

# THE DEATH PENALTY:

## The Ineffective and Discriminatory Practices of Capital Punishment in the United States

PLCY 220  
SPRING 2020  
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### OVERVIEW

Capital punishment, colloquially known as the "death penalty", has been a contentious issue for the past few decades. Although it has been used in the United States since the early 1600's, several states have outlawed its usage in the modern day on the basis that it is both unconstitutional and inhumane. The purpose of punishment, as determined by the United States court systems, has been to establish **retribution, deterrence, incapacitation, and rehabilitation** of criminals. **X** However, in practice, the death penalty is both **ineffective and discriminatory** against black offenders.

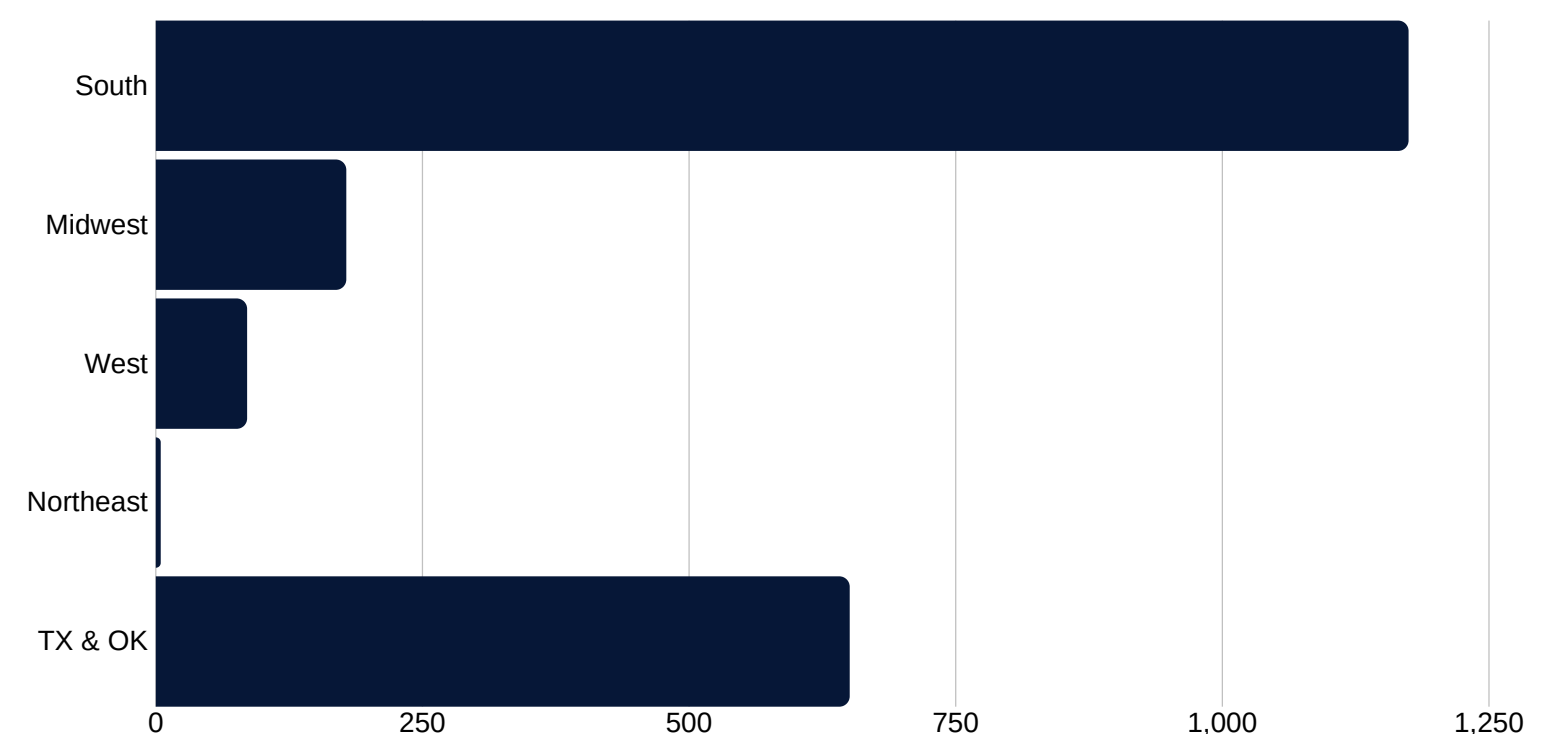
Since its inception, the death penalty has been vague in both **administration and assignment**. Historically, it was for a variety of crimes such as **arson, burglary, armed robbery or kidnapping**.**x** The methods of these executions were also diverse; they ranged from former practices such as **hangings and firing squads** to more modern practices such as **gas chambers, electrocutions, or lethal injections**. Over time, these criterias and methods changed. **X**



### ACCORDING TO A 2016 STUDY BY THE DEATH PENALTY INFORMATION CENTER...

- There has been 1,441 executions by the death penalty since 1976 **XX**
- Of all interracial case executions, **6%** of the cases were sentenced for **white defendants and black victims** while **93%** of the cases were sentenced for **black defendants and white victims** **XX**

### THERE HAS BEEN NO FOUND CORRELATION BETWEEN THE DEATH PENALTY AND CRIME DETERRENCE



Although the South has administered **80%** of death penalty executions nationwide since its inception, it still holds the highest amount of murder rates in the country. Thus, the substantial threat of execution does not deter murder crimes in the South. **XX**

## AMBIVALENCE IN THE COURTS

Although capital punishment has been administered copiously, the amount of Supreme Court cases that rule on the matter are scarce. The ambivalence of the courts to provide succinct rulings on the death penalty is a contributing factor to its modern-day partisanship between states. These three court cases dictated the main procedures of capital punishment today.

#### Furman v. Georgia, 1972 **X**

- The first official ruling regarding the death penalty outlawed its usage; its sentencing process at the time was declared unconstitutional.

#### Gregg v. Georgia, 1976 **X**

- Readmitted the death penalty as constitutional "under a new set of procedures" than previously used - specifically, in "a bifurcated capital trial of two separate phases: guilt and sentencing". **X**

#### Kennedy v. Louisiana, 2008 **X**

- Established murder as the only crime for which a criminal may be sentenced to execution.

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