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Deterrent Value and Cost of Death Penalty

In 1999, a total of 3,527 prisoners in the U.S. were under the sentence of death. Of these individuals, 98 were executed in 1999 and 85 were executed in 2000 (Bureau of Justice Statistics 2001). In 2000, Vermont had 11 murders for a rate of 1.85 per 100,000 people (Burlington Free Press 2001, U.S. Census Bureau 2001). The number of murders per year in Vermont, since 1975, has ranged from a high of 26 in 1976 to a low of 5 in 1994 (see Figure 1). The average number of homicides in Vermont since 1975 is 14 per year (State of Vermont Department of Public Safety 2001, US Dept. of Justice 2001).

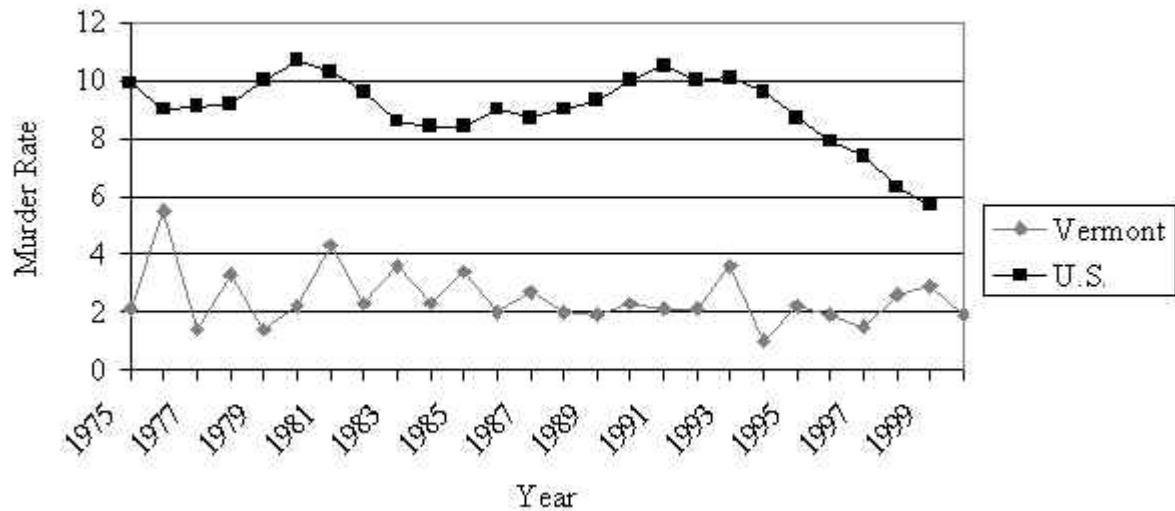


Figure 1: U.S. v. Vermont Murder Rate (per 100,000)

Source: U.S. Department of Justice, Death Penalty Information Center, and Burlington Free Press

Studies on Deterrent Value:

One argument in support of capital punishment is that the threat of death deters murder more effectively than prison. However, research indicates that the death penalty is no more effective as a deterrent to murder than the punishment of life in jail. States with the death penalty on average do not have lower rates of homicide than states without the penalty. The average murder rate per 100,00 people in 1999 among death penalty states was 5.5 and the average murder rate among non-death penalty states was 3.6 (US Dept. of Justice, 2001). A study

examining executions in Texas between 1984 and 1997 found that the murder rate was steady and that there was no evidence of a deterrent effect. The number of executions was found to be unrelated to murder rates (Sorenson, Wrinkle, Brewer and Marquart, 1999). Furthermore, a survey of experts from the American Society of Criminology, the Academy of Criminal Justice Sciences, and the Law and Society Association shows that the overwhelming majority of these experts do not believe that the death penalty is a proven deterrent to homicide. Over 80% believe the existing research fails to support a deterrence justification for the death penalty. Similarly, over 75% of those polled do not believe that increasing the number of executions, or decreasing the time spent on death row before execution, would produce a general deterrent effect (Radelet and Akers, 1995). Additionally, Attorney General Janet Reno stated at a Justice Department news briefing, "I have inquired for most of my adult life about studies that might show that the death penalty is a deterrent. And I have not seen any research that would substantiate that point." (US Dept. of Justice, 2001).

Advocates of the death penalty argue that if more executions actually take place, the death penalty will work better to deter crime. Only a small proportion of first-degree murderers are sentenced to death, and even fewer are executed. The option of having a mandatory death penalty law was ruled unconstitutional in the 1976 case, *Woodson v. North Carolina* (428 U.S. 280) so this cannot be used to increase the number of executions. The lengthy appeals process that occurs in death penalty cases also reduces the number of executions. In order to reduce the delays and costs of the death penalty, the rights of American citizens would be impaired by abandoning the constitutional rights of suspects, defendants, and convicts. There is also the chance of convicting the wrong person and executing an innocent human being (Cheleff, 1987).

Deterrence is the number one reason that supporters of the death penalty cite (Newsweek Poll 2000). However, 26% of people claim that their justification for supporting the death penalty is "eye for an eye" (Newsweek Poll 2000). Furthermore, 55% would favor the death penalty even if it were found that it does not act as a deterrent, that it does not reduce the murder rate (Gallup Poll 1999).

Financial Facts about the Death Penalty:

A study found that the death penalty costs North Carolina \$2.16 million per execution over the costs of a non-death penalty murder case with a sentence of imprisonment for life (Cook & Slawson, 1993). On a national basis, these figures translate to an extra cost of over \$700 million dollars spent since 1976 on the death penalty.

What many Americans do not realize is that the death penalty is more costly than incarcerating an inmate for life. A murder trial takes much longer when the death penalty is being pursued. The taxpayer is paying the salaries of the judges, prosecutors, public defenders, court officials, and the cost of briefs. "A 1982 study showed that if the death penalty were reintroduced in the state of New York, the cost of the capital trial alone would be more than double the cost of a life term in prison" (Bright, 1996). The Duke University study estimated that a death penalty trial takes about four times longer than a non-capital murder trial (Bright, 1996). And, of course, not every death penalty trial results in a death sentence. Based on the experience in North Carolina, the authors found that less than a third of capital trials resulted in a death sentence.

Florida spent an estimated \$57 million on the death penalty from 1973 to 1988 to achieve 18 executions - that is an average of \$3.2 million per execution (*Miami Herald*). It costs six times more to execute a person in Florida than to incarcerate a prisoner for life with no parole. In Texas, a death penalty case costs an average of \$2.3 million, about three times the cost of imprisoning someone in a single cell at the highest security level for 40 years (*Dallas Morning News*). The death penalty costs California \$90 million annually beyond the ordinary costs of the justice system - \$78 million of that total incurred at the trial level (*Sacramento Bee*). The New York Department of Correctional Services estimated that implementing the death penalty would cost the state about \$118 million annually. To illustrate the cost, it is estimated that the money it would take to implement the death penalty in New York for just five years would be enough to fund 250 additional police officers and build prisons for 6,000 inmates (Lacayo, 1987).

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