

Activated Knowledge/Ignorance or Inert Information? – case of capital punishment

Capital punishment is currently a debated issue that has a division between liberal and conservative ideologies. I take a typically liberal stance on capital punishment: I think it is an inhumane form of penalty because it furthers racial prejudices within the judicial system, does not prevent murder, and mirrors outdated irreversible systems of justice such as Hammurabi's "an eye for an eye." From what I understand from the opposite point of view, the reasons to keep capital punishment in the legal system is because it prevents murder and because it is fiscally beneficial. In my opinion, irreversible punishment is not necessary for justice, and the incarceration system would function better without it. Capital punishment is a topic that I am more cognizant of the reasons for and against it rather than the data to back up either side, so more research is necessary.

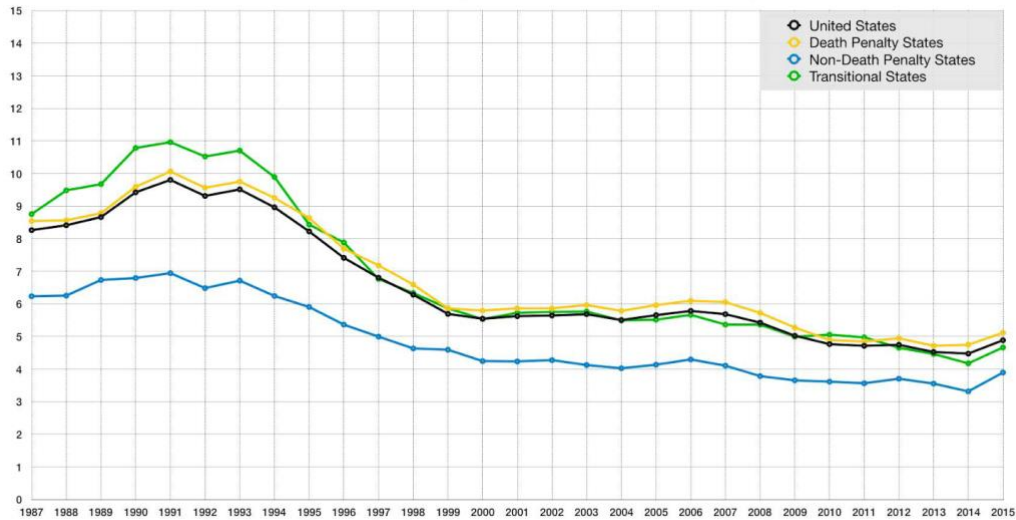
For my research, I tried to ensure that I obtained information from both pro, con, and neutral sources, concentrating on sources that presented numerical data. I first searched "reasons why the death penalty should be abolished," which spawned sources like *Amnesty.com* and *Internal Commission Against Death Penalty*, both of which were obviously biased against the death penalty. After reviewing these lists, I gathered that reasons for the abolishment of the death penalty were the chance that the defendant could be innocent, the inefficacy of lethal injection (the primary tactic for capital punishment), the failure of its deterrence of murder, its arbitrariness (which often leads to racial and socioeconomic prejudice), and moral/religious reasons. Then, I searched "reasons why the death penalty should not be abolished," and Google presented me with almost identical results as my previous search. I determined that this must have been because I merely negated "abolished," so I changed it to "reasons why the death penalty should be allowed," but still many anti-death penalty pages came up, so now I speculate that Google's personalized algorithm for me may have affected the results. Nevertheless, I found a site called *ProCon.org* that attempted to present both sides of the case; from this site, I gathered similar reasoning for the anti-death penalty side, and noted that the pro death penalty side argued that capital punishment prevents murders from further committing crimes, it deters murders, and it is the only punishment that ensures justice for America's worst criminals.

