
Death Penalty In USA

America is a land of the free, a place where everyone is treated with the thought that the people have human dignity and free will which means they can do pretty much almost any and all things they want to do. However, some of these people choose to do evil in their lives instead of good for the world which can result in punishments like incarceration and jail time. There is one punishment reserved for serious crimes and crimes that there is only one solid solution for which is reserved for the worst criminals that punishment is the death penalty. The majority of America supports the death penalty, thirty five of the states support legislation of the death penalty. The death penalty should be allowed because the Constitution prohibits all cruel and unusual punishments and there is also a system to avoid punishing innocents. If you use justice when sentencing the death penalty, it is effective.

The Constitution prohibits all cruel and unusual punishments which means that the death penalty cannot be considered cruel and unusual, it would not be allowed if it was cruel and unusual (Bonnie Szumski). Over the years the number of crimes you can be sentenced the penalty for has been greatly lowered and the countries that allow the penalty and use it will only use it for severe and worst crimes (crimemuseum.org). The Supreme Court has stated that the death penalty does not violate the eighth amendment which is "Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted." (Eighth Amendment) or the fourteenth amendment which is "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws" (Fourteenth Amendment). The legislature can sentence any form of execution as long as the execution does not make the criminal feel excessive unprovoked pain (www.law.cornell.edu). The Supreme Court has recognized the death penalty as valid for two hundred years and has been accepted for a long time. The death penalty has also been around for a long time "the first established death penalty laws date as far back as the Eighteenth Century B.C. in the Code of King Hammurabi of Babylon, which codified the death penalty for 25 different crimes" (deathpenaltyinfo.org). The only time a criminal would be sentenced the death penalty is when you commit a crime of equal proportion meaning that if you commit a smaller crime like petty theft you would not get you sentenced the death penalty. The government is not completely stupid so criminals that commit "small" crimes will not get the death penalty which could be seen as cruel and unusual if they did sentence the penalty for smaller crimes. If a society is not willing to take the life of someone who has taken another life it is simply immoral especially when people are murdered. The criminals who have murdered did not feel remorse as they killed there victims so why should we when we sentence the death penalty?. There are other crimes you can be sentenced the death penalty for like treason, drug-trafficking, and espionage so the death penalty is not just murder its for other severe crimes that are deemed worthy of being able to sentence a criminal to the death penalty (ProCon.org).

There is a system in place to avoid punishing the innocent and since nineteen seventy three one hundred five people have been absolved of the death penalty and the use of it has gone down eighty five per cent. In most countries, capital punishment has become far more regulated compared to how it was in the past to ensure that innocent victims are not put to death and that

the criminals who are given a death sentence will not be treated cruelly and or unusually (crimemuseum.org). Since January seventeenth nineteen seventy seven only one thousand five hundred five people have been executed (Death Penalty Information Center) which shows how the use of the death penalty has went down by in the past twenty five years and sentencing has went down by eighty five per cent since the mid nineteen ninteys which shows how the courts will only sentence the death penalty for more severe crimes when no other punishment is suitable for the criminal. The death penalty is carried out with due process of law (school.eb.com) and is diffrent from extrajudiciary executions, which is the killing of a person by governmental authorities or individuals without the sanction of any judicial proceeding or legal process. Although we have a system to avoid punishing the innocent there are crimes so bad that the death penalty is justified and suitable. In California the prisoners on death row have murdered over one thousand people, two hundred twenty-nine children, forty three peace officers, and two hundred nintey four of them were sexually assaulted or tortured, having the death penalty will protect the public from these terrible crimes and dangerous criminals (ProCon.org).

If you use justice when sentencing the death penalty it is effective. The overall goal of the death penalty is the imposition of justice, that justice can be death, but taking away the death penalty would take away this justice. There is the argument that the death penalty does not act as a deterrent while that may be true the penalty in some opinions the death penalty should be brought back strong even if does not act as a deterrent the criminals wont cause any more problems (Donald Trump). If the death penalty is brought back strong it could help to also act as a deterrent since a big counter to the idea of the death penalty is it does not act as a deterrent but if we were to enforce it strongly and give it a reason to act as a deterrent for criminals it will start acting as a deterrent if it did not before. If someone is actually a criminal and sentenced the death penalty or on death row they deserve to be there and if anything we do them a favour by executing them quickly with lethal injection because to the criminal it is quick and painless as it renders a person unconcious and unable to feel anything while they lose their ability to breathe. This shows another way the death penalty is not cruel and unusual by showing that the criminal is not in pain therefore following the 8th amendment and the constitution by not violating either of the documents. If there is no death penalty where is the justice for others? Like the innocent people who lost their life by murder or criminals who commit treason, and those who commit espionage? The obvious answer is there is none. It's pretty simple, If someone gets the death penalty and are on death row they deserve to be there, and if they are innocent the government will not execute a prisoner until they are sure as they can be that they are guilty and a criminal which why some inmates sit on death row for a long time before getting freed or executed. The U.S. Supreme Court has ruled that capital punishment is neither unconstitutional neither is it "cruel and unusual punishment," and stays within the boundaries of the 8th and 14th amendments state while also not violating what the amenments state which adds on to the idea that the death penalty is constitutional by definition since the Supreme Court declares it is, again if it wasn't constitutional the U.S Supreme Court would not allow it. The death penalty deals out justice and is meant to protect civilians from people wanting to commit terrible crimes that would harm our society and the people in it.

A counter to the death penalty is that the death penalty can never be constitutional to that I say that the constitution states you can not sentence any cruel and unusual punishments therefore it is constitutional by definition and the meaning of "cruel and unusual punishment" is restricted to what is stated in the 8th amendment but the death penalty does not violate the death penalty furthermore what is now "cruel" and "unusual" now could not have been cruel in the past nd now we mainly use leathal injection as a form of execution which is painless.

A second counter is that people who are sentenced the death penalty is cruel because people have to wait in uncertainty for a long time but the reason for that is the government has to take steps to ensure they are executing criminals and terrible people and not innocents. This also brings up the fact that the death penalty is expensive but that is because there are legal costs, pre-trial costs, Jury selection, Trial costs, Incarceration, and appeals which also gives time and helps to determine if the person is innocent or a criminal. In the end the death penalty should stay available for states to use if they want because in the end it is constitutional and cannot be considered cruel and unusual especially when it was stated by the U.S Supreme Court that the death penalty does not violate the constitution or amendments that involve cruel and unusual punishments and equal protection from laws. The courts use a system to prevent innocent people from being executed and while it might take time and resources it is better than executing them and not giving the innocents a chance at redemption furthermore the number of innocents convicted of a crime and sentenced but get their name cleared are increasing. The penalty should also be allowed since the court only sentences the penalty out with justice and carried out with due process of law which gives all citizens equal treatment and fairness in court making the use of the death penalty effective when used.