

Racism and death penalty essay sample

[Sociology](#), [Racism](#)



Introduction

There are many questions which popped up in my mind and try to figure out what are the possible bases that judiciaries are basing his/her decision in performing death penalty to a defendant or the accused himself. Death penalty is the heaviest and most depressing sentence for the accused; it ends his chances to change. Furthermore, according to others that death penalty is the best way to control and lessen crimes. But in practicing such law, does death penalty won't show biases and prejudices of whom the judiciaries will give such sentence? It has been an argument not only in the United States of America but as well as around the globe. The death penalty is well-thought-out by most cultured and enlightened nation-states as an inhumane and callous sentence or chastisement.

Death penalty has been de facto by 106 countries and since 1990, there were about 30 nation-states which have put an end to it. Moreover, the death penalty has continuously put into practice in some nations such as the Democratic Republic of Congo, the United States of America, Iran and China which are the most profuse executioners in the globe. On the other hand, international official papers have constrained and in several circumstances even banned the death penalty, its function and relevance does not contradict customary international law. Ample debates have continued in the United States of America as to whether it comprises a suitable chastisement at least to the most dreadful crimes. ¹

¹ “ Human Rights: Death Penalty”. <http://www.derechos.org/dp/>

Moreover, this issue has been continually debated in United States of America due to its fact that racism is almost present every time a judge makes a sentence for the defendant or accused. The illustration below shows the racial breakdown of district Attorneys* in United States Death Penalty States and was taken from the website <http://www.deathpenaltyinfo.org/article.php?scid=45&did=539>.²

The purposes of this study are to: (1) find out if there is any racism involve in performing death penalty; and (2) acquaint us the number of executions performed and the race who faced death penalty due to racism in different states of United States of America..

Who Gets the Death Sentence?

According to an article entitled “ How Racism Riddles the U. S. Death Penalty” explained that “ in 1972, the U. S. Supreme Court was stricken down almost altogether

² Dieter, R. C. “ The Death Penalty in Black and White: Who Lives, Who Dies, Who Decides”. June 1998. <http://www.deathpenaltyinfo.org/article.php?scid=45&did=539>

death penalization in the state due to its reason that found them to be unpredictable and capricious and intensely not fair-Furman v. Georgia. In a cracked 5-4 judgment, every Justice wrote his own point of view and several <https://assignbuster.com/racism-and-death-penalty-essay-sample/>

cited indications of racial prejudices. In *Gregg v. Georgia*, the Court has proven and established a recent generation of capital decrees which assure and guarantee equal impartiality. At present, there are 38 states that practiced death penalty. Since *Gregg*, there was about 5, 000 people have been sentenced to death and about 682 executions have been performed.³

Most of those on the death row are the people who have different races. There was about 42 percent solely for the Black men of all death row prisoners even though they report for only 6 percent of people who live in the United States of America. Racism is found not only in the Southern part where most of the United States implementation and execution are taking place. In a study made by George Woodworth and David Baldus showed that blacks who reside in Philadelphia are four times more likely to receive the death penalty compared to other defendants or accused who execute the same murders. The Philadelphia has put 133 people on the death row which is more than most southern states. About 89 percent of the said qualified defendants or accused for death sentence are people of color.⁴

³ “ How Racism Riddles the U. S. Death Penalty”. December 2000.

[http://www. quixote. org/ej/moratorium_now/broch_race. html](http://www.quixote.org/ej/moratorium_now/broch_race.html)

⁴ Ibid...

Who Receives an Execution?

Since 1976, approximately half of the executed have been people of different race together with sole blacks' record for about 35 percent. Everybody said that about 82 percent have been executed to death for the murder of a white person. And compared to white, only 1.8 percent was executed because the defendant was convicted of killing of an African, an Asian, or Latin descent. In every two persons executed, one is a black since 1930. ⁵

Racism

Wherever we go, racism is always present. The worst thing is, when racism also exists in giving a death penalty sentence to an accused. Does this “extreme penalization” applied fairly regardless to the class or race? Obvious and manifest racism is observed and witness too in courtrooms around the nation. In death penalty circumstances, the practice of pejorative and critical disgrace stirs up the flames of bias and partiality and to some extent permits the jury to adjudge unsympathetically and insensitively those they desire to incriminate for the said dilemma of the offense. There are several illustrations that can be given as examples: ⁶

1. “ *One of you two is going to hang for this. Since you’re the nigger, you’re elected.*” These were the words enunciated by a Texas police officer to Clarence Brandley who was penalized in murdering of a white high school girl. And in 1990,

5. “ How Racism Riddles the U. S. Death Penalty”. December 2000.

