

Milton Thomas
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Capital Punishment Needs to be Overhauled.

The things that I learned about capital punishment and its present state have lead me to the conclusion that capital punishment needs to be overhauled. The cost of a capital punishment trial is very high, in fact the average cost of a capital punishment trial is in the millions of dollars. The amount of time that an inmate awaits execution on death row averages around ten years. The cost of housing an inmate in a maximum security prison for that time period is expensive. Each state has their own method of execution and some of these methods are less painless than others. Even when the least painless execution method is used (lethal injection) sometimes the drugs are not administered in the right order or amount and can make death very painful. Capital sentences are often given more to blacks than whites. Sometimes mistakes are made and an innocent person is sentenced to death.

Capital Punishment needs to be overhauled. I plan to present a plan to eliminate or at least minimize the problems with capital punishment. The plan will be a total redesign of the capital sentence process from the decision of the state to pursue a capital sentence to the execution. The first step is to make the states standardize the pursuit of a capital sentence. The second step is to have two independent trials for determining guilt. The third step is to limit the number of appeals. The fourth step is to standardize the execution method and make each state have certified people to perform that states' executions.

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Source	Complex/Simple	Main Idea	My Take Away
<p>Adams, Lucy. "Death by Discretion: Who Decides Who Lives and Dies in the United States of America?" <u>American Journal of Criminal Law</u> Summer 2005: 381-402. ProQuest. ITT Virtual Lib., Fort Wayne, IN. 23 July 2006 <http://proquest.umi.com>.</p>	<p>Complex The author is covering one concern with capital punishment.</p>	<p>There is no consistency in the way that a capital sentence is pursued by a state.</p>	<ul style="list-style-type: none"> • These inconsistencies are bordering on being unconstitutional. • There are present bias such as racial and gender in the pursuit of a capital crime. • A need to standardize the pursuit of a capital sentence is needed.
<p>Anonymous. "Supreme Court Considers Revising Rule." <u>Corrections Today</u> Oct. 2005: 15. ProQuest. ITT Virtual Lib., Fort Wayne, IN. 23 July 2006 <http://proquest.umi.com>.</p>	<p>Simple The article is factual based about whether the court will hear an appeal.</p>	<p>Supreme Court is considering allowing appeals on capital punishment crimes based on DNA evidence.</p>	<ul style="list-style-type: none"> • New DNA evidence at present time is not allowed to be entered to help an already convicted inmate. • Need to set-up a new capital sentence policy that will make DNA evidence necessary to prove a capital crime • The only exception to this is if the person confesses.
<p>Anonymous. "Supreme Court Grants Review to 8th Amendment Test of Lethal Injection." <u>Corrections Digest</u> 27 January 2006: 1-3. ProQuest. ITT Virtual Lib., Fort Wayne, IN. 23 July 2006 <http://proquest.umi.com>.</p>	<p>Complex The article is covering one topic in two different angles.</p>	<p>The article talks about a state and their mixture of chemicals for lethal injection. The Supreme Court was debating to hear the constitutionality of the case.</p>	<ul style="list-style-type: none"> • Cruel and unusual punishment is wrong. • Without a specific guideline of the chemical mix and the way injected then this could be a violation of the 8th amendment. • Must develop a standard for all states on lethal injections.

<p>Child, Lydia. "Against Capital Punishment." <u>Against Capital Punishment</u> (1997): 220. Ebsco Host Database. ITT Virtual Lib. Fort Wayne, IN. 29 July 2006; 1997 <http://search.epnet.com>.</p>	<p>Complex One view with a different poetic theme.</p>	<p>We are a barbaric society for committing legalized murder.</p>	<ul style="list-style-type: none"> • Legalized murder • Several biblical references used. • Story of an innocent man being executed.
<p>Fuentes, Annette "A 'right' way to kill someone?" <u>USA Today</u> 13 June 2006: 13. Ebsco Host Database. ITT Virtual Lib. Fort Wayne, IN. 29 July 2006 <http://search.epnet.com>.</p>	<p>Complex The article covers cruel and unusual punishment</p>	<p>Lethal Injection can be cruel and unusual punishment if not administered properly</p>	<ul style="list-style-type: none"> • Sometimes there is not enough of the anesthetic drug is given. • The lack of the anesthetic would make the lethal shot painful. • A need for standardizing the lethal injection process is needed.
<p>Hawkins, Bill. "Capital Punishment and the Administration of Justice: A Trial Prosecutor's Perspective." <u>Judicature</u> Mar.-Apr. 2006: 258-62. ProQuest. ITT Virtual Lib., Fort Wayne, IN. 23 July 2006 <http://proquest.umi.com>.</p>	<p>Complex Covers the negative affects on the people in the justice system dealing with the pursuit of capital crimes.</p>	<p>Many people are affected negatively by the states pursuit of a capital crime. Is the pursuit of a capital crime really worth affecting all of these people negatively?</p>	<ul style="list-style-type: none"> • The author talks about the extra effort required by police, prosecutors, and investigators. • I think that the extra effort is necessary to make sure that mistakes are minimized. • Furthermore, the author talks about the negative affects on juror members.
<p>Hintze, Michael. "Tinkering with the Machinery of Death: Capital Punishment's Toll on the American Judiciary." <u>Judicature</u> Mar.-Apr. 2006: 254-258. ProQuest. ITT Virtual</p>	<p>Complex Covers multiple points against capital punishment.</p>	<p>Information taken from a United States Supreme Court Justice that has given in and conceded that there is no way</p>	<ul style="list-style-type: none"> • There are a lot of hardships on the judicial system from capital punishment • Last minute and stall tactics make a

