References

# Academic Sources

Abrams, David S., Marianne Bertrand and Sendhil Mullainathan. 2012. Do Judges Vary in Their Treatment of Race? *Journal of Legal Studies* 41, 2 (June): 347-383

ACLU. 2004. The Forgotten Population: A Look at Death Row in the United States through the Experiences of Women. *American Civil Liberties Union*. Available at: https://www.aclu.org/files/FilesPDFs/womenondeathrow.pdf.

ACLU. 2007. The Persistent Problem of Racial Disparities in the Federal Death Penalty. *American Civil Liberties Union* (June). Available at: https://www.aclu.org/persistent-problem-racial-disparities-federal-death-penalty.

ACLU. n.d. Mental Illness and the Death Penalty. *American Civil Liberties Union.* Available at: https://www.aclu.org/issues/capital-punishment/mental-illness-and-death-penalty.

Adler, Moshe. 1985. Stardom and Talent. *American Economic Review* 75, 1 (March): 208–212.

Alarcón, Arthur L., and Paula M. Mitchell. 2011. Executing the Will of the Voters?: A Roadmap to Mend or End the California Legislature’s Multi-Billion-Dollar Death Penalty Debacle. *Loyola of Los Angeles Law Review* 44: 41–224.

Allen, Howard W., and Jerome M. Clubb. 2008. *Race, Class, and the Death Penalty: Capital Punishment in American History.* Albany: State University of New York Press.

Alschuler, Albert W. 1968. The Prosecutor’s Role in Plea Bargaining. *The University of Chicago Law Review* 36(1): 50-112.

Alschuler, Albert W. 1979. Plea bargaining and its History. *Columbia Law Review* 79(1): 1-43.

American Bar Association (ABA). 2013. The State of the Modern Death Penalty in America: ABA Death Penalty Due Process Review Project, Key findings of State Death Penalty Assessments 2006–2013. [www.americanbar.org/dueprocess](http://www.americanbar.org/dueprocess).

American Law Institute (ALI). 1962. *Model Penal Code*. Philadelphia, PA: ALI.

American Psychiatric Association. 2013. *Diagnostic and Statistical Manual of Mental Disorders*. 5th ed. Arlington, VA: American Psychiatric Publishing.

Aronson, Jay D., and Simon A. Cole. 2009. Science and the Death Penalty: DNA, Innocence, and the Debate over Capital Punishment in the United States. *Law and Social Inquiry* 34, 3: 603–633.

Bak, Per. 1996. How Nature Works: The Science of Self-Organized Criticality. New York: Copernicus.

Baker, David V. 2007. American Indian Executions in Historical Context. *Criminal Justice Studies* 20, 4: 315-373.

Baldus, David C., and George Woodworth. 2001. Race of Victim and Race of Defendant Disparities in the Administration of Maryland's Capital Charging and Sentencing System (1978-1999): Preliminary Finding. University of Iowa. Unpublished manuscript

Baldus, David C., and George Woodworth. 2003. Race Discrimination and the Death Penalty: An Empirical and Legal Overview. In *America's Experiment with Capital Punishment: Reflections on the Past, Present and Future of the Ultimate Penal Sanction,* eds.James R. Acker, Robert M. Bohm and Charles S. Lanier. Durham, NC: Carolina Academic Press, 501-552.

Baldus, David C., and James W. L. Cole. 1975. A Comparison of the Work of Thorsten Sellin and Isaac Ehrlich on the Deterrent Effect of Capital Punishment. *Yale Law Journal* 85, 2: 170–186.

Baldus, David C., Catherine M. Grosso, George Woodworth, and Richard Newell. 2012. Racial Discrimination in the Administration of the Death Penalty: The Experience of the United States Armed Forces (1984-2005). *Journal of Criminal Law and Criminology* 101 (4): 1227-1335.

Baldus, David C., Charles Pulaski and George Woodworth. 1983. Comparative Review of Death Sentences: An Empirical Study of the Georgia Experience. *Journal of Criminal Law and Criminology* 74, 3: 661-753.

Baldus, David C., George Woodworth and Charles A. Pulaski. 1990. *Equal Justice and the Death Penalty: A Legal and Empirical Analysis*. Boston: Northeastern University Press.

Baldus, David C., George Woodworth, Catherine M. Grosso and Aaron M. Christ. 2002. Arbitrariness and Discrimination in the Administration of the Death Penalty: A Legal and Empirical Analysis of the Nebraska Experience (1973–1999). *Nebraska Law Review* 81, 2: 486–756.

Baldus, David C., George Woodworth, David Zuckerman, Neil Alan Weiner, and Barbara Broffitt. 1998. Racial Discrimination and the Death Penalty in the Post-Furman Era: An Empirical and Legal Overview, with Recent Findings from Philadelphia, *Cornell Law Review* 83: 1638–1770.

Banner, Stuart. 2002. *The Death Penalty: An American History*. Cambridge: Harvard University Press.

Barnes, Katherine, David L. Sloss and Stephen C. Thaman. 2009. Place Mattters (Most): An Empirical Study of Prosecutorial Decision-Making in Death-Eligible Cases. *Arizona Law Review* 51: 305-379.

