ensure that based on these derived statics, the risk of such a person being wrongfully executed is eliminated.

An analysis of Marilyn`s answer in probability terms as to whether DNA can prove a suspect not guilty of a crime but cannot prove him guilty reveals a puzzling conclusion. In terms of probability, there are two possible outcomes in this case which are guilty, and not guilty (innocent). Each has a 0. 5 probability of occurring therefore if one does not occur, the other automatically will occur. Therefore, if DNA reveals that a suspect is not guilty, automatically the suspect is innocent and consequently, the reverse of this is true. Marilyn`s final statement on the possibility of error not existing is founded again on the sanctity of human life. Due to the irreversible nature of the execution process and the widespread consequences of a wrongful execution, Marilyn`s statement is true that if this process had a 0% error rate, then it would be unanimously approved by all parties.

In conclusion, the use of probability can greatly reduce or entirely eliminate the likelihood of error in capital punishments in the United States. By inferring information from the given probability statics, the authorities would then be able to make decisions that are devoid of error.

# Works cited

Innocence Project. Benjamin N. Cardozo School of Law. Web. 15 October 2013.

The Clark County Prosecuting Attorney. The Death Penalty. Web. 15 October 2013.