

1: ABOUT NICK HENTOFF

Personally, I am fairly ambivalent about the death penalty. It would not bother me terribly if the death penalty were suspended in all the states, but I would not consider it a civilizational advance, nor do I think the culture-of-death-loving European governments are morally superior for having abolished it.

We know that he came out strongly against war as well, toward the end of his public career. And we know that he saw the three as connected. I do not think God approves the death penalty for any crime—rape and murder included. Even criminology has repudiated the motive of punishment in favor of the reformation of the criminal. Shall a good God harbor resentment? Since the purpose of jailing a criminal is that of reformation rather than retribution—improving him rather than paying him back for some crime that he has done—it is highly inconsistent to take the life of a criminal. How can he improve if his life is taken? Capital punishment is against the best judgment of modern criminology and, above all, against the highest expression of love in the nature of God. Because King was murdered in , nearly five years before Roe v. Wade struck down all U. Whether King would have supported or opposed the legalization of abortion is a hotly debated question. What I know of Dr. Martin Luther King Jr. Alveda King But what did King himself say? The facts are difficult to discern. Nor, according to my research, does he clearly discuss the subject at all. In all likelihood, he never had occasion to opine publically because, as far as researchers can tell, he was never asked. The public debate over the issue was still years in the future. I refused to marry her. As a result, I was directly responsible for a crime. It was not until a month later that I realized the awful thing I had done. I begged her to forgive me, to come back, but she has not answered my letters. The thing stays on my mind. What can I do? I have prayed for forgiveness. Your admitting this fact is very wholesome, for it is the first step in the process of repentance and personality integration. This sense of penitence and this creative living will do more to cause the young lady to forgive you than anything you can say in words. One related subject on which King definitely had an opinion was birth control, a topic increasing in the public eye, especially after the birth control pill was introduced in In his discussion of poverty, King was concerned, as were many thinkers in the midth century, about excessive population, and the resulting competition for finite resources leading to violence and unnecessary human suffering. I do not think it is correct to argue that birth control is sinful. It is a serious mistake to suppose that it is a religious act to allow nature to have its way in the sex life. And this means birth control in some form. These are methods that respect the inherent dignity of both born and unborn children and their mothers.

2: [Deathpenalty] death penalty newsNEB., CALIF., USA

The death penalty does not deter murder / Nat Hentoff 3. Crime policies should emphasize strict policing and strong punishment / Karl Zinsmeister.