Baumgartner, Frank R, and Tim Lyman. 2015. Race-Of-Victim Discrepancies in Homicides and Executions, Louisiana 1976-2015. *Loyola University of New Orleans Journal of Public Interest Law* 17: 128-44.

Baumgartner, Frank R, and Tim Lyman. 2016. Louisiana Death-Sentenced Cases and their Reversals, 1976-2015. *Southern University Law Center Journal of Race, Gender, and Poverty* 7: 58–75.

Baumgartner, Frank R, Emma Johnson, Colin P. Wilson, and Clarke Whitehead. 2016. These Lives Matter, Those Ones Don’t: Comparing Execution Rates by the Race and Gender of the Victim in the US and in the Top Death Penalty States. *Albany Law Review* 79, 3 (2016): 797–860.

Baumgartner, Frank R. 2015. North Carolina’s Wasteful Experience with the Death Penalty. *University of North Carolina, Department of Political Science*. February 1. Available at: http://www.unc.edu/~fbaum/Innocence/Baumgartner\_NC\_Death\_Reversals-1-Feb-2015.pdf

Baumgartner, Frank R., Amanda J. Grigg and Alisa Mastro. 2015. #BlackLivesDon’tMatter: Race-of-Victim Effects in US Executions, 1977-2013. *Politics, Groups, and Identities* 3, 2: 209–221.

Baumgartner, Frank R., Suzanna L. De Boef and Amber E. Boydstun. 2008. *The Decline of the Death Penalty and the Discovery of Innocence.* New York: Cambridge University Press.

Baumgartner, Frank R., Woody Gram, Kaneesha R. Johnson, Arvind Krishnamurthy, and Colin P. Wilson. 2016. The Geographic Distribution of US Executions. *Duke Journal of Constitutional Law and Public Policy,* Forthcoming.

Beck, E.M., James L. Massey, and Stewart E. Tolnay. 1989. The Gallows, the Mob, and the Vote: Lethal Sanctioning of Blacks in North Carolina and Georgia, 1882 to 1930. *Law and Society Review* 23, 2: 317-331.

Becker, Gary S. 1993. Nobel Lecture: The Economic Way of Looking at Behavior. *Journal of Political Economy* 101, 3: 385-409.

Bedau, Hugo Adam, ed. 1997. *The Death Penalty in America: Current Controversies*. New York: Oxford University Press.

Bedau, Hugo, and Paul Cassell, eds. 2004. *Debating the Death Penalty*. New York: Oxford University Press.

Bernstein, T. 1975. Theories of the Causes of Death from Electricity in the Late-Nineteenth Century. *Medical Instrumentation* 9, 6 (November): 267-273

Bernstein, Theodore. 1973. A Grand Success. *IEEE Spectrum* (February): 54–58.

Bibas, Stephanos. 2004. Plea Bargaining outside the Shadow of Trial. *Harvard Law Review* 117(8): 2463-2547.

Bienen, Leah B., Neil Alan Weiner, Deborah W. Denno, Paul D. Allison and Douglas Lane Mills. 1988. The Reimposition of Capital Punishment in New Jersey: The Role of Prosecutorial Discretion. *Rutgers Law Review* 41, 27: 27-372.

Blalock, Hubert M., Jr. 1979. *Social Statistics*. 2nd ed. New York: McGraw Hill.

Blanco, Juan Ignacio. n.d. Steven Keith Hatch. *Murderpedia*. http://murderpedia.org/male.H/h1/hatch-steven-keith.htm (July 13, 2016).

Blank, Stephen. 2006. Killing Time: The Process of Waiving Appeal. The Michael Ross Death Penalty Cases. *Journal of* *Law and Policy* 14, 2: 735–777.

Blecker, Robert. 2013. The Death of Punishment: Searching for Justice among the Worst of the Worst. New York: St. Martin’s Press.

Blume, John H. 2005. Killing the Willing: “Volunteers”, Suicide and Competency. *Michigan Law Review* 103 (March): 939–1009.

Blume, John H. 2006. AEPDA the “Hype” and the “Bite”. *Cornell Law Review* 91, 2: 259-1383.

Blume, John, Theodore Eisenberg, and Martin T. Wells. 2004. Explaining Death Row’s Population and Racial Composition. *Journal of Empirical Legal Studies* 1, 1: 165–207.

Bohm, Robert M. 1987. American Death Penalty Attitudes: A Critical Examination of Recent Evidence. *Criminal Justice and Behavior* 14, 3: 380-396.

Bohm, Robert M. 2012. *Deathquest: An Introduction to the Theory and Practice of Capital Punishment in the United States*. 4th ed. Waltham, MA: Anderson Publishing.

Bohm, Robert M. 2013. *Capital Punishment’s Collateral Damage*. Durham, NC: Carolina Academic Press.

Bohm, Robert M., Louise J. Clark and Adrian F. Aveni 1991. Knowledge and Death Penalty Opinion: A Test of the Marshall Hypothesis. *Journal of Research in Crime and Delinquency* 28, 3 (August): 360-387

Bowers, William J., and Glenn L. Pierce. 1975. The Illusion of Deterrence in Isaac Ehrlich’s Research on Capital Punishment. *Yale Law Journal* 85, 2 (December): 187–208.

Bowers, William J., Glenn L. Pierce and John D. McDevitt. 1984. *Legal Homicide: Death as Punishment in America, 1864-1982*. Boston: Northeastern University Press.

