

The Injustice of the Death Penalty

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Dear reader,

You've just been convicted of a crime you didn't commit, and your sentence is the death penalty, what would you do? How would you feel? For many people especially of color and low income, this is the sad and hard truth they face due to racial discrimination, false accusations, lack of proper publicly appointed attorney defense, and the misconduct of justice officials. These are the reasons why the government and its citizens should abolish capital punishment.

Since 1973, 1,540 people have been executed in the United States. In that same time, 186 people on death row have been exonerated (found innocent) and released from death row. In a justice system that prides itself on telling the truth and nothing but the truth, in 2018 alone a whopping 111 exonerations had to do with witnesses lying in court or falsely accusing the defendant (Equal Justice Initiative, 2021). This is the leading cause of wrongful convictions for death row sentencing.

The death penalty is mostly targeted on those who are poor and less fortunate and cannot afford to hire an exceptional lawyer to represent themselves. A defendant's likelihood to be sentenced to death heavily relies upon the stature of who represents them above anything else. Defendants who are poor and cannot afford to hire an attorney versed in death penalty cases have to use lawyers appointed by the state, who are often overworked, underpaid, and lack the necessary experience in death penalty cases to create any real chance of proving their defendant

innocent. The “death penalty system treats you better if you are rich and guilty than if you are poor and innocent” (Equal Justice Initiative, 2021).

African Americans are disproportionately tried for capital murder, found guilty, sentenced to death, and executed. This is even more true when the crime is committed against a white victim. The death penalty in the African American community is viewed as modern day lynching, and I can't help but agree. 1915 was the first year that court ordered executions outnumbered lynching's. In the 1930's over 65% of all executions were African Americans. In a 1987 court case *McCleskey v. Kemp* proved that in the state of Georgia African Americans were four times more likely to be sentenced to death than those who were white. The court even acknowledged the accuracy of the data presented but refused to change anything because racial bias was considered “an inevitable part of our criminal justice system” (*McCleskey v. Kemp*, 2021).

A study by the Urban Institute in 2008 found “that the average cost to Maryland taxpayers for reaching a single death sentence is \$3 million - \$1.9 million more than the cost of a non-death penalty case (This includes investigation, trial, appeals, and incarceration costs)” (Urban Institute Justice Policy Center, 2021). Not only is the death penalty sometimes wrongfully carried out, but it is also much more costly to taxpayers than a long term or life sentence. I firmly believe that life in prison is a harsher sentence than the death penalty, being that rather than having a way out of life, you are forced to spend the rest of your life behind bars, contemplating everything you've ever done, for the rest of your time alive. Since then, capital

punishment has been abolished in the DMV area, with Virginia being the most recent to abolish on March 24th, 2021.

An example of misconduct of justice officials is a recent case that showed lack of conclusive evidence. Although there was lack of evidence, Nathaniel Woods was executed on death row. Nathaniel Woods is a man that lived in Alabama and was sentenced to death after a non-unanimous jury sentencing recommendation in August 2005 for the killings of three Alabama police officers. His case showed several trademarks of wrongful conviction: official misconduct, coerced informant testimony, and racial discrimination. Prosecutors recognized that Woods' co-defendant, Kerry Spencer, shot the officers in a drug house. Spencer only received a life sentence in his trial. Spencer has constantly upheld his story, he shot the officers in self-defense, after they had beaten Woods during a shakedown and then pointed a gun at Spencer. Knowing he was not the shooter, prosecutors offered Woods a plea deal for 20-25 years, but Woods' lawyer advised him against it, misleading him to believe that he could not be convicted of capital murder as an accomplice. When Woods turned down the plea deal prosecutors began to present new information testifying that Woods was the organizer of the plan to shoot the three white officers and used testimony from Woods' girlfriend that he purportedly had made comments about his hatred of police. At trial, the court refused to allow the defense to present evidence of police misconduct and he was executed in 2020 (Death Penalty Information Center, 2021).

Even through all the evidence provided as to how flawed the process leading to the death penalty is and showing how life in prison is a more cost-effective option to the death penalty, there are still some that believe that the death penalty is the better option. For starters, putting

yourself in the victims' families' shoes would quickly change your perspective for a moment, as you would be overcome with emotions. Switching from rage, to sadness, to revenge, you would want the worst possible outcome for the offender. However, what families fail to realize is that if the offender gets the death penalty, it is an eye for an eye sense of justice. A life sentence would benefit society as it is less of a financial burden to us taxpayers, since it is significantly cheaper to imprison someone for life than it is to sentence them to and carry out the death penalty. But also solves the issue of executing the innocent.

Our justice system is flawed with discrimination, racial bias, and misconduct. I believe that death penalty should be abolished in the U.S. because, in the system that was designed to be fair to judge people of actual crimes they have committed, many are being put to their death for the wrong reasons. Although Virginia has recently abolished the death penalty, twenty-seven states across America still have the death penalty. By making the death penalty a topic of discussion in the DMV area where the death penalty is already abolished, we can reach out to others in neighboring states and make a difference nationwide.

(Tweet is on the last page)

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Tweet:

Hello,

My name is Nermeen Benslaouia and I am a student at George Mason University. Please check out something that I've written called The Injustice of the Death Penalty. It's about the hard truth people face while on death row and the reasons why the government and its citizens should abolish capital punishment nationwide.

Thank you.