By Nat Hentoff For all the world to see, a year-old woman, who has committed no crime, will die of dehydration and starvation in the longest public execution in American history. She is not brain-dead or comatose, and breathes naturally on her own. Although brain-damaged, she is not in a persistent vegetative state, according to an increasing number of radiologists and neurologists. Among many other violations of her due process rights, Terri Schiavo has never been allowed by the primary judge in her case -- Florida Circuit Judge George Greer, whose conclusions have been robotically upheld by all the courts above him -- to have her own lawyer represent her. Greer has declared Terri Schiavo to be in a persistent vegetative state, but he has never gone to see her. His eyesight is very poor, but surely he could have visited her along with another member of his staff. Unlike people in a persistent vegetative state, Terri Schiavo is indeed responsive beyond mere reflexes. While lawyers and judges have engaged in a minuet of death, the American Civil Liberties Union, which would be passionately criticizing state court decisions and demanding due process if Terri were a convict on death row, has shamefully served as co-counsel for her husband, Michael Schiavo, in his insistent desire to have her die. Months ago, in discussing this case with ACLU executive director Anthony Romero, and later reading ACLU statements, I saw no sign that this bastion of the Bill of Rights has ever examined the facts concerning the egregious conflicts of interest of her husband and guardian Michael Schiavo, who has been living with another woman for years, with whom he has two children, and has violated a long list of his legal responsibilities as her guardian, some of them directly preventing her chances for improvement. Judge Greer has ignored all of them. The media have ignored these charges, and much of what follows in this article. Michael Schiavo, who says he loves and continues to be devoted to Terri, has provided no therapy or rehabilitation for his wife the legal one since He did have her tested for a time, but stopped all testing in Republican Senate leader Bill Frist, a specialist in heart-lung transplant surgery, has, as The New York Times reported on March 23, "certified [in his practice] that patients were brain dead so that their organs could be transplanted. Ignoring the absence of complete neurological exams, supporters of the deadly decisions by Judge Greer and the trail of appellate jurists keep reminding us how extensive the litigation in this case has been -- 19 judges in six courts is the mantra. And more have been added. So too in many death penalty cases, but increasingly, close to execution, inmates have been saved by DNA. Their skin cracks, their tongue cracks, their lips crack. They may have nosebleeds because of the drying of the mucous membranes, and heaving and vomiting might ensue because of the drying out of the stomach lining. Imagine going one day without a glass of water! It is an extremely agonizing death. Whittemore, who was soon to be another accomplice in the dehydration of Terri, the relentless Mr. Felos, anticipating the end of the deathwatch, said to the judge: It is not within the power of a guardian to withhold, and not in the power of a rational court to prohibit. The Assault of Medical Ethics in America said: After the first trial [before Judge Greer], much evidence has been produced that should allow for a new trial -- which was the point of the hasty federal legislation. Yet, an innocent, disabled woman is receiving less justice. This case is rife with doubt. Justice demands that Terri be permitted to live. But the polls around the country cried out that a considerable majority of Americans wanted her to die without Congress butting in. A March 20 ABC poll showed that 60 percent of the adults consulted opposed the ultimately unsuccessful federal legislation, and only 35 percent approved. Moreover, 70 percent felt strongly that it was wrong for Congress to get into such personal, private matters -- and interfere with what some advocates of euthanasia call "death with dignity. But what choice did Terri Schiavo have under our vaunted rule of law -- which the president is eagerly trying to export to the rest of the world? She had not left a living will or a durable power of attorney, and so could not speak for herself. But the American system of justice would not slake her thirst as she, on television, was dying in front of us all. What kind of a nation are we becoming? The CIA outsources torture -- in violation of American and international law -- in the name of the freedoms we are fighting to protect against terrorism. And we have watched as this woman, whose only

DEATH PENALTY DOES NOT DETER MURDER NAT HENTOFF pdf

crime is that she is disabled, is tortured to death by judges, all the way to the Supreme Court. And keep in mind from the Ralph Nader-Wesley Smith report: Terri swallows her own saliva. Spoon feeding is not medical treatment. This outrageous order proves that the courts are not merely permitting medical treatment to be withheld, they have ordered her to be made dead.

3: [Deathpenalty] death penalty newsTENN., OHIO, COLO., ARIZ., CALIF.

As Richard Dieter, executive director of the Death Penalty Information Center points out, "The average murder rate per , population in among states with the death penalty was

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series of high profile changes in jail policy made by the newly elected Sheriff, Joe Arpaio. Nick began to file civil rights lawsuits on behalf of jail inmates and kept a record of all the complaints received by his office in a spreadsheet. In February he forwarded copies of the spreadsheet to the Arizona U. Attorney and the Civil Rights Division of the U. Department of Justice, along with a letter calling for a civil rights investigation into the treatment of inmates in the Maricopa County Jail. Napolitano and other Justice Department officials declined to say what sparked the investigation. But civil-rights probes commonly begin after complaints are made to the department. He filed suit on behalf of several such inmates, including Richard Post. When the case load became too much for him, he brought in another attorney, Joel Robbins. The lawsuits alleged that Arpaio created and nurtured a climate that encouraged the guards to abuse inmates. The lawyers had a difficult task ahead of them. If other inmates were choked or beaten to death, it must have been their own fault. The lawsuits started coming down, nearly a thousand of them, and many are still pending. It would almost certainly be a few million more if Richard Post had taken his lawsuit to trial. District Court to serve as co-counsel on the capital Habeas petition that eventually went to the U. Supreme Court as *Schiro v. Hardy* to represent a class of prison inmates who had been denied protective segregation, The inmates were facing imminent death or serious physical injury if they were transferred back into the general population. In Nick Hentoff discovered, through a public records request, an e-mail that revealed undisclosed problems with the processing of DNA evidence in the City of Phoenix Crime Lab. The release of the email to the local press resulted in a review of crime lab procedures. Possible contamination may hurt cases," *The Arizona Republic*, March 8, Based in Bishkek, Kyrgyzstan and Dushanbe, Tajikistan, Nick Hentoff designed and conducted training programs for lawyers, judges and prosecutors on issues relating to human rights, the rule of law and trial practice skills. From to Nick Hentoff was involved in the pro bono representation of several Occupy Wall Street Protestors who were wrongfully arrested on the Brooklyn Bridge in the largest mass arrest in U.