The next step was to research if these reasons were supported by data. I looked up "capital punishment" on both Google and the Georgetown Library database; again, on Google mostly anti-capital punishment arguments appeared. I attempted to only look at websites that provided raw data; on the first Google page, I found websites for the *Bureau of Justice Statistics* (BJS) and the *Death Penalty Information Center* (DPIC). Both sites seemed reputable, since they presented raw data and rosters of people on death row; however, I noticed that while the BJS report obtained its data "from the office of the Attorney General in each of the 50 states, the District of Columbia, and the federal government," the *Death Penalty Information Center* obtained a lot of its data (specifically its demographic data) from NAACP, which is a superb organization, yet clearly one with an agenda. Furthermore, the NAACP report did not address how it found its data. Finally, I searched "capital punishment" in the Georgetown Library database, where I found a book with chapters that presented opposing points of view from various experts on capital punishment. Of course, each chapter only related data to support the authors' points of view, but I appreciated how different experts discussed the opposite sides in one book.

For this explanation of the results, I will only consider statistical data, rather than moral arguments or singular anecdotes, since those arguments often are based on appeal to emotion.

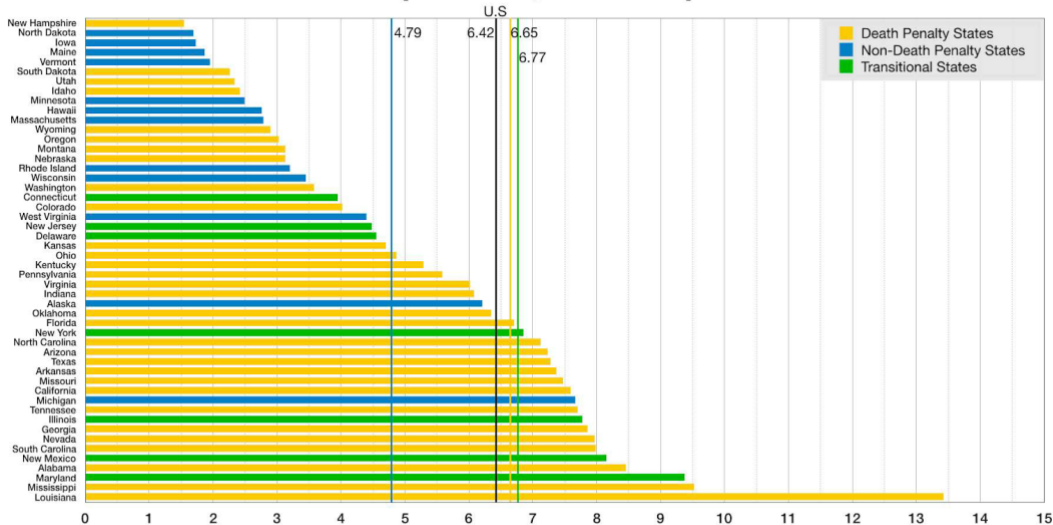
Additionally, since the topic of capital punish is extensive, I will only relate results from research about its efficiency in discouraging murder and the claim that it is racially prejudice. Firstly, the sides have opposite claims concerning if capital punishment deters people from committing heinous crimes. The NAACP report claims that 88% of experts from academic criminology societies deny that the death penalty deters murder (Radelet & Lacoek, 2009). Furthermore, A study by Robert Brett Dunham found that murder rates were higher in death penalty and transition states than in non-death penalty states:

Murder Rate per 100,000 People



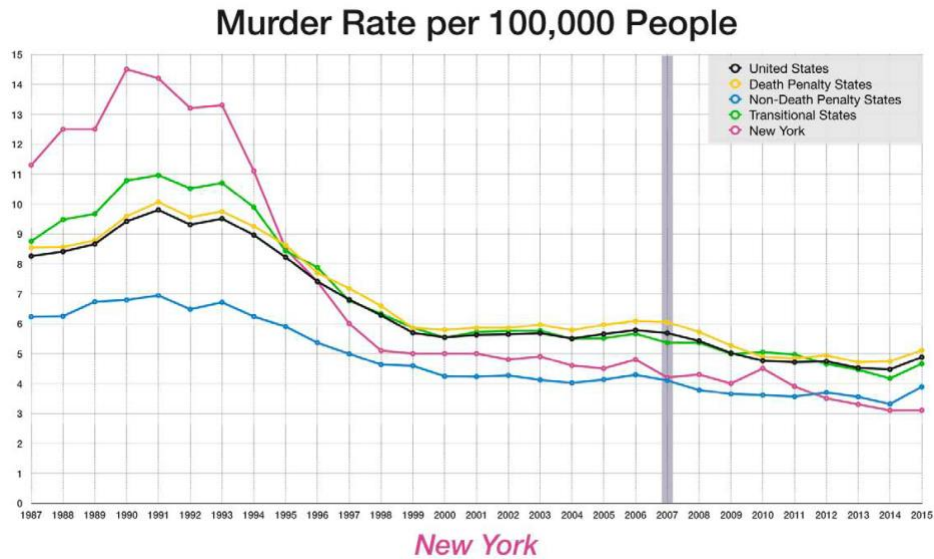
(Source: *Death Penalty Information Center*)

Murder Rate per 100,000 People 1987 – 2015



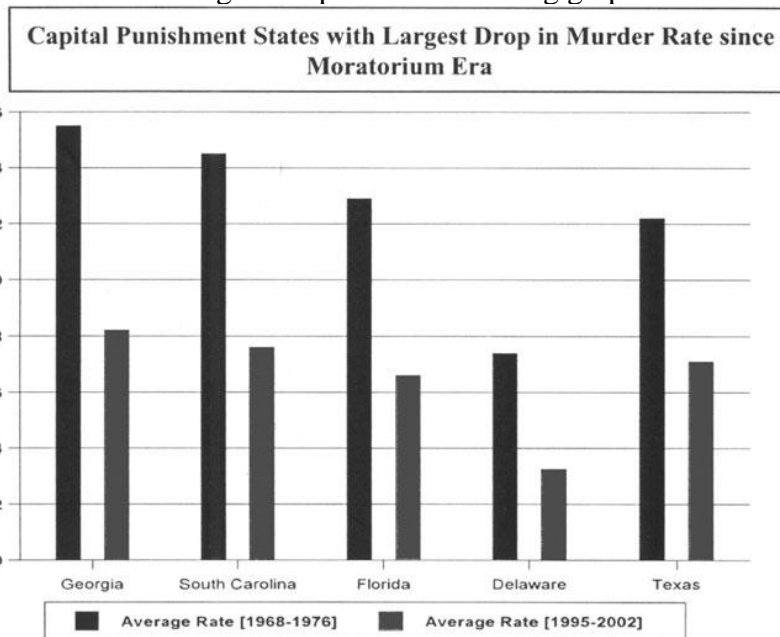
(Source: *Death Penalty Information Center*)

Dunham also found that after abolishing the death penalty, individual states did not experience an increase in homicides; this is exemplified by New York, which abolished capital punishment in 2007:



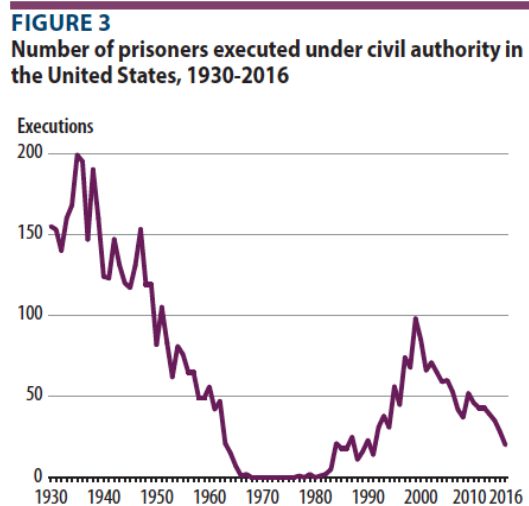
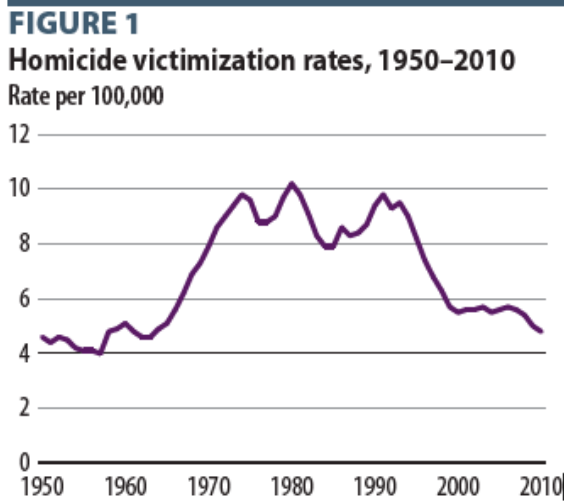
(Source: *Death Penalty Information Center*)

