

The punishment as a form of deterrence



**ASSIGN
BUSTER**

The Debate over the merits of capital punishment has endured for years, and continues to be an extremely indecisive and complicated issue. Adversaries of capital punishment point to the Marshalls and the Millgards, while proponents point to the Dahmers and Gacys. Society must be kept safe from the monstrous barbaric acts of these individuals and other killers, by taking away their lives to function and perform in our society. At the same time, we must insure that innocent people such as Marshall and Millgard are never convicted or sentenced to death for a crime that they did not commit. Many contend that the use of capital punishment as a form of deterrence does not work, as there are no fewer murders on a per- capita basis in countries or states that do have it, then those that do not. In order for capital punishment to work as a deterrence, certain events must be present in the criminal's mind prior to committing the offence.

The criminal must be aware that others have been punished in the past for the offence that he or she is planning, and that what happened to another individual who committed this offence, can also happen to me. But individuals who commit any types of crime ranging from auto theft to 1st-Degree Murder, never take into account the consequences of their actions. Deterrence to crime, is rooted in the individuals themselves. Every human has a personal set of conduct.

How much they will and will not tolerate. How far they will and will not go. This personal set of conduct can be made or be broken by friends, influences, family, home, life, etc. An individual who is never taught some sort of restraint as a child, will probably never understand any limit as to what they can do, until they have learned it themselves.

Therefore, capital punishment will never truly work as a deterrent, because of human nature to ignore practised advice and to self learn. There are those who claim that capital punishment is in itself a form of vengeance on the killer. But isn't locking up a human being behind steel bars for many years, vengeance itself? And is it "humane" that an individual who took the life of another, should receive heating, clothing, indoor plumbing, 3 meals a day, while a homeless person who has harmed no one receives nothing?

Adversaries of capital punishment claim that it is far more humane than having the state take away the life of the individual.

In February 1963, Gary McCorkell, a 19 year old sex offender, was scheduled to hang. But just days before his execution, the then Liberal cabinet of Lester Person commuted McCorkell to life in prison. Less than 20 years later, McCorkell was arrested, tried, and convicted for the kidnapping and rape of a 10-year old Tennessee boy. He was sentenced to 63 years in prison. Prior to leaving Canada, he was sought by Metro Police in the attempted murder of an 11-year old boy. What has been gained by this? Had McCorkell been executed in 1963, two boys would never have had to have gone through the horror of being sexually abused. These individuals may themselves become sex offenders, as many sex offenders were sexually abused as children. McCorkell may have been a victim of sexually assault in the past, but that does not justify what he did.

He did not do this once, he killed two boys, and assaulted two others, leaving one for dead. He knew exactly what he was doing. What right does this man have to live? He has ruined the lives of 4 children, what will he do in life that will compensate for that? What kind of a life would the state have been

taking away in this case? An innocent life? A forgiving life? No, a life that was beyond the realm of reform, and did not care to be. We must be careful. We must be very careful to never, even when suspicion may cause considerable doubt, send an innocent person to be executed. It could have happened to David Millgard, it could have happened to Donald Marshall.

It probably has even occurred numerous