<p>Lib., Fort Wayne, IN. 23 July 2006 http://proquest.umi.com >.</p>		<p>to make capital punishment fair.</p>	<p>mockery of the judicial system.</p> <ul style="list-style-type: none"> • For capital punishment to work it will have to be redesigned.
<p>Larson, Jessie. "Unequal Justice: The Supreme Court's Failure to Curtail Selective Prosecution for the Death Penalty." <u>Journal of Criminal Law and Criminology</u> Summer 2003: 1009. ProQuest. ITT Virtual Lib., Fort Wayne, IN. 23 July 2006 http://proquest.umi.com >.</p>	<p>Complex Racial, gender and wealth bias are all brought up as flaws.</p>	<p>The Supreme Court ruling that a state must have some kind of design to how they select whether or not to pursue capital punishment.</p>	<ul style="list-style-type: none"> • Racial • Gender • and bias based on social status or lack there of • The Supreme Court needs to set up a policy that the state has to follow for the states selection of whether or not to pursue capital punishment.
<p>MacLeod, Calum "China Makes Ultimate Punishment Mobile." <u>USA Today</u> 15 June 2006: 8. Ebsco Host Database. ITT Virtual Lib. Fort Wayne, IN. 29 July 2006 http://search.epnet.com >.</p>	<p>Complex Both sides of the capital punishment debate in China and multiple issues.</p>	<p>China moving toward lethal injection is it for reason of humanity or for profit?</p>	<ul style="list-style-type: none"> • Mobile lethal injection vans. • China was using a firing squad as the only means of execution. • China executes more than 4 times as many prisoners than the rest of the world combined. • May be involvement with organ harvesting.
<p>Manning, Will and Rhoden-Trader, Jacqueline. "Rethinking the Death Penalty." <u>Corrections Today</u> Oct. 2000: 22-25. ProQuest. ITT Virtual Lib., Fort Wayne, IN. 23 July 2006 http://proquest.umi.com >.</p>	<p>Complex The first part started out as a history of death penalty. The second part covered one side. The flaws in the death penalty.</p>	<p>A history of the death penalty followed by the arguments for doing away with capital punishment.</p>	<ul style="list-style-type: none"> • The history is useful information • The arguments against the death penalty are all true. • Need to redesign capital punishment.
<p>McCord, David. "If Capital</p>	<p>Complex</p>	<p>Looking at</p>	<ul style="list-style-type: none"> • Using capital

<p>Punishment Were Subject to Consumer Protection Laws.” <u>Judicature</u> Mar.- Apr. 2006: 304-06. ProQuest. ITT Virtual Lib., Fort Wayne, IN. 23 July 2006 <http://proquest.umi.com></p>	<p>Viewing both sides as a consumer product.</p>	<p>capital punishment in the light of a product.</p>	<p>punishment as a consumer product is an interesting example.</p> <ul style="list-style-type: none"> • Only 30% of the worst cases of murder were sentenced to death • Only half of the most aggravated murder cases were sentenced to death.
<p>Ouali, Abderrahim El. “Death penalty: Morocco Edges Toward Ending Executions.” <u>New York Amsterdam News</u> 22 June 2006: 2. Ebsco Host Database. ITT Virtual Lib. Fort Wayne, IN. 29 July 2006 <http://search.epnet.com></p>	<p>Complex Viewing capital punishment on a global setting.</p>	<p>Morocco is moving to end capital punishment as many countries have already done.</p>	<ul style="list-style-type: none"> • Stoning is still legal in Saudi Arabia and Iran. • The Senegal abolished capital punishment. • Using executions as a means of oppression
<p>Quindlen, Anna. “Failed Experiment.” <u>Newsweek</u> 26 June 2006: 64. Ebsco Host Database. ITT Virtual Lib., Fort Wayne, IN. 29 July 2006 <http://search.epnet.com></p>	<p>Complex One view point that the death penalty is wrong</p>	<p>Capital punishment as an experiment has failed in the United States.</p>	<ul style="list-style-type: none"> • Many other countries have abolished the death penalty • Fighting over whether or not execution is painless is just masking the problem of morality of killing someone. • There is little middle ground on the issue of capital punishment.
<p>St. Gerard, Vanessa. “High Court to Re-Examine Death Penalty Ruling.” <u>Corrections Today</u> Feb. 2004: 15. ProQuest. ITT Virtual Lib., Fort</p>	<p>Simple The article is fact based.</p>	<p>A decision handed down by the U.S. Supreme Court in 2002 that a jury must</p>	<ul style="list-style-type: none"> • Jury makes the decision on sentencing • Rulings possible retroactive • When a new

<p>Wayne, IN. 23 July 2006 <http://proquest.umi.com >.</p>		<p>decide the fate of a person in the sentencing phase. The court is examining rather or not to make their ruling retroactive.</p>	<p>policy is developed it will have to be done such to not violate the constitution.</p>
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