4: Where Does Martin Luther King Jr. Fit into the Consistent Life Ethic? - Consistent Life Blog

The death penalty deters murder / William Tucker --The death penalty does not deter murder / Nat Hentoff --Crime policies should emphasize strict policing and strong punishment / Karl Zinsmeister --Crime policies should emphasize prevention over punishment / Gene Stephens.

Rick Halperin Sun, 24 Aug He notes the corrections department has been busy with other issues, including questions over the early release of some inmates. Nebraska lost its only approved method to carry out executions when its supply of one drug used in the process expired in December. Bruning says the state can manufacture the missing drug or change its execution protocol source: The revelation is just part of the evidence that San Bernardino County prosecutors have amassed against Lee, 24, who police contend was having an affair with Corwin and killed her out of fear his wife would learn of the relationship. Several days before her disappearance, Corwin, 19, told a friend that she and Lee were planning on taking a "special" trip together, according to court documents. Jon Corwin, reported her missing. Lee, who is awaiting extradition from Alaska, where he recently moved with his wife and daughter, told police he was "collecting tires" on the morning Corwin disappeared. Detectives found a tire at the mine shaft. A witness also informed investigators that Lee asked him "the best way to dispose of a human body," according to court documents. Executing Americans, with atrocities I have been reporting for years on the kinds of executions that led Justice Harry Blackmun to declare in a Feb. Collins that he would no longer vote for the death penalty. I still believe that eventually we become more civilized. I knew Justice Brennan well, and I have no doubt how he would react to this July 24 press release from the always-carefully documented Washington, D. Wood III was pronounced dead after a nearly two-hour long execution by the state of Arizona. Media witnesses, some of whom have observed previous executions, reported that Wood gasped for air more than times during the execution. And in each one of these cases, the government has concealed vital information concerning the source, safety, and efficacy of the drugs to be used in the execution, refused to reveal information concerning the training and skill of the personnel involved in carrying out the execution, while also using drugs never before used to kill humans. Meanwhile, the courts continue to look the other way. Supreme Court - by a walloping 7-to-2 majority in Baze v. Yet so long as this nation continues to execute human beings, there is a small but growing movement across party lines to at least bring the Eighth Amendment back to life in these cases. The Constitution Project has published a well-bound, page, deeply documented report, "Irreversible Error: I have a copy and am continually learning from it, ranging from such chapters as "Ensuring Effective Counsel" to "State-by-State Execution Procedures. Maybe even one or two presidential candidates will be interested - or am I being overly optimistic? Defendants in death penalty cases certainly will be profoundly interested.

5: Why Conservatives Should Oppose the Death Penalty - Consistent Life Blog

Who Gains From This Execution? WASHINGTON POST Tuesday, April 17, Page A17 Who Gains From This Execution? By E. J. DIONNE, Jr. Timothy McVeigh presents opponents of the death penalty with the hardest test they have confronted in decades.