However, Paul Cassell argues that the comparison of states does not account for regional differences; he instead proposes that time periods are compared, specifically 1968-1976, when there were no executions, and 1995-2002 (192). He presents the differences between these time periods in the states that had the largest drops in the following graph:



(Source: *Debating the Death Penalty: Should America Have Capital Punishment? The Experts on Both Sides Make Their Best Case*)

While this data may be accurate, it only takes five states into account, and the argument about not recognizing regional differences as variables is mirrored with time period differences. When comparing the time periods on a graph that shows the number of prisoners executed with a graph that shows homicide victimization rates, it is clear that the period of 1968-1976 did have one of the highest homicide victimization during the past sixty years, but in the most recent comparable time span (2000-2010), the homicide victimization rate has remained fairly steady or decreased, while the number of prisoners executed has also decreased. The data to determine if this trend has continued up to 2018 is unavailable from the Bureau of Justice Statistics.

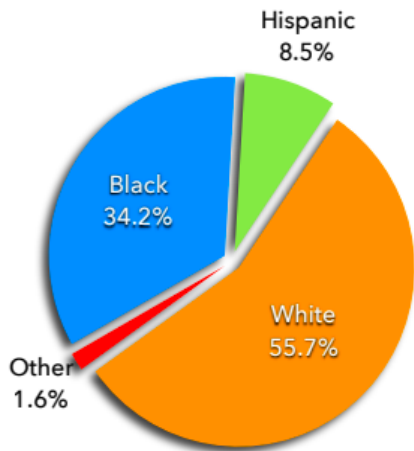


(Source: *Bureau of Justice Statistics*)

Whether one measures the effectiveness of capital punishment by comparing states or by comparing time periods, there will be confounding variables that affect the rate of homicide. There appears to be clear trends within both types of data, but the most telling data was that of the seven individual states that had recently abolished capital punishment and experienced no significant change in homicide rates.

Another argument against the death penalty is that it facilitates racial prejudice because of the arbitrary manner by which criminals are chosen for death row. Concerning race, black people are disproportionately executed in comparison to their percentage of the population: since 1976, 34.2% of executed defendants have been black (as of July 2018), and in 2016, 42.3% of prisoners under sentence of death were black, compared to the US black population being 12.6% of the total population (DPIC, BJS, *Census Bureau*):

