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**The Death Penalty and the Process of It**

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### **The Death Penalty and the Process of It**

The history of capital punishment is traced back to the biblical times when murder and adultery convicts were sentenced to death. As time passed, it underwent some principal changes counting where it is applicable and whether it was an option for specific crimes. In American history, capital punishment dates back to imperial days. In the past years, the US has seen a reduction in capital punishment authorization against murder convicts. Correspondingly, the country remains the only progressive Western republic that does not identify the death penalty as a significant violation of human rights as well as a startling misuse of administrative powers.

In essence, the United States' capital punishment process does not make any effort to deter individuals from crimes (ACLU, 2018). It critically harms homicide victims' survivors besides extensively costing the taxpayer money more than life imprisonment without release. Also, it is full of discrimination based on race, geography, and socioeconomic status. The process is beset by cheap legal presentations (ACLU, 2018). Lastly, it profoundly reduces the US global stature and its aptitude to violate human rights in other nations.

To reduce the marginal error stemming from partiality from a single eye witness and to allow for justifiable convictions, it is imperative to follow the death penalty's due process (Hood & Hoyle, 2015). Thus, suppose at least two witnesses observe a crime; it is a prerequisite to testify these two or more eyewitnesses during trials. Such a move safeguards that the criminal justice system is presented with a clear picture before an individual is sentenced to death. Likewise, when the due process is followed, it significantly facilitates that the certainty of guilt for the accused delinquency. Through circumstantial evidence tabled before the court, alternative remedies could be employed where the bare minimum is not achieved (Hood & Hoyle, 2015). Based on that, a proper sentence is passed accompanying life imprisonment meant rather than

capital punishment. Measures such as reluctance to execute the death penalty are exercised to justify the process, making it the final resort. Moreover, prosecution of the death penalty entails putting the aspects of fairness and determination of intent at the forefront. Typically, the death penalty process entails four crucial phases: sentencing followed by <sup>1</sup> direct review then state collateral review as well as federal habeas corpus.

### References

ACLU. (2018). *DEATH PENALTY 101*. <https://www.aclu.org/other/death-penalty-101>

Hood, R., & Hoyle, C. (2015). *The death penalty: A worldwide perspective*. OUP Oxford.

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