Bowers, William. 1993. Research Note: Capital Punishment and Contemporary Values: People’s Misgivings and the Court’s Misperceptions. *Law and Society Review.* 27, 1: 157-176

Brandon, Craig. 1999. *The Electric Chair: An Unnatural American History*. Jefferson, NC: McFarland.

Bright, Stephen B. 1994. Counsel for the Poor: The Death Sentence Not for the Worst Crime but for the Worst Lawyer. *Yale Law Journal* 103: 1835–1883.

Bureau of Justice Statistics (BJS). 2007. *Drug Use and Dependence, State and Federal Prisoners, 2004*. Washington DC: Bureau of Justice Statistics. Available at: http://www.bjs.gov/content/pub/pdf/dudsfp04.pdf

Bureau of Justice Statistics (BJS). 2014. *National Prisoner Statistics Program* (NPS-8), 2013. Washington DC: Bureau of Justice Statistics.

Bureau of Justice Statistics (BJS). 2014. *The Nation’s Two Measures of Homicide.* Washington DC: Bureau of Justice Statistics, NCJ 247060, July.

Bureau of Justice Statistics. 2005. State Court Sentencing of Convicted Felons. Washington, DC: U.S. Department of Justice.

Caldwell, H. Mitchel. 2003. The Prostitution of Lying in Wait. *University of Miami Law Review* 57: 311- 376.

California Commission on the Fair Administration of Justice. 2008. *Report and Recommendations on the Administration of the Death Penalty in California*. California Commission on the Fair Administration of Justice (June 30).Available at: http://deathpenalty.org/downloads/FINAL%20REPORT%20DEATH%20PENALTY%20ccfaj%20June%2030.2008.pdf

Canes-Wrone, Brandice, Tom S. Clark, and Jason P. Kelly. 2014. Judicial Selection and Death Penalty Decisions. *American Political Science Review* 108, 1: 23–39.

Caniglia, John. 2015. Eluding Death: Ohio Prosecutors Charge Far Fewer Capital Murder Cases. *The Plain Dealer* (November 25). http://www.cleveland.com/court-justice/index.ssf/2015/11/eluding\_death\_prosecutors\_are.html (August 17, 2016).

Cardno, Alastair G., and Irving I. Gottseman. 2000. Twin Studies of Schizophrenia: From Bow-and-Arrow Concordances to Star Wars Mx and Functional Genomics. *American Journal of Medical Genetics* 97, 1: 12–17.

Castelliani, C.A., M. G. Melka, L.J. Gui, R.L. O’Reilly, and S.M. Singh. 2015. Integration of DNA sequence and DNA methylation changes in monozygotic twin pairs discordant for schizophrenia. *Schizophrenia Research* 169: 433-440.

Center for Death Penalty Litigation (CDPL). 2015. On Trial For their Lives: The hidden Costs of Wrongful Capital Prosecutions in North Carolina. Durham, NC: CDPL.

Christianson, Scott. 2004. *Innocent: Inside Wrongful Conviction Cases*. New York: New York University Press.

Chummah, Maurice. 2016. What You Need to Know if the Supreme Court Takes the Case of Duane Buck. *The Marshall Project* (June 6). https://www.themarshallproject.org/2016/04/20/what-you-need-to-know-if-the-supreme-court-takes-the-case-of-duane-buck#.8kX6yWh09 (August 17, 2016).

Coase, Ronald H. 1978. Economics and Contiguous Disciplines. *Journal of Legal Studies* 7, 2 (June): 201–211.

Cohen, G. Ben, and Robert J. Smith. 2010. The Racial Geography of the Federal Death Penalty. *Washington Law Review* 85, 3: 425–492.

Cohen-Cole, E., Steven Durlauf, Jeffrey Fagan and Daniel Nagin. 2009. Model Uncertainty and the Deterrent Effect of Capital Punishment. *American Law and Economics Review* 11, 2: 335-369.

Collins, Peter A., Robert C. Boruchowitz, Matthew J. Hickman and Mark A. Larranaga. 2015. An Analysis of the Economic Costs of Seeking the Death Penalty in Washington State. *Seattle* *University* (January 1). Available at: http://www.deathpenaltyinfo.org/documents/WashingtonCosts.pdf (August 17, 2016).

Collins, Randall. 2008. *Violence: A Micro-sociological Theory*. Princeton, NJ: Princeton University Press.

Conley, Robin. 2016. *Confronting the Death Penalty: How Language Influences Jurors in Capital Cases*. New York: Oxford University Press.

Cook, Philip J. 2009. Potential Savings from Abolition of the Death Penalty in North Carolina. *American Law and Economics Review* 11, 2 (December): 498–529.

Cook, Philip J., and Donna B. Slawson. 1993. The Costs of Processing Murder Cases in North Carolina. Terry Sanford Institute of Public Policy Duke University (May). Available at: http://www.deathpenaltyinfo.org/northcarolina.pdf (August 17, 2016).

Cowan, Claudia L., William C. Thompson and Phoebe C. Ellsworth. 1984. The Effects of Death Qualification on Jurors' Predisposition to Convict and on the Quality of Deliberation. *Law and Human Behavior* 8, 1/2 (June): 53-79.