RACE OF DEFENDANTS EXECUTED

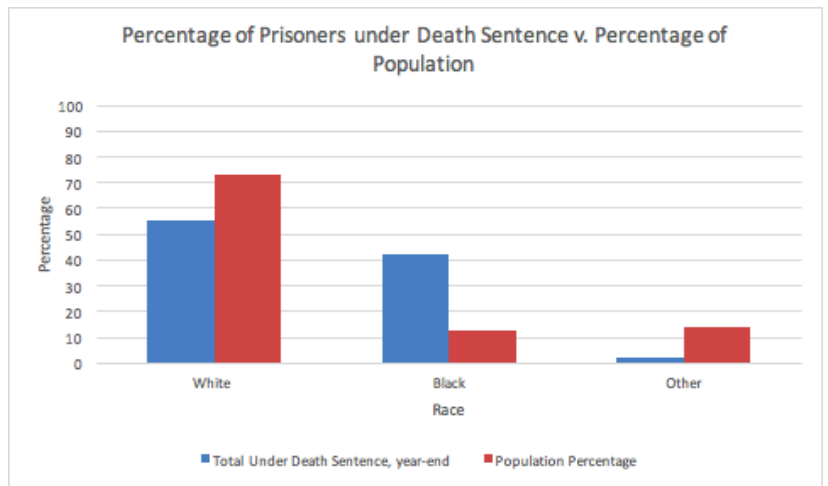


- White: 830
- Black: 509
- Hispanic: 127
- Other: 24

(Source: *Death Penalty Information Center*)

TABLE 4
Demographic characteristics for prisoners under sentence of death, 2016

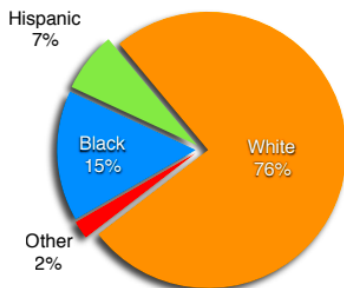
Demographic characteristic	Total year-end	Admissions	Removals
Sex			
Male	98.2%	96.9%	96.7%
Female	1.8	3.1	3.3
Race^a			
White	55.4%	25.0%	60.0%
Black	42.3	62.5	36.7
Other ^b	2.3	12.5	3.3
Hispanic/Latino origin^c			
Hispanic/Latino	14.8%	11.1%	12.8%
Non-Hispanic/Latino	85.2	88.9	87.2



(Data Source: *Bureau of Justice Statistics*)

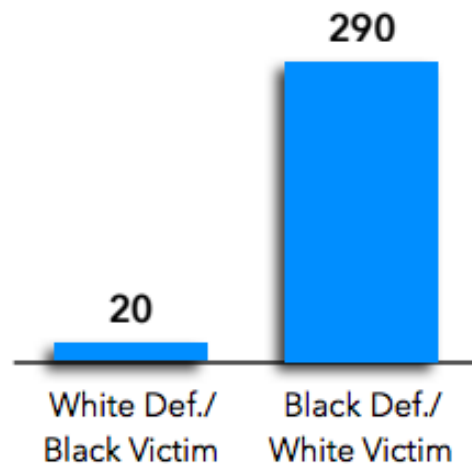
Additionally, studies in Washington, California, and North Carolina found that cases with white victims were three times more likely to result in a death sentence (DPIC). Data also shows that there is a great discrepancy between death sentences between blacks murdering whites and whites murdering blacks:

RACE OF VICTIMS IN DEATH PENALTY CASES



Over 75% of the murder victims in cases resulting in an execution were white, even though nationally only 50% of murder victims generally are white.

Persons Executed for Interracial Murders



(Source: *Death Penalty Information Center*)

Paul Cassell attempts to debunk the previous point by citing that 95% of homicides are intraracial, meaning the lack of data cannot lend to a conclusion (203). Indeed, “Persons Executed for Interracial Murders” would be more persuasive if it showed the percentages of interracial case executions out of interracial homicides. Though I could find data concerning the total number of interracial case executions since 1976 and interracial homicide information for individual years, I could not find data that corresponded with each other in order to determine the percentage of interracial case executions out of interracial homicides. I am sure that NAACP has this information through its extensive research, but it did not present it in its data presentation.