This is probably not the case; in fact, a number of recent studies, some of them dealing specifically with homicide rates, show an inverse relation between punishment and the rate of crime. This confirms what our common sense tells us, and these studies have also been confirmed by the most sophisticated analysis yet undertaken. Using a simultaneous equation model for a regression analysis involving some fourteen discrete variables, only three of them having anything to do with punishment, and a mass of crime statistics from most of the states over a period of time , , , Isaac Ehrlich was able to show that the rate of specific felonies is positively related to estimates of relative gains [the more money to be gained by stealing, the more attempts made to steal it] and negatively related to estimates of costs associated with criminal activity. Since Ehrlich dealt with time in prison—that is to say, the range of punishments did not include the death penalty—we are not entitled to say that he proved the deterrence value of the death penalty. We can say, however, that if the death penalty is regarded as the most dreadful penalty—and the abolitionists so regard it—his findings do suggest the deterrence value of it. This is so because the greater the penalty, the higher the costs associated with criminal activity, and the higher these costs, the fewer crimes committed. The abolitionists are not inclined to accept these findings. If this argument proves anything, however, it proves the opposite of what the abolitionists contend. It suggests that because of the high costs, murders tend to be committed only by those unable to calculate those costs, and that those able to calculate those costs are less likely to commit murders. Justification of Punishment But does the death penalty act as a deterrent? Does it deter the commission of homicides, for example? Thorsten Sellin says the evidence shows clearly that it does not, and his findings have been cited around the world. Hart, in a more guarded statement, says there is no evidence that it does deter. Mostly it has been chiefs of police who have disagreed and who have insisted that the death penalty is necessary because it does deter. What is of particular interest to me is that in modern times almost the entire argument concerning the death penalty has taken place within the limits of this aspect of the subject. This assumes that deterrence is the only possible justification for the death penalty and for punishment in general, that we employ police to prevent the commission of crimes, if possible, but that we employ prosecutors and criminal trials and prisons and executioners to prevent further offenses by those we catch up in this system and to deter others—pour decourager les autres, to paraphrase Voltaire. It seems to me that this is patently not sufficient. When we say make the punishment fit the crime, we are plainly not talking about deterrence. When the abolitionists advocate life imprisonment, instead of the death penalty for murderers, they are quite plainly not concerned with deterrence, because these same abolitionists insist that murderers, in addition to being model prisoners, are, of all criminals, the least likely to repeat their crimes. If the death penalty does not deter, and if they are unlikely to repeat their crimes anyway, why bother to put them in prison at all? Why bother to arrest them? And if deterrence is the only purpose of punishment, why a life sentence for a murderer and a couple of months for a prostitute, who is likely to repeat her offense? And why do we continue to resist the arguments of the so-called reformers, usually the psychiatrists, who would remodel the entire system in order to make the punishment or the treatment fit the criminal, according to which rule it is entirely possible that the prostitute and the shoplifter will remain in custody longer than the murderer? Penalties Reflect Principles It is quite clear, I think, that the schedule of penalties to be found in any criminal code reflects some principle other than deterrence. We punish murder more severely than shoplifting because we regard murder as a much more serious crime. We punish murder more severely than conspiracies to obstruct justice because we regard murder as a much more serious crime. We punish murder more severely than larceny, even grand larceny, because we regard the taking of a human life as a much more grave offense than the taking of property, in whatever amount. I insist that we take a life—after due process of law—precisely because we value life, although the abolitionists have heaped so much ridicule on this