Cullen, Francis T., Bonnie S. Fisher and Brandon K. Applegate. 2000. Public Opinion about Punishment and Corrections. *Crime and Justice* 27: 1-79.

Cunningham, Mark D., and Mark P. Vigen. 1999. Without Appointed Counsel in Capital Postconviction Proceedings: The Self-Representation Competency of Mississippi Death Row Inmates. *Criminal Justice and Behavior* 26, 3 (September): 293–321.

Cunningham, Mark D., and Mark P. Vigen. 2002. Death Row Inmate Characteristics, Adjustment, and Confinement: A Critical Review of the Literature*. Behavioral Sciences and the Law* 20: 191-210.

Davidson, Ken, Jeff Ellis, Michael Iaria, Mark Larranaga, Mark Larson, Pam Loginsky, Brian Moran, David Nichols, Ruth W. McIntyre, and Mary J. Ferguson. 2006. Final Report of the Death Penalty Subcommittee of the Committee on Public Defense. *Washington State Bar Association* (December). http://www.wsba.org/~/media/Files/WSBA-wide%20Documents/wsba%20death%20penalty%20report.ashx (August 17, 2016)

Death Penalty Information Center (DPIC). 2012. *Mental Illness and the Death Penalty*. Washington DC: Death Penalty Information Center (July 18). http://www.deathpenaltyinfo.org/mental-illness-and-death-penalty (August 17, 2016).

Death Penalty Information Center (DPIC). 2015. *Battle Scars: Military Veterans and the Death Penalty*. Washington DC: Death Penalty Information Center. November 11. http://deathpenaltyinfo.org/veterans (August 17, 2016).

Death Penalty Information Center (DPIC). 2016a. *Those Executed Who Did Not Directly Kill the Victim.* Washington DC: Death Penalty Information Center. http://www.deathpenaltyinfo.org/those-executed-who-did-not-directly-kill-victim (July 13, 2016).

Death Penalty Information Center (DPIC). 2016b. *Descriptions of Execution Methods.* Washington DC: Death Penalty Information Center. <http://www.deathpenaltyinfo.org/descriptions-execution-methods> (November 27, 2016).

Death Penalty Information Center (DPIC). n.d. *State by State Lethal Injection*. Washington DC: Death Penalty Information Center. http://www.deathpenaltyinfo.org/state-lethal-injection (November 11, 2015).

Denno, Deborah W. 1997. Getting to Death: Are Executions Constitutional? *Iowa Law Review* 82: 319-464.

Denno, Deborah W. 2002. When Legislatures Delegate Death: The Troubling Paradox Behind State Uses of Electrocution and Lethal Injection and What It Says About Us. *Ohio State Law Journal* 63: 63-260.

Denno, Deborah W. 2007. The Lethal Injection Quandary: How Medicine Has Dismantled the Death Penalty. *Fordham Law Review* 76, 1: 49-128.

Devers, Lindsey. 2011. *Plea and Charge Bargaining: Research Summary*. Washington DC: U.S. Department of Justice, Bureau of Justice Assistance.

Dezhbakhsh, Hashem, Paul H. Rubin and Joanna M. Shepherd. 2003. Does Capital Punishment Have a Deterrent Effect? New Evidence from Postmoratorium Panel Data. *American Law and Economics Review* 5, 2: 344–376.

Dieter, Richard C. 2009. *Smart on Crime: Reconsidering the Death Penalty in a Time of Economic Crisis.* Washington DC: Death Penalty Information Center. (October). http://www.deathpenaltyinfo.org/documents/CostsRptFinal.pdf (August 17, 2016).

Dieter, Richard C. 2010. *Testimony before the Pennsylvania Senate Government Management and Cost Study Commission.* Washington, DC: Death Penalty Information Center (June 7). http://www.deathpenaltyinfo.org/documents/PACostTestimony.pdf (August 17, 2016).

Dieter, Richard C. 2008. Methods of Execution and Their Effect on the Use of the Death Penalty in the United States. *Fordham Urban Law Journal*35, 4: 789–816.

Dieter, Richard. 2013. *The 2% Death Penalty: How a Minority of Counties Produce Most Death Cases at Enormous Costs to All.* Washington, DC: Death Penalty Information Center (October). http://www.deathpenaltyinfo.org/documents/TwoPercentReport.pdf (August 17, 2016).

Donohue, John J. 2011. Capital Punishment in Connecticut, 1973-2007: A Comprehensive Evaluation From 4686 Murders To One Execution. *National Bureau of Economic Research*: 1-495.

Donohue, John J. 2014. An Empirical Evaluation of the Connecticut Death Penalty System Since 1973: Are There Unlawful Racial, Gender, and Geographic Disparities? *Journal of Empirical Legal Studies* 11, 4 (December): 637–96.

Donohue, John J., and Justin J. Wolfers. 2009. Estimating the Impact of the Death Penalty on Murder. *American Law and Economics Review* 11, 2: 249-309.

Donohue, John J., and Justin Wolfers. 2005. Uses and Abuses of Empirical Evidence in the Death Penalty Debate. *Stanford Law Review* 58, 3: 791–845.

Dow, David R. 2005. *Executed on a Technicality: Lethal Injustice on America’s Death Row.* Boston, MA: Beacon Press.

Dow, David R. 2010. *The Autobiography of an Execution*. New York: Twelve Publisher.