My initial views have qualities from both activated ignorance and activated knowledge. A lot of my knowledge about the death penalty was activated ignorance because I thought data concerning this would be clear, but a lot of relevant and recent data is not available; in fact, I was shocked when I began researching and discovered how complicated and vast this issue is. I had often heard that the death penalty does not deter murders, a point which I took as truth solely because it supported my opinion; although this point holds some validity, I was unaware about how subjective data can be when sources use different comparisons to prove different points. Even though Robert Dunham’s study supported my original view while Paul Cassell’s did not, I found it difficult to accept either conclusion based on the uncontrolled statistics they presented. The data from the *Bureau of Justice Statistics* helped me to conclude that historically more death penalty executions correlated with lower homicide victimization, but also that the trend has changed over recent years. Additionally, over recent years, transition state studies have shown that a change in death penalty laws did not heighten homicide rates. Concerning the data on race, I was not aware of the exact statistics, but I knew that black people were overrepresented in the entire incarceration system. My knowledge about prejudice in the criminal justice system reflects activated knowledge because I realize that current prejudices are due to a system of oppression stemming from slavery, and that cycling black people through jail permits that they are continuously subject to poverty. Researching capital punishment has made me slightly less sure of my views, especially since I now recognize that there are numerous facets of both sides of the argument. This research has also helped me understand how difficult yet crucial critical thinking is. It is much easier to absorb information from some *Washington Post* article that already confirms my opinions; it is much harder to question what the experts say, resort to original data used in their arguments, then question that data as well. Overall, I still maintain my original view that the death penalty should be abolished because it is a system that functions on arbitrary prejudice, as shown by the data, that reflects the prejudice this country thrives on. Nevertheless, I hold this position less firmly because I recognize that the death penalty may cause less people to get murdered, and I apprehend that I would have to look more closely into economic benefits or disadvantages, possibilities of killing innocent defendants, issues with the methods of death, and moral and religious reasons.

Communicating about Capital Punishment

I chose to continue my research on capital punishment to present its case to my peers. I chose this topic because 54% of the population is in favor of the death penalty as a punishment for murder, and I think it is an issue that many people do not think critically about because they resort to appeal of emotion arguments that incite vengeful attitudes (Oliphant). It is compelling to read the abhorrent crimes that people on death row commit and think that they deserve the worst punishments possible, but this outlook neglects statistical evidence. Also, capital punishment is a topic that I have not discussed with my peers, so their viewpoints will be entirely new to me. To assess my peers' open mindedness, critical thinking skills, and knowledge about the death penalty, I designed the following questionnaire:

1. How willing are you to accept ideas that oppose your prior beliefs?
2. How open minded would you say you are?
3. How independent are your thoughts?
4. How good are your analysis skills?
5. How self-aware are you about your biases?
6. How good at critical thinking are you?
7. What is capital punishment?
8. What do you know about capital punishment debate?
9. Is the discussion of capital punishment important?
10. Where do you stand on this issue?

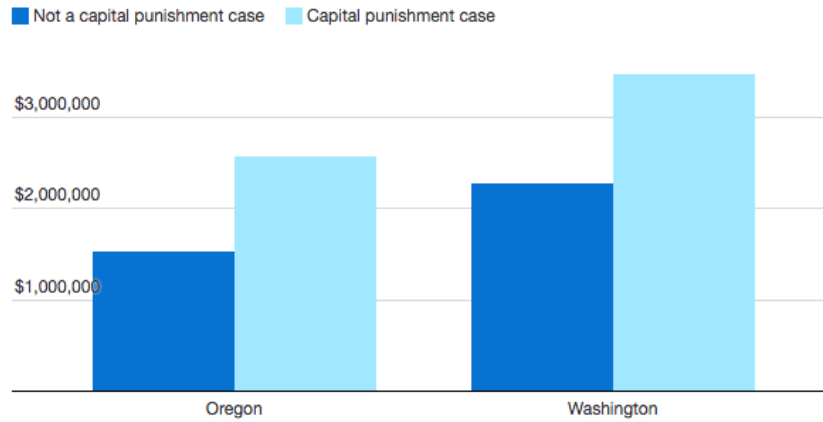
I interviewed three peers, finding that one was incredibly cognizant about the various issues surrounding the death penalty, while the other two had opinions about the topic but admitted that they lacked specific facts to back up their ideologies. All three perceived themselves to be open-minded and good at critically thinking.

