

Case #8 – The Death Penalty: For or Against?

Introduction

Over the past several decades, American citizens have expressed a growing concern regarding the death penalty as a sentence for capital murder. Advances in forensic science have demonstrated that wrongful convictions occur, leading to the execution of individuals later proven innocent. Critics argue that such irreversible errors undermine the justice system, while supporters maintain that the death penalty is a fair and just consequence for taking another person's life.

Facts in the Death Penalty Debate (Updated 2025)

- The death penalty is currently authorized in 27 U.S. states, the federal government, and the U.S. military. However, four of those states (California, Oregon, Pennsylvania, and Ohio) have active moratoriums on executions. It is outlawed in 23 states and the District of Columbia.
 - In 2024, there were 25 executions carried out across nine states, marking the tenth consecutive year with fewer than 30 executions nationwide.
 - As of August 28, 2025, 30 executions have been carried out across ten states, continuing a gradual decline from the 1990s peak.
 - In 2024, 26 individuals were sentenced to death, a sharp contrast to the more than 300 per year typical during the 1990s.
 - As of July 1, 2025, there are approximately 2,044 inmates on death row in the U.S., including 44 women.
 - For every 8.2 executions, one individual has been exonerated, highlighting the ongoing risk of wrongful convictions.
 - At the federal level, President Biden commuted the death sentences of 37 federal inmates, leaving just three individuals on federal death row.
- #### Arguments in Favor of the Death Penalty
- Retribution: Supporters believe capital punishment serves as a just retribution for the most heinous crimes, ensuring the punishment fits the gravity of the offense.

- Deterrence: Advocates argue that the threat of the death penalty deters would-be criminals from committing murder.
- Closure: Families of victims may feel a sense of justice and closure when the perpetrator is executed.
- Public Opinion: While declining, a majority of Americans still express conditional support for the death penalty, particularly in cases involving especially brutal crimes.

Arguments Against the Death Penalty

- Risk of Wrongful Convictions: Advances in DNA testing have revealed numerous wrongful convictions, demonstrating the irreversible risk of executing innocent people.
- Lack of Deterrence: Research has shown little evidence that the death penalty effectively deters violent crime more than life imprisonment without parole. Cost: Studies consistently show that pursuing the death penalty is more costly than sentencing someone to life without parole, due to lengthy trials and appeals.
- Ethical and Human Rights Concerns: Many argue the death penalty is inherently inhumane and constitutes cruel and unusual punishment.
- International Trends: Globally, more than two-thirds of countries have abolished capital punishment in law or practice, isolating the U.S. among developed nations.

Conclusion

The debate over the death penalty remains one of the most contentious issues in American criminal justice. Proponents view it as a necessary tool for justice, deterrence, and closure, while opponents view it as flawed, costly, and morally indefensible. With the number of executions and new death sentences steadily declining, and with mounting concerns about wrongful convictions, the future of the death penalty in the United States remains uncertain.

Questions for Discussion

1. What is your position on the use of the death penalty and the use of capital punishment? Provide a rationale for your position.
2. Which of the above four arguments, pro or con, supports your view best? What other rationale might be used: religious beliefs, humanitarian values on the intrinsic worth of a human life, research and scientific findings, financial costs, the impact upon the family of the person executed, etc.?
3. Some authorities argue that the men and women on death row most likely have some combination of bad genes, bad parents, bad ideas, bad luck, or abnormal brain functioning. Should any of these be factors in determining punishment?
4. The issue of genuine repentance. Most of the criminals on death row committed crimes when young and often under the influence of alcohol or drugs. Do we consider that these individuals may have changed during their imprisonment? For example, in Texas, a woman executed had become an evangelical Christian and model prisoner. Many appealed that she be spared, citing her new life. From a Christian perspective, what right does the state or court possess to shorten the life of a person before they have a chance to mature or change for the better?
5. While some oppose the death penalty for most of the crimes for which it is now allowed, do you believe there are actions so heinous that they demand capital punishment; and if yes, what should they be and why?

Closing Reflection

The most dangerous thing about power is to employ it where it is not applicable.” — David Halberstam, American Author