Dow, David R., and Mark Dow, eds. 2002. *Machinery of Death: The Reality of America’s Death Penalty Regime*. New York: Routledge.

Doyle, James M. 2005. *True Witness: Cops, Courts, Science, and the Battle against Misidentification*. New York: Palgrave.

Drimmer, Frederick. 2014. *Executions in America*. New York: Skyhorse Publishing.

Dunham, Robert B. 2015. Testimony of Robert Brett Dunham Executive Director Death Penalty Information Center Concerning the Pennsylvania Death Penalty. *Death Penalty Information Center* (June 11). Available at: http://www.legis.state.pa.us/WU01/LI/TR/Transcripts/2015\_0113\_0013\_TSTMNY.pdf

Durham, Alexis M., H. Preston Elrod and Patrick T. Kinkade. 1996. Public Support for the Death Penalty: Beyond Gallup. *Justice Quarterly* 12, 4: 705-736.

Eberhardt, Jennifer L., Paul G. Davies, Valerie J. Purdie-Vaughns and Sheri Lynn Johnson. 2006. Looking Deathworthy: Perceived Stereotypicality of Black Defendants Predicts Capital-Sentencing Outcomes. *Psychological Science* 17, 5 (May): 383-386.

Edens, John F., John Clark, Shannon Toney Smith, Jennifer Cox and Shannon E. Kelley. 2013. Bold, Smart, Dangerous and Evil: Perceived Correlates of Core Psychopathic Traits among Jury Panel Members. *Personality and Mental Health* 7, 2: 143–153.

Edens, John F., Karen M. Davis, Krissie Fernandez Smith and Laura S. Guy. 2013. No Sympathy for the Devil: Attributing Psychopathic Traits to Capital Murderers also Predicts Support for Executing Them. *Personality Disorders: Theory, Research, and Treatment* 4, 2: 175-181.

Ehrhardt, Charles W., and L. Harold Levinson. 1973. Florida’s Legislative Response to Furman: An Exercise in Futility? *Journal of Criminal Law and Criminology* 64: 10–21.

Ehrlich, Isaac. 1975a. The Deterrent Effect of Capital Punishment: A Question of Life and Death. *American Economic Review* 65, 3 (June): 397–417.

Ehrlich, Isaac. 1975b. Deterrence: Evidence and Inference, *Yale Law Journal* 85, 2: 209–27.

Ehrlich, Isaac. 1977. Capital Punishment and Deterrence: Some Further Thoughts and Additional Evidence. *Journal of Political Economy* 85, 4: 741–788.

Ellis, Michael. 2012. The Origins of the Elected Prosecutor. *Yale Law Journal* 121, 6: 1528–1569.

Ellsworth, Phoebe, and Samuel R. Gross. 1994. Hardening of the Attitudes: Americans’ Views on the Death Penalty. *Journal of Social Issues* 50, 2: 19-52.

Enns, Peter K. 2014. The Public’s Increasing Punitiveness and Its Influence on Mass Incarceration in the United States. *American Journal of Political Science* 58, 4: 857–872.

Enns, Peter K. 2016. *Incarceration Nation: How the United States Became the Most Punitive Democracy in the World.* New York: Cambridge University Press.

Espy, M. Watt, and John Ortiz Smykla. 2005. *Executions in the United States, 1608-2002: The Espy File* [computer file]. ICPSR version. Ann Arbor, MI: University of Michigan [distributor], 2016.

Fagan, Jeffrey, and Valerie West. 2005. The Decline of the Juvenile Death Penalty: Scientific Evidence of Evolving Norms. *Journal of Criminal Law and Criminology* 95, 2: 427-500.

Fagan, Jeffrey, Franklin E. Zimring, and Amanda Geller. 2006. Capital Punishment and Capital Murder: Market Share and the Deterrent Effects of the Death Penalty. *Texas Law Review* 84: 1803–67.

Fagan, Jeffrey. 2006. Death and Deterrence Redux: Science, Law and Causal Reasoning on Capital Punishment. *Ohio State Journal of Criminal Law* 4: 255-320.

Fair Punishment Project. 2016a. *America’s Top Five Deadliest Prosecutors: How Overzealous Personalities Drive The Death Penalty*. Cambridge MA: Harvard University Law School. (June).

Fair Punishment Project. 2016b. *Too Broken to Fix: Part I. An In-depth Look at America’s Outlier Death Penalty Counties*. Cambridge MA: Harvard University Law School. August.

Fair Punishment Project. 2016c. *Too Broken to Fix: Part II. An In-depth Look at America’s Outlier Death Penalty Counties*. Cambridge MA: Harvard University Law School. September.

FBI. 2015. *FBI Testimony on Microscopic Hair Analysis Contained Errors in at least 90 Percent of Cases in Ongoing Review*. Washington, DC: Federal Bureau of Investigation. 20 April.

Flanagan, T., and Maguire, K. 1990. Sourcebook of Criminal Justice Statistics, 1989. Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics.

Fleury-Steiner, Benjamin. 2004. *Jurors’ Stories of Death: How America’s Death Penalty Invests in Inequality*. Ann Arbor: University of Michigan Press.

Flynn, Kathleen M. 1997. The “Agony of Suspense”: How Protracted Death Row Confinement Gives Rise to an Eighth Amendment Claim of Cruel and Unusual Punishment. *Washington and Lee Law Review* 54, 1: 291–333.