Subject One is a biology major in the Johns Hopkins class of 2022. He claimed that he was open-minded, "willing to accept new points of view if they are backed up by evidence," and that his analytic skills of others' arguments were good but his self-awareness could be improved. He rated himself as, "not the best critical thinker, but pretty good." He responded with a good definition of capital punishment, then said that the main arguments for and against it were that one side believed it was immoral to kill someone, even if they had already killed, and the other side believed it was immoral to not properly administer justice. He also determined that the discussion of this topic was not very important because there was nothing we could do to change how the legal system works, and that different topics would be worthier of discussion. He "vaguely" was in support of capital punishment; he said that, logically, the death penalty would be much cheaper than keeping the criminal alive in prison, and that those fiscal resources should be used for someone who did not commit a heinous crime. He also asserted that heightened punishments dissuade potential criminals from committing a crime.

To create a specialized plan for Subject One, I first had to research more about the economic consequences of abolishing the death penalty, since that was one of his main concerns. I knew my peer was a very data and fact driven person, so I made sure to present the driest, yet legitimate, data on the death penalty. I also knew he was not a very social-justice based thinker, so I resolved that the racial bias data would not resonate with him. I presented him with the following data and statistics, explaining their implications:

Average costs per case

In both Oregon and Washington, the average death penalty case costs more than the average non-death penalty aggravated murder case.



(Source: *The Conversation*)

Murder Rate per 100,000 People

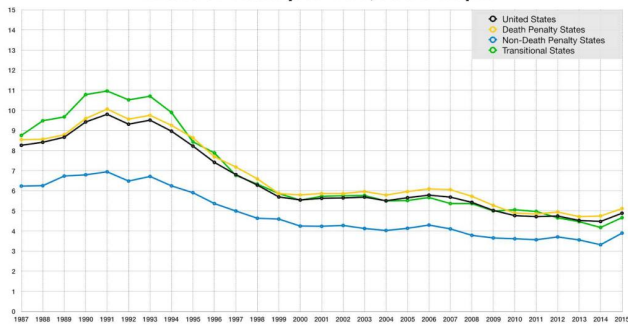


FIGURE 1
Homicide victimization rates, 1950–2010

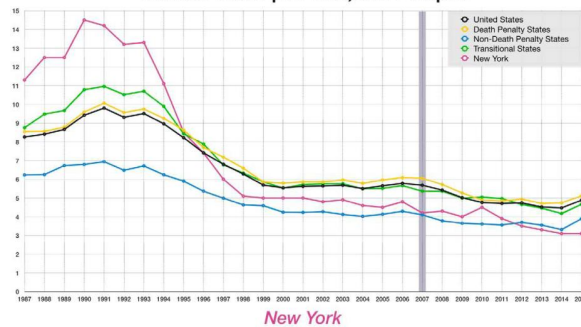


FIGURE 3
Number of prisoners executed under civil authority in the United States, 1930–2016



(Source: *Death Penalty Information Center, Bureau of Justice Statistics*)

Murder Rate per 100,000 People



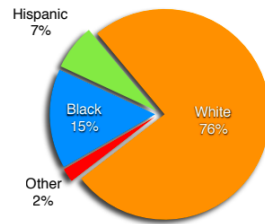
(Source: *Death Penalty Information Center*)

I explained that in recent years, the price of the death penalty has increased due to an increase in the procedures necessary to ensure rights of the defendant, considering it is a permanent punishment. I presented him with an article from *The Conversation* that reasoned why the price has increased to the point that it is more expensive than life in prison without parole (Collins, Kaplan). I guided him to the “Financial Facts about the Death Penalty” section of the DPIC “Fact Sheet” to show him that this trend is not only present in Oregon and Washington, but also in Oklahoma, Kansas, California, Florida, North Carolina, and Texas. Subject One responded in accordance with what I had showed him, saying that the change in cost made sense, even though it was surprising. I then pointed out the difference between the indications of the next two graphs—one’s use of state comparisons to argue against capital punishment and the other’s comparison over time that suggests favor for capital punishment. He looked at the two graphs for a bit, exclaiming that “comparing the second set is kind of difficult,” then said that comparing time periods—specifically when executions would decline while victimization of homicide would increase—makes more sense “because those states probably have the death penalty because of their high homicide rates, not the other way around.” This was a good point. Finally, I showed him individual states murder rates before and after abolishing the death penalty, illustrated by graphs such as the New York one above. He scrolled through the various graphs, then replied that he was not sure if capital punishment prevented murders or not, but if that data is not clear and it is not fiscally responsible, then there is not a strong reasoning for keeping capital punishment.