proposition that it has become unfashionable in our day to say so. Our schedule of punishments reflects what we have been made ashamed to admit now, namely, that in addition to the effort to deter crime, we punish in order to pay back, to retribute. Retribution constitutes a justification for punishment, and, I shall argue, it is altogether proper to pay back a murderer in kind. Our schedules of punishment are an effort to make punishment fit the crime; to agree with this principle is to agree that retribution should play a role in punishment. Karl Menninger would have us treat Booth after all, it is a crime to punish him; and suppose we are successful in this treatment, and after a year, say, we pronounce him cured, and he returns to the community promising never to do it again. But Abraham Lincoln is dead. Something of this is contained in the principle that the punishment should fit the crime. Would it have been proper to put Lee Harvey Oswald in a minimum security prison, even for life? Or not put him in prison at all after all, do we not know from statistics that murderers are the least likely of criminals to repeat their crime? Why is it that we cannot accept that conclusion? Crime Is the Guide Menninger and his colleagues say to make the punishment fit the criminal, not the crime; they are guided by the criminal; they are not guided by the crime. And because they are not guided by the crime, they minimize the crime; they ignore the difference in the magnitude of crimes; in their response, they ignore the enormity of some crimes and the pettiness of others. By making the punishment fit the criminal instead of the crime, they would do away with the schedule of punishments whereby the more serious crimes are punished more severely. But in that schedule is reflected our idea of what is important to man, and what it is to be a man. To do away with it, to obliterate it from the law, is to depreciate the importance and the significance of human actions and, thereby, of human life. To remove it from the law is to reveal a disrespect for human life. It is not by chance that the argument against the death penalty is a modern argument, and only a modern argument; it is not by chance that no political philosopher argued against the death penalty; it is not by chance that the argument against the death penalty seems to have come out of Hobbes by way of Beccaria, although Hobbes, of course, did not make it. For from Hobbes we learned the right of self-preservation; and from Hobbes we learned that the first law of nature is to seek peace; and as a result, mere life took on an importance it lacked in the past. Mere life is a life without dignity; mere life just staying alive lacks significance; and mere life purposeless life turns out to be life very cheaply regarded indeed. It is not strange that retribution has been made to appear to be the most abominable of sentiments, and that so many tears are shed for the murderers today, at a time when innocent human lives are being taken in ever greater numbers, and are being taken not only in fits of passion, by the amateur murderers, but in cold blood by the professional murderers, and not only by them, but by the heads of states acting in the name of what they call science, a so-called racial science in the case of Hitler, and a so-called science of history in the case of Stalin and Mao. Why should human lives, even six or thirty million of them, stand in the way of history? Why should these millions of what are regarded as purposeless human lives stand in the way of history, when meaning is contained in history, not in human lives? Retribution in Ill Repute It is not strange that retribution is held in such ill repute at a time when human life is held so cheap in the literature we read and the films we see, and on which we bestow our prizes. And in that much-honored film, *The Godfather*, the taking of human life is a regular business practice, like making a bank deposit. So far I have considered deterrence and retribution as independent justifications for capital punishment. But there is a point where they come together. We can recognize that point of convergence when we acknowledge that the law works by praising as well as by blaming. The law blames when it prescribes punishment for certain acts and when it subjects those who commit those acts to punishment. We see that easily enough. We tend to forget, however, that in punishing the guilty when it blames the deed he commits, the law praises those who do not commit the deed. The law praises righteousness and obedience to law. This point is well made by Adam Smith: So much do we resent him, that not only do we wish to see him punished, but we wish to see him punished by our own hand and for the crime he committed. We feel cheated, he says, if the criminal should die of a fever before he is brought to justice. And with respect to murder, nature, antecedent to all reflections upon the utility of punishment, has in this manner stamped upon the human heart, in the strongest and most indelible characters, an immediate and instinctive approbation of the sacred and necessary law of retaliation. This passion which he labels resentment must of course be tamed; it must be tamed lest it become simple revenge, the most

detestable of the passions. The law tames that passion, that anger we feel in the presence of injustice, by satisfying it, and it satisfies it when it brings the guilty to justice and when it pays him back. Last summer, for example, a seven-year-old boy was brutally murdered on the lower East Side of Manhattan. The next day, in a nearby neighborhood, a year-old girl was stabbed to death in the doorway to her apartment. The police caught the man suspected of doing it, and had a hard time protecting him from an angry crowd of local residents. A week later a year-old man was stabbed to death by a burglar in his Ninth Avenue apartment, this before the eyes of his wife. News of the Week, p. There is a widespread feeling that the police, the courts, the entire criminal justice system simply acts out a sort of charade, and that it is up to the community to demand that justice is done. The only thing to do is to kill this man right away, quickly and quietly. Anger is the sentiment aroused by the sight of injustice, and is therefore intimately allied with justice—and civil society requires justice. But that anger has to be tamed, and the local police alone cannot do it. I mean, the police protecting the suspect at the police station cannot tame that anger unless they can assure that righteously angry crowd that the murderer will be paid back. But there is more in this than immediately meets the eye: And that righteous anger should be rewarded, for its basis is the sentiment that to murder is wrong. The law blames murder when it punishes the murderer; the law praises those who do not murder when it punishes that murderer, and in this way deters murder. Many are the pangs of the wicked, but steadfast love surrounds him who trusts in the Lord. Be glad in the Lord, and rejoice, o righteous, and shout for joy, all you upright in heart. To them anger is mere selfishness and altogether reprehensible. But if anger is a natural attribute of the human soul, one is bound to wonder how it will manifest itself when it is denied its legitimate expression, however tamed. And what would a world without anger be like? Nietzsche thought this through and called what he saw in his imagination the world of the Last Man. Ramsey Clark, Crime in America , p. Karl Menninger, The Crime of Punishment, p. An Empirical Assessment , p. University of Toronto Press, , p. Isaac Ehrlich, Participation in Illegitimate Activities:

6: Nat Hentoff takes President Obama to task “ The American Catholic

Nat Hentoff David Horowitz Marianne Jennings McVeigh and the death penalty It is dogma on the political left that capital punishment does not deter. But it is indisputable that execution.