[http://www. quixote. org/ej/moratorium_now/broch_race. html](http://www.quixote.org/ej/moratorium_now/broch_race.html)

⁶ Dieter, R. C. “ The Death Penalty in Black and White: Who Lives, Who Dies, Who Decides”. June 1998. [http://www. deathpenaltyinfo. org/article. php?scid= 45&did= 539](http://www.deathpenaltyinfo.org/article.php?scid=45&did=539)

Brandley was found guiltless after ten years on death row. ⁷

2. Another circumstance was when there was a preparation going on for the penalty phase of an African-American defendant’s trial, a white judge from Florida stated in an open court: “ *Since the nigger mom and dad are here anyway, why don’t we go ahead and do the penalty phase today instead of having to subpoena them back at cost to the state.*” Anthony Peek received a death penalty sentence from the court and in 1986; the Florida Supreme Court established and confirmed the sentenced for a review due to his claim of racial bias. ⁸

3. A certain prosecutor from Alabama provided his justification and cause for striking number possible jurors the verity that they were associated with Alabama State University, mainly black organization. The said excuse and ground were deliberated race neutral by the said reviewing court. ⁹

4. An election campaign happened in 1997 for Philadelphia’s Distinct Attorney; it was divulged and made known that one of the said candidates had wrought – serves as an Assistant D. A. – a preparation video for recent prosecuting attorneys in which he commanded them about whom to keep out and leave out in the cold from the

adjudicators which noted that “ *young black women are very bad*” on the adjudicators for a prosecuting attorney and further stated “ *blacks from low-income areas are less likely to convict.*” ¹⁰

⁷⁻¹⁰ Dieter, R. C. “ The Death Penalty in Black and White: Who Lives, Who Dies, Who Decides”. June 1998. <http://www.deathpenaltyinfo.org/article.php?scid=45&did=539>

5. Judge Earl Blackwell in Missouri gave out a signed press release all about his jurisdictional election proclaiming his recent association with the Republican Party at the same time ruling over a death penalty circumstance in opposition to a jobless African-American perpetrator. The mentioned press release specified and indicated that: *[T]he Democrat party places far too much emphasis on representing minorities . . . people who don't' (sic) want to work, and people with a skin that's any color but white* The magistrate has repudiated a motion to rescue himself from the said trial. Brian Kinder-the perpetrator- was found guilty and punished to death and in 1996, Missouri's Supreme Court asserted it.

These were just the illustrations given which are figurative of a more methodical and orderly racism and they give us the scenarios of how racism and insensitivity occurred when somebody is facing an execution.

According to Richard C. Dieter in his article entitled “ The Death Penalty in Black and White: Who Lives, Who Dies, Who Decides” stated that “ In

Philadelphia, the death sentences' raw data in the middle of 1983 and 1993 gives the primary piece of alarming and distressing indication that racism is still happening. The rate mentioned of qualified black defendants who were penalize to death reached about 40 percent compared to the rates for other qualified defendants. Below is chart taken from <http://www.deathpenaltyinfo.org/article.php?scid=45&did=539>.

There is another statistical data in Death Penalty States which shows a risk of Racial Discrimination and was taken again from <http://www.deathpenaltyinfo.org/article.php?scid=45&did=539>.

** The state which has no death penalty race data is accessible. ¹¹

*** The state which has no death sentences enforced as of January 1, 1998.
12

= Solitary findings whose calculations were statistically important and substantial, or where the ratio amongst death sentencing -or prosecutorial charging- rates (example amongst black victim and white victim circumstances) was 1.5 or greater and having an example dimension of at least 10 cases in every group, were contained within. The differences and inequalities in nine states-SC, MS, GA, KY, CA, NJ, NC, PA and CO-are based on well-controlled investigation and analysis. The calculations in different states are from less well-controlled findings and are lone evocative. ¹³

¹¹⁻¹³ Dieter, R. C. “ The Death Penalty in Black and White: Who Lives, Who Dies, Who Decides”. June 1998. <http://www.deathpenaltyinfo.org/article.php?scid=45&did=539>

= The total race of victim difference apart from solitary, Delaware, were in the route of more death sentences in white victim cases. ¹⁴

= the total race of defendant difference apart from two, Tennessee and Florida, were in the route of more death sentences for black defendants or accused. ¹⁵

Another article written by Dudley Sharp advocated that “ despite the fact that whites and blacks include about an equal number of murder victims, the relation or proportion of white-to-black injured parties in death-penalty situations is about 7-to-1.” ¹⁶