Forsberg, Mary E. 2005. Money for Nothing? The Financial Cost of New Jersey’s Death Penalty. *New Jersey Policy Perspective* (November). Available at: http://sentencing.nj.gov/downloads/pdf/articles/death3.pdf

Forst, Brian. 2004. *Errors of Justice*. New York: Cambridge University Press.

Fox, James Alan. 2001. *Uniform Crime Reports [United States]: Homicide Victimization and Offending Rates, 1976-1999.* [computer file]. ICPSR version. Boston, MA: Northeastern University, College of Criminal Justice [producer], 2001. Ann Arbor, MI: Inter-university Consortium for Political and Social Research [distributor], 2001.

Fox, James Alan., Michael L. Radelet and Julie L. Bonsteel. 1991. Death Penalty Opinion in the Post-Furman Years. *New York University Review of Law and Social Change* 18: 499-528

Frierson RL, DM Schwartz-Watts, DW Morgan, and TD Malone. 1998. Capital versus Noncapital Murderers. *Journal of the American Academy of Psychiatry and Law* 26, 3: 403–410.

Galvin, Anthony. 2015. *Old Sparky: The Electric Chair and the History of the Death Penalty*. New York: Skyhorse Publishing.

Garland, David. 2005. Capital Punishment and American Culture. *Punishment and Society* 7, 4: 347-376.

Garland, David. 2010. *Peculiar Institution: America’s Death Penalty in an Age of Abolition*. Cambridge: Harvard University Press.

Garrett, Brandon. 2011. *Convicting the Innocent: Where Criminal Prosecutions Go Wrong*. Cambridge: Harvard University Pres.

Garrett, Brandon. 2017. The Decline of the Virginia (and American) Death Penalty. *Georgetown Law Journal* 105, Forthcoming

Gelman, Andrew, James S. Liebman, Valerie West, and Alexander Kiss. 2014. A Broken System: The Persistent Patterns of Reversals of Death Sentences in the United States. *Journal of Empirical Legal Studies* 1, 2: 209-261.

General Accounting Office (GAO). 1990. *Death Penalty Sentencing: Research Indicates Pattern of Racial Disparities*. Report to Senate and House Committees on the Judiciary. Washington: US GAO, GGD-90-57. February.

Gould, Jon B., and Richard A. Leo. 2010. One Hundred Years Later: Wrongful Convictions after a Century of Research. *Journal of Criminal Law and Criminology* 100, 3: 825–868.

Gould, Jon B., and Lisa Greenman. 2010. *Report to the Committee on Defender Services Judicial Conference of the United States Update on the Cost and Quality of Defense Representation in Federal Death Penalty Cases.* (September). Washington DC: Judicial Conference of the United States. <http://www.uscourts.gov/file/fdpc2010pdf>. 23 February 2017.

Gram, Wallace. 2015. *A Power-Law Analysis of the Uneven Geographic Distribution of Executions in the Post-Furman era of the Death Penalty.* Senior Honors Thesis. Department of Political Science, University of North Carolina at Chapel Hill. Available at: http://www.unc.edu/~fbaum/teaching/Misc/Gram2015Thesis.pdf.

Grinshteyn, Erin, and David Hemenway. 2016. Violent Death Rates: The US Compared with Other High-income OECD Countries, 2010. *The American Journal of Medicine* 129, 3: 266–273.

Gross, Samuel R. 1998. Update: American Public Opinion on the Death Penalty—It’s Getting Personal. *Cornell Law Review* 83, 6: 1448-1475.

Gross, Samuel R., and Michael Shaffer. 2012*. Exonerations in the United States, 1989–2012. Report by the National Registry of Exonerations*. 22 June. Ann Arbor, MI: National Registry of Exonerations.

Hammel, Andrew. 2002. Diabolical Federalism: A Functional Critique and Proposed Reconstruction of Death Penalty Federal *Habeas*. *American Criminal Law Review* 39, 1: 1-99.

Haney, Craig. 2005. *Death by Design: Capital Punishment as a Social Psychological System*. New York: Oxford University Press.

Haney Lopez, Ian F. 2015. Equal Protection as Intentional Blindness. In *Controversies in Equal Protection Cases in America*, Anne Richardson Oakes (ed.), New York: Routledge, pp. 67–84.

Harmon, Talia Roitberg. 2004. Race for your Life: An Analysis of the Role of Race in Erroneous Capital Convictions. *Criminal Justice Review* 29, 1: 76–96.

Hatch, Virginia Leigh and Anthony Walsh. 2016. *Capital Punishment: Theory and Practice of the Ultimate Penalty*. New York: Oxford University Press.

Hawkins, Darnell F., ed. 2003. *Violent Crime: Assessing Race and Ethnic Differences*. New York: Cambridge University Press.

Hedden, Sara L., Joel Kennet, Rachel Lipari, Grace Medley and Peter Tice. 2015. *Behavioral Health Trends in the United States: Results from the 2014 National Survey on Drug Use and Health*. Washington DC: Substance Abuse and Mental Health Services Administration *(*September). Available at: http://www.samhsa.gov/data/sites/default/files/NSDUH-FRR1-2014/NSDUH-FRR1-2014.pdf (August 17, 2016).