The government is corrupt on almost all levels and something must be done to take away its power. We disagree on much of the minutiae, but the one thing that holds our herd together is our leeriness of big government. A few years ago I took a step back from the Grand Old Party because, as a pro-lifer, I was tired of the inconsistencies. Here we were, standing out on sidewalks in front of abortion clinics, offering women in crisis help and free medical care, often through state-run programs. Then every election cycle I saw Republicans encouraging others to vote down the very services that allowed these women to choose life. And because many of us were born into these blessings, our conservative beliefs come quite easily. The death penalty being no exception. If you were raised in middle-class America, received a decent education and have the benefit of viewing law enforcement as your protector and not those you need protection from, then I understand why you might think the state should have the right to enforce laws as it sees fit. Many people of privilege like to sit around Young Republican cocktail parties and decry the atrocities of the federal government, myself included. We talk about the big headline issues: We question where the money is coming from and going to. We question the corruption. Private prisons have managed to incentivize incarcerations, turning prisoners into profit margins. Since , death row inmates nationwide have been exonerated. Since the Supreme Court reinstated the death penalty in , 82 percent of all executions have taken place in the south 37 percent in Texas alone , and according to Amnesty International an overwhelming majority of those who end up on death row were not able to afford an attorney. That removes the very justice we claim to cling to in our justice system. And that is happening in our backyard. Our privilege pushes our sentences down to just six months, so as not to deter your bright futures. So we turn a blind eye. This column was first published as an editorial in the Dallas Morning News, June 15,

7: Nat Hentoff, " - Hit & Run : www.enganchecubano.com

There are occasional campaigns in this country and abroad to protest our Supreme Court's indifference to a death-penalty conviction of a defendant whose actual guilt is demonstrably very questionable.

Hentoff and the death penalty Pro-Life Wednesday, 08 December It would not bother me terribly if the death penalty were suspended in all the states, but I would not consider it a civilizational advance, nor do I think the culture-of-death-loving European governments are morally superior for having abolished it. Nat Hentoff is a man of the Left for whom I have the utmost respect. An atheist, he is nonetheless pro-life, and outspokenly so. Being a civil-liberties fetishist, he is wrong about many things, yet his manner is never anything other than courtly and reasoned. When he speaks on an issue, I pay much greater attention to him than nasty-tongued liberals such as Michael Kinsley or Maureen Dowd. Gonzalez, as the legal counsel to President Bush when he was governor of Texas, wrote 57 briefings about death-row inmates facing the imposition of their sentences. You might conclude that " if you believe that all executions are wrong. This being the age of the Internet, I wondered if I could find more facts about this case. He heard an object hit the ground and went to investigate. Jennings found a purse and immediately called the police. The restaurant was closed and locked. She had multiple stab wounds. The medical examiner testified at trial that the murder weapon had a five-and-a-half inch blade and that he believed it took Huling ten to fifteen minutes to die. The evidence at trial overwhelmingly implicated Washington as the murderer. Additionally, Hemphill saw Washington with a hunting knife which had a blade consistent with the type of wounds inflicted upon Huling. If first-degree murderers deserve death, then Terry Washington deserved death, because there is little question that he plotted the intentional killing of his co-worker. Look, if you oppose the death penalty, just oppose it. I might be convinced, and so might other people. My problem with the death penalty comes from more serious problems with possibility of executing people who have later been shown not to have committed the crime. Such an act is merely a state-sanctioned murder"even if the trial was fair and unbiased. I stand opposed to the Death Penalty because we cannot restore life. We can restore freedom and even try to make restitution for unjust imprisonment, but if we unjustly deprive someone of life we cannot rectify the injustice. The Pope did not as some say outlaw the Death Penalty, but I do think his writings suggest that it can and should be restricted severely in its application.

8: Crime and criminals (edition) | Open Library

The text from a symposium sponsored by the Association of the Bar of the City of New York features leading death penalty experts closely examining how governments respond to national crimes, such as the terrorist attacks on the World Trade Center and the Pentagon, that trigger factors that are not present in ordinary first-degree murder cases.

