**The Death Penalty in the United States**

**Organizational Pattern: Refutation.**

I. Introduction

1. Until as recently as writing this paper, I was in favor of the Death Penalty. Believing it was a deterrent to criminals and delivered a small piece of justice to the families of the victim; however, after researching the facts, I can no longer support the use of the Death Penalty for many reasons including the effectiveness, legality, and cost.
2. Let’s take a look at some of the facts surrounding the Death Penalty.

Transition:

1. Support for the death penalty is in sharp decline around the world.
2. 140 countries have abolished the death penalty (The Death Penalty Information Center, 2013)
3. In the United States, 18 states have abolished the death penalty and still others have issued a moratorium on its use. (The Death Penalty Information Center, 2013)
4. Just 4 countries perform over 90% of all known executions: China, Iran, Saudi Arabia and the United States. (The Guardian)
5. In 1994, 80% of the American people supported the use of the death penalty, in 2011; support for the death penalty had fallen to 61%. (Gallup).

(Transition- some people argue that it is a deterrent to criminals, so, let’s take a look at the statistics)

1. The Death Penalty has not proven to be a deterrent to criminals.
2. Although some studies have shown statistics favoring both pro/con opinions on the topic:
3. From 1991- 2011, states with the Death Penalty have had a higher murder rate (per 100,000) than those states without the Death Penalty (The Death Penalty Information Center, 2013).
4. Since 1977, over 80% of all executions have taken place in the south, the region with the highest murder rate of the four regions.
5. Northeast region has the lowest murder rate and only accounted for 1% of all executions.

(Transition- so, if it does not act as a deterrent, is it at least constitutionally legal?)

1. Does the Death Penalty violate the Eighth Amendment?
2. The debate as to whether it is cruel and unusual punishment is subjective and depends on one’s perspective.
3. “Under the cruel and unusual punishment clause, a penalty is considered unconstitutionally imposed if it is administered arbitrarily or discriminatorily (The Death Penalty Information Center, 2013)”.
4. Supreme Court’s landmark cases have ruled both ways.
5. 1972 - Furman v. Georgia – The Supreme Court ruled it would be cruel and unusual if “the punishment outweighed the crime or if society’s sense of justice was offended” (Death Penalty Information Center). This ruling voided death sentences in 40 states and commuted sentences of those on death row to life imprisonment.
6. Atkins v. Virginia -2002- The Supreme Court ruled the execution of the mentally retarded was unconstitutional (Mental Illness and the Death Penalty , 2009).
7. Age of the defendant. Roper v. Simmons, 2005 the Supreme Court delivered a final blow to those seeking the death penalty for juveniles when they ruled that no one under 18 can be sentenced to death. (Cornell Law)

(Transition: Still think the death penalty is a punishment fit for the crime? Wait until you hear how much it’s costing you!)

1. The Cost of the Death Penalty
2. The one argument in favor of the Death Penalty has always been the cost of keeping inmates locked up and providing medical treatment, food, guards, and other costs.
3. A study done in Florida found the state could save 51 million dollars just by eliminating the Death Penalty. (Fox News).
4. 5 executions carried out in Maryland since 1978 cost taxpayer’s 37.2 million dollars each. In May of 2013, Maryland abolished the Death Penalty (The Death Penalty Information Center, 2013)
5. Since 1983, taxpayers in New Jersey have paid 253 million dollars more for Death Penalty trials vs. life imprisonment trials. New Jersey also abolished the Death Penalty in 2007 (The Death Penalty Information Center, 2013).
6. California- has over 700 inmates on Death Row, only 1% of those on Death Row have been executed in the last 30 years.

Transition:

V. conclusion

1. In doing my research for this paper, I came across a quotation that really resonated with me and that was “The cost of killing killers is killing us.” Unlike life imprisonment, once a Death sentence has been carried out, there is no turning back or correcting a mistake.
2. Is killing an innocent person something you can live with for the rest of your life? I certainly can’t. Support for the Death Penalty is in sharp decline for many reasons. As the facts earlier mentioned point out, it does not act as a deterrent. It is arbitrarily imposed and therefore unfair and unconstitutional. The cost alone of seeking the Death Penalty in these economic times should be reason enough to abolish the Death Penalty. So what do you want us to do?

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