Hill, David B., and State of New York. 1885. *Public Papers of David B. Hill*. Albany: The Argus Company, Printers.

Hillman, Harold. 1993. The Possible Pain Experienced During Executions by Different Methods. *Perception* 22: 745–753.

IRS. 2008a. “Additional Enhancements Could be Made to Strengthen Lockbox Security”. Washington, DC: Department of Treasury.

IRS. 2008b. Program to Protect Hardcopy Personally Identifiable Information is a Work-in-Progress. Washington, DC: Department of Treasury.

Judicial Council. 2014. *Report of the Judicial Council Death Penalty Advisory Committee.* Washington DC: Death Penalty Advisory Committee (February 13). Available at: http://www.deathpenaltyinfo.org/documents/KSCost2014.pdf.

Junkin, Tim. 2004. *Bloodsworth: The True Story of the First Death Row Inmate Exonerated by DNA*. Chapel Hill, NC: Algonquin Books.

Kaplan, Aliza B. 2013. Oregon’s Death Penalty: The Practical Reality. *Lewis and Clark Law Review* 17, 1 : 2- 68.

Kaufman-Osborn, Timothy V. 2002. *From Noose to Needle: Capital Punishment and the Late Liberal State*.Ann Arbor: University of Michigan Press.

Keys, David P. and John F. Galliher. 2016. “Nothing Succeeds Like Failure: Race, Decisionmaking, and Proportionality in Oklahoma Homicide Trials”. *Race and the Death Penalty: The Legacy of “McCleskey v. Kemp*, ed. David P. Keys and R.J. Maratea. Boulder, CO: Lynne Rienner Publishers.

Kirchmeier, Jeffrey L. 1998. Aggravating and Mitigating Factors: The Paradox of Today’s Arbitrary and Mandatory Capital Punishment Scheme. *William and Mary Bill of Rights Journal* 6, 2: 345- 459.

Koniaris, Leonidas, Teresa Zimmers, David Lubarsky, and Jonathan Sheldon. 2005. Inadequate Anaesthesia in Lethal Injection for Execution. *The Lancet* 365: 1412-14.

Kovarksy, Lee. 2016. Muscle Memory and the Local Concentration of Capital Punishment. *Duke Law Journal* 66, 2: 259–330.

Kuziemko, Ilyana. 2006. Does the Threat of the Death Penalty Affect Plea Bargaining in Murder Cases? Evidence from New York’s 1995 Reinstatement of Capital Punishment. *American Law and Economics Review* 8(1):116-142.

Leonard, Elizabeth Dermody. 2002. *Convicted Survivors: The Imprisonment of Battered Women Who Kill.* Albany: State University of New York Press.

Lewis DO, JH Pincus, B Bard, E Richardson, LS Prichep, M Feldman, and C Yeager. 1988. Neuropsychiatric, Psychoeducational, and Family Characteristics of 14 Juveniles Condemned to Death in The United States. *American Journal of Psychiatry* 145: 584–589.

Liebman, James S., and Lawrence C. Marshall. 2006. Less is Better: Justice Stevens and the Narrowed Death Penalty. *Fordham Law Review* 74, 4: 1607-1682.

Liebman, James S., and the Columbia DeLuna Project. 2014. *The Wrong Carlos: Anatomy of a Wrongful Execution*. New York: Columbia University Press. <http://thewrongcarlos.net/>

Liebman, James S., Jeffrey Fagan and Valerie West. 2000. *Error Rates in Capital Cases, 1973-1995*. Columbia Law School (June 12). Available at: http://www2.law.columbia.edu/instructionalservices/liebman/liebman\_final.pdf.

Liebman, James, Jeffrey Fagan, Valerie West and Jonathan Lloyd. 2000. Capital Attrition: Error Rates in Capital Cases, 1973-1995. *Texas Law Review* 78: 1839–65.

Liebman, S. James, Jeffrey Fagan, Andrew Gelman, Valerie West, Garth Davies, and Alexander Kiss. 2002. A Broken System, Part II: Why There Is So Much Error in Capital Cases, and What Can Be Done About It. *Columbia Law School* (February 11). http://www2.law.columbia.edu/brokensystem2/index2.html (August 17, 2016).

Loyal, Alex D. 2013. *The Decline of the Death Penalty as Seen through a Legislative Perspective*. Senior Honors Thesis. Department of Political Science, University of North Carolina at Chapel Hill. Available at: http://www.unc.edu/~fbaum/teaching/Misc/Loyal\_Thesis\_2013.pdf.

Lumer, Michael and Nancy Tenney. 1995. The Death Penalty in New York: An Historical Perspective. *Journal of Law and Policy* 4, 1: 81-142

Lyon, Andrea D. 2010. *Angel of Death Row: My Life as a Death Penalty Defense Lawyer*. New York: Kaplan Publishing.

Mandery, Evan J. 2012. *Capital Punishment in America: A Balanced Examination*, 2nd ed. Sudbury, MA: Jones and Bartlett Learning.

Mandery, Evan J. 2013. *A Wild Justice: The Death and Resurrection of Capital Punishment in America*. New York: W.W. Norton and Company.

Marceau, Justin F., and Hollis A. Whiston. The Cost of Colorado’s Death Penalty. *University of Denver Criminal Law Review* 3: 145–163.