Rick Halperin Wed, 26 Feb But subverting the laws of the state in order to put people to death might be the worst transgression lawmakers could commit. Last spring, lawmakers were able to pass a statute preventing the public from knowing where the state obtains drugs for lethal injection. The dangers of this law are fairly evident: Do we want the government to be able to keep any part of the execution process a secret? By last fall, Tennessee correctional officers had their hands on supplies of an injectable killing drug. Last month, the state Supreme Court granted execution dates for 10 inmates, to be carried out in less than an month period. But pro-death-penalty factions are worried: Botched lethal injections in other states have drawn legal challenges. Senate Bill would require that the state use electrocution if a court struck down lethal injection as an execution method, or if a drug were to become unavailable. A single Tennessee inmate, Daryl Holton, died in the electric chair recently, in , by his choosing. It seems as though Tennessee officials are eager to show the nation how it should be done. Besides the fact that executions do not deter crime; besides the fact that a number of innocent people continue to sit on death rows around the country; and besides the fact that the capital punishment system discriminates against people of color and the indigent; the unpredictability of lethal injection, and of electrocution, is unacceptable for a modern society. Tennesseans are beginning to see this, as have so many other Americans before them, but our elected officials continue to live in a reckless and brutish past. Timothy Mosley, 19, and Austin Myers, 19, allegedly tried to choke Justin Back, 18, at his home in Waynesville, Ohio in January before stabbing him, shooting his body and dumping it under a bridge. A grand jury released nine indictments against the 2 teens on Monday and Warren County Prosecutor David Fornshell said he will be seeking the death penalty due to the cruelty of the killing. Investigations uncovered that a violent robbery had taken place at the home and that Mosley and Myers had been there a day earlier. They were arrested and admitted to the killing. The indictments include two counts of aggravated murder, counts of aggravated robbery and burglary, grand theft of a firearm, tampering with evidence, safecracking and abuse of a corpse. Warren County Sheriff Larry Sims added to the news site that he was pleased the death penalty is being sought. The decision was made with the support of the Back family, he said. He had been classmates with Myers at Waynesville High School. The Denver Post reports [http:](http://) Her father, Edward Montour, said he accidentally dropped her when she died in His lawyers argued she had an undiagnosed bone disease, but he was convicted of murder and sentenced to life in prison. In , Montour was accused of killing corrections officer Eric Autobee. He pleaded not guilty by reason of insanity. Prosecutors are seeking the death penalty. His attorneys argue the death penalty should be dropped because his original conviction is in question. Bill making smugglers eligible for death passes An Arizona bill approved by the House could make human smugglers convicted of murder eligible for the death penalty. The House approved House Bill by a vote Tuesday. The bill, sponsored by Rep. Justin Pierce, R-Mesa, adds to the list of aggravating circumstances whether it is probable that a defendant would commit another crime. It also designates smuggling as a serious offense. That would make human smugglers who are convicted of murder eligible for the death penalty. Democrats opposed to the bill say that it is unfair to judge people based on what they may potentially do in the future. Eric Meyer, D-Paradise Valley. Pinal County is a major route for human and drug smugglers. Alturas woman could face death penalty For Cherie Lash Rhoades, an appeals hearing was her last chance to keep her small house on a tiny American Indian reservation in the high desert of northeastern California. During the eviction meeting at tribal headquarters, the former Cedarville Rancheria chairwoman is accused of killing 4 people, including 3 relatives. Court documents allege she opened fire with a 9 mm semi-automatic pistol at the building in Alturas, Calif. She was arrested as she stabbed one of the wounded, whom she had chased into the parking lot with a kitchen knife, the documents say. She stopped when a man tackled her and the undersheriff of Modoc County handcuffed her, authorities said. Rhoades has been held without bail at an undisclosed