Subject Two is an Economics major in the Georgetown class of 2022. She considered herself to be open-minded and accepting of others’ opinions “as long as they don’t invalidate another human.” She admitted that she was better at historical and literary analysis, but not statistical analysis. She labelled herself as, “a decent critical thinker, depending on the subject.” She knew what capital punishment was, then she suggested that the argument was about human rights, even for the incarcerated, versus justice; she also mentioned the racial bias within the system. She thought the subject matter was important, especially since public opinion may affect if states abolish it or not. She was strongly against capital punishment; she asserted that she did “not believe in it because of [her] religion, like, it’s as much murder as any other murder.” She also reiterated her previous point about racial prejudice, saying that “it’s just another way to discriminate against black people and treat them as lesser than white people.”

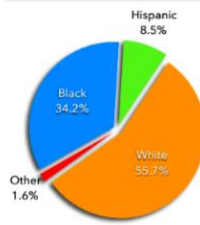
Creating a plan for Subject Two was a bit more difficult because she already agreed with some of the points I was going to show her, but she still used religion as an argument, even though her religion is not applicable to everyone. I decided that, instead of trying to change her viewpoint, I would give her a variety of resources to think more critically about the issue. I presented her with the data I presented Subject One, plus these additional viewpoints:

RACE OF VICTIMS IN DEATH PENALTY CASES



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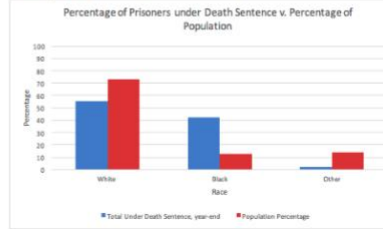
RACE OF DEFENDANTS EXECUTED



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TABLE 4
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Demographic characteristic	Total year-end	Admissions	Removals
Size			
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Race			
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Other*	2.3	12.5	3.3
Hispanic/Latino origin†			
Hispanic/Latino	14.8%	11.1%	12.8%
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(Source: *Death Penalty Information Center, Bureau of Justice Statistics*)

I went through the same economic and deterrence data from before. She said that it was surprising that the death penalty would be more expensive, considering that it requires a shorter amount of time to care for the prisoner, but after reading the article, she contended that she had never thought about those aspects. Concerning the comparisons, she regarded the state comparisons to be more legitimate because time periods have too many different circumstances to compare. I then explained how the percentage of executed black defendants is much higher than the percentage of black population. She found the race data to be especially intriguing, exclaiming that she was “not aware that the reasoning was due to the race of the victim too.” I ended up showing her the entire DPIC “Fact Sheet”; it seemed that she was excited about having actual data to back up her moral reasoning.

In conclusion, creating a plan once I determined the subjects’ standing on capital punishment as well aspects of their worldviews that pertain to how they may receive information exponentially improved my abilities to persuade and inform them. It was also helpful to be freshly informed of the issue I was presenting, using different reasoning and even presenting some data from the other side. Both of my subjects responded positively to my plan, even if one did not originally hold the same stance. Furthermore, although they did not initially seem to critically think about capital punishment, they gave intelligent responses, and even utilized skepticism within their analyses of the data. Overall, I learned a lot about my own growth as a critical thinker, capital punishment, and how to present data to others so that they can think critically, too. I admit that my research and presentation may have still been biased, but that is fault in my critical thinking that I will continue to work on. Research skills are imperative in college and in many careers, so I look forward to applying the skills from this assignment to my future endeavors.

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