Marceau, Justin, Sam Kamin and Wanda Foglia. 2013. Death Eligibility in Colorado: Many Are Called, Few Are Chosen. *University of Colorado Law Review* 84: 1069-1115.

Marlowe, Jen, Martina Davis-Correia and Troy Davis. 2013. *I Am Troy Davis*. Chicago, IL: Haymarket Books.

Martens-Lobenhoffer J. 1999. Stability of thiopental and pentobarbital in human plasma determined with a new easy and specific gas chromatography-mass spectrometry assay. Pharmazie 54: 597–599.

Miethe, Terance D.2012. *Estimates of Time Spent in Capital and Non-Capital Murder Cases: A Statistical Analysis of Survey Data from Clark County Defense Attorneys*. Department of Criminal Justice, University of Nevada, Las Vegas (February 21)*.* Available at: http://www.deathpenaltyinfo.org/documents/ClarkNVCostReport.pdf.

Minsker, Natasha. 2009. The Hidden Death Tax: The Secret Costs of Seeking Execution in California. *ACLU of Northern California*. Available at: https://www.aclunc.org/sites/default/files/the\_hidden\_death\_tax.pdf.

Moody, Christopher Z., and Mei Hsien Lee. 1999. Morality Policy Reinvention: State Death Penalties. *The Annals of the American Academy of Political and Social Science* 566: 80–92.

Mooney Christopher Z., and Mei-Hsien Lee. 1999. Morality Policy Reinvention: State Death Penalties. *The Annals of the American Academy of Political and Social Science* 566 (Nov.): 80–92.

Morgan, John G. 2004. *Tennessee’s Death Penalty: Costs and Consequences.* State of Tennessee, Comptroller of the Treasury, Office of Research(July). Available at: http://www.deathpenaltyinfo.org/documents/deathpenalty.pdf.

Murphy, E.L. 1984. Application of the Death Penalty in Cook County. *Illinois Bar Journal* 93: 90-95.

Nagin, Daniel S. and John V. Pepper, eds. 2002. *Deterrence and the Death Penalty*. Washington DC: The National Academies Press.

NASA. Nd. Space Shuttle Mission Information. Washington, DC: NASA. <http://www.nasa.gov/mission_pages/shuttle/shuttlemissions/list_main.html> (accessed 21 August 2016)

Nathan, Alison J., and Bruce A. Green. 2007. Brief for the Fordham University School of Law, Louis Stein Center for Law and Ethics as *Amicus Curiae* in Support of Petitioners. *Baze v. Rees* 07-5439 (November 13).

National Research Council. 1978. *Deterrence and Incapacitation: Estimating the Effects of Criminal Sanctions on Crime Rates*. Washington, DC: National Academy Press.

Nellis, Ashley. 2013. Life Goes On: The Historic Rise in Life Sentences in America. *Sentencing Project.* Available at: http://sentencingproject.org/doc/publications/inc\_Life%20Goes%20On%202013.pdf.

Norris, Robert J. 2011. Assessing the Compensation Statues for the Wrongly Convicted. *Criminal Justice Policy Review* 23, 3: 352–74.

North Carolina Department of Corrections. 2013*. Execution Procedure Manual for Single Drug Protocol (Pentobarbital).* Raleigh, NC: North Carolina Department of Public Safety*.* https://www.ncdps.gov/div/AC/Protocol.pdf (November 7, 2015).

North Carolina Department of Public Safety. 2015. *People Removed from Death Row*. Raleigh, NC: North Carolina Department of Public Safety*.* [www.nccrimecontrol.org/index2.cfm?a=000003,002240,002327,002338](http://www.nccrimecontrol.org/index2.cfm?a=000003,002240,002327,002338) (August 30, 2016)

O’Brien, Robert M. 1996. Police Productivity and Crime Rates: 1973-1992. *Criminology*. 34 (May): 183-207.

O’Shea, Kathleen A. 1999. *Women and the Death Penalty in the United States, 1900-1998*. 2nd ed. Wesport, Conn: Praeger.

O’Shea, Kathleen A. 2000. *Women on the Row: Revelations from Both Sides of the Bars*. New York: Firebrand Publishing.

Office of Performance Evaluations. 2014*. Financial Costs of the Death Penalty.* Boise, ID: Idaho Legislature. Available at: http://www.legislature.idaho.gov/ope/publications/reports/r1402.pdf

Office of the Governor. 2015. *Governor Tom Wolf Announces a Moratorium on the Death Penalty in Pennsylvania*. (13 February). Available at: https://www.governor.pa.gov/moratorium-on-the-death-penalty-in-pennsylvania/

Ogletree, Charles J., Jr., and Austin Sarat, eds. 2009. *When Law Fails: Making Sense of Miscarriages of Justice*. New York: New York University Press.

Oshinsky, David M. 2010. *Capital Punishment on Trial:* Furman v. Georgia *and the Death Penalty in Modern America.* Lawrence, KS: University Press of Kansas.

Pacheco, Julianna. 2014. Measuring and Evaluating Changes in State Opinion across Eight Issues. *American Politics Research* 42, 6: 986–1009.

Palm Beach Post Capital Bureau. 2000. The High Price of Killing Killers. *Death Penalty Information Center* (January 4)*