location since her arrest outside the headquarters. She is expected to be arraigned today in Modoc County Superior Court on a criminal complaint alleging 4 counts of murder and 2 counts of attempted murder, with enhancements for using a firearm and causing great bodily harm. If convicted, she will face the death penalty because of the multiple victims, District Attorney Jordan Funk said. She was to be represented in court by counsel qualified to handle a capital case, Funk said. Cedarville Rancheria attorney Jack Duran said that just three weeks before the shooting, Rhoades had been suspended as tribal chairwoman pending a federal embezzlement investigation, and the meeting where the shooting broke out was being held to consider her eviction appeal. Stockton was not at the hearing when the shooting broke out. He had no listed telephone number at which to contact him for comment. Duran said Penn was holding her newborn baby on her lap when she was killed. The baby was not hurt and was being placed with a family member. The Cedarville Rancheria is a federally recognized tribe with 35 registered members. The Rancheria owns 26 acres in Cedarville, where most members reside in 9 small, 1-story houses built in the s on lots on the outskirts of the town of 1, Duran said he could not confirm or deny that was the money in question, adding the amount could be less, "or a lot more. Eviction from tribal housing is among the most serious punishments for American Indians. I think her personality reflected that roughness. About 25 years ago, I was a juror on a capital murder case. I could not do so today, as I have come to disagree with the death penalty and would like to see it abolished. Still, it is the law of the land and will likely continue to be. Reasonable people know that 25 years from the time of sentencing to execution is not justifiable. I hope the 3 ex-governors are able to spearhead changes to this situation. And, as long as the death penalty is in effect, I fail to understand why the cry of "cruel and unusual punishment" is not addressed in a sensible manner. Every day, thousands of Americans undergo surgery, anesthetized to the point where they suffer no pain. Jim Sartain, Los Alamitos source: Keandre Narkie Johnson was ordered in December to stand trial for the slaying of Tiana Ricks and the shooting of her year-old father, Tyrell Ricks, who took a bullet to the pelvis. Johnson was arrested Sept. The charges also carry special-circumstance allegations, which would lengthen his sentence if he is found guilty. Death row speeding up Texas should be far from commended for its ample dedication to continuing the death penalty. But at least the care Texas courts take when listening to death penalty appeals is technically what used to be the American way. I wrote about Herbert Smulls, who was executed in Missouri on Jan. His lawyers had made appeals to the U. Missouri and certain other states hide the identities of certain execution drugs. I would very much like to hear from them. Also, what of the ministers, priests and rabbis living in these states that are speeding up executions? Are any of them speaking up? I also am increasingly curious about the quality of legal representation throughout the nation, and how well attorneys are handling the cases of their clients on death row. In a recent issue of *The Week*, Andrew Cohen reported: There are no precise, recent figures telling us how many indigent defendants need lawyers each year - but in the figure was at least 6 million people.

9: Library Resource Finder: Staff View for: Crime and criminals

Since the Supreme Court reinstated the death penalty in , 82 percent of all executions have taken place in the south (37 percent in Texas alone), and according to Amnesty International an overwhelming majority of those who end up on death row were not able to afford an attorney.

Consumer Reports Is capital punishment a deterrent? Some, like Justice Harry Blackmun, who supported the death penalty during most of his term on the Court, finally decided he would "no longer tinker with the machinery of death" because the ultimate punishment was so randomly applied. That is, some of those on death row had not received due process -- basic fairness -- in their trials, or in their appeals. On the other hand, supporters of the death penalty often agree with George W. Bush and Al Gore. During their third presidential debate, both candidates were asked why they were for the death penalty. Neither Bush nor Gore gave any factual evidence to support their position. In , the Journal of Criminal Law and Criminology reported that a survey of 70 leading American criminologists found that over 80 percent of them said that the death penalty does not lower homicide rates. More definitively, on Sept. As Richard Dieter, executive director of the Death Penalty Information Center points out, "The average murder rate per , population in among states with the death penalty was 6. However, the average murder rate among states without the death penalty was only 3. A look at neighboring death penalty and non-death-penalty states shows similar trends. Instead, judges appoint lawyers for poor defendants and set their compensation, often at low rates. I interviewed the warden of a prison in Mississippi that had a number of prisoners on death row. I asked him whether it was true that three of them had no lawyers at all after their state appeals were lost. Their only chance to live was if a federal judge were to grant them a writ of habeas corpus so that their trials and sentences could be reviewed in a federal court. The warden told me my information was accurate. There are law books there. They can figure out a way to try to get a writ of habeas corpus. But the law books are there. Increasingly, men on death row -- some with execution only days and sometimes hours away -- are proved innocent and released because of DNA or the work of volunteer independent investigators. With not many exceptions, the lawyers who lost the cases of these defendants were incompetent. Bush and Al Gore automatically support this random method of execution because it "deters. Send your comments to him by clicking here.

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