Myth of Racism in Death Penalty

In an article entitled “ Myth of racism in Death Penalty” published in one of the websites in the internet explained that “ regardless of the assertions of death penalty adversaries, there is still slight indication and confirmation that prejudiced prosecuting attorneys are more obsessive and fervent on the order of pursuing the death penalty in opposition to the African-Americans- commented by the legal observers- or which adjudicators are directing blacks to death row frequently. The substantiation implies black murder perpetrators are no supplementary like to get death sentences compared to whites even though at the end part of the year 1996, there was about 42

percent of death row convicts were African-Americans. According to federal statistics in 1996, there were 43. 2 percent of pugnacious offense cases and 54. 9 percent of all offense cases, and the criminals involved were African-Americans, predominantly due to the fact that young black males perpetrate an inconsistent number of offenses mainly in opposition to other

14-15 Ibid...

¹⁶ Sharp, D. “ Pro & Con: The Death Penalty in Black and White” Thursday, June 4, 1999. <http://www.prodeathpenalty.com/racism.htm>

blacks. On the other hand, according to the U. S. Justice Department’s Bureau of Justice Statistics whites took into custody for manslaughter or homicide- other than inattentive homicide- are more susceptible to death sentence compared to blacks, about 1. 6 percent of whites against 1. 2 percent of blacks. And white death-sentence convicts are supplementary like to be put to death since 1977 until 1996; about 7. 2 percent of white convicts were put to death in comparison to 5. 9 percent of blacks. ¹⁷

Another study presents that the federal death penalty is exercised excessively and unreasonably in opposition to minorities most especially to African Americans and which it is put into practiced in a topographically random and subjective way-with several states such as Texas and Virginia-reporting for an enormous share of death penalty trials and hearings. According to DOJ information and statistics that it is approximately 80

percent of prisoners on federal death row are Hispanic, Black or from other smaller or lesser group. Smaller groups report and explain for 74 percent of the cases in which federal prosecuting attorneys search and strive for death penalty. In an interview to Jackson stated that: ¹⁸

“ This is a problem!” Jackson said. “ You escape the federal death penalty based on your race and residence. If you’re an African American in Texas who commits a crime that could warrant the federal death penalty, you get it. If you’re white in New York City, you probably don’t.” ¹⁹

¹⁷ “ Myth of racism in Death Penalty”. National Center for Policy Analysis. <http://www.ncpa.org/pi/crime/pd111998d.html>

¹⁸⁻¹⁹ Stark, M. “ Stop the Racist Death Penalty! Racism on Federal Death Row Exposed” November 2000, issue 17. <http://www.nodeathpenalty.org/newab017/index.html>

The DOJ reassessment was the recent of many studies to illustrate the randomness and racism of the death penalty. As Feingold indicated: ²⁰

“ The same serious flaws in the administration of the death penalty that have plagued the states also afflict the federal death penalty. All Americans agree that whether you die for committing a federal crime should not depend arbitrarily on the color of your skin or randomly on where you live.”

21

Conclusion and Recommendation

Everywhere we go, racism and death penalty has been an issue. Even though criminal-justice data and information did not present clear and understandable amongst crimes and the appliance of the death penalty. Prison demographics are the same to those of the death row. Two-thirds of all state and federal convicts is people of races or color. Blacks are about 8.2 supplementary like to be confined and restrained than whites. The United States has long imprisoned more people of African race per capita compared to any other nation on the globe which include South Africa under separation.

In my own point of view, the legislators are the one who made laws. They should not make laws which are always in favor in their race or color. The juries, too, must review the death sentence which they give to the accused because it is a very serious matter or decision.

20-21 Ibid...

References

1. “ Human Rights: Death Penalty”. <http://www.derechos.org/dp/>
2. Dieter, R. C. “ The Death Penalty in Black and White: Who Lives, Who Dies, Who Decides”. June 1998. <http://www.deathpenaltyinfo.org/article.php?scid=45&did=539>
3. “ How Racism Riddles the U. S. Death Penalty”. December 2000. http://www.quixote.org/ej/moratorium_now/broch_race.html

<https://assignbuster.com/racism-and-death-penalty-essay-sample/>

4. Sharp, D. “ Pro & Con: The Death Penalty in Black and White”

Thursday, June 4, 1999. <http://www.prodeathpenalty.com/racism.htm>

5. “ Myth of racism in Death Penalty”. National Center for Policy Analysis.

<http://www.ncpa.org/pi/crime/pd111998d.html>

6. Stark, M. “ Stop the Racist Death Penalty! Racism on Federal Death

Row Exposed” November 2000, issue 17. <http://www.nodeathpenalty.org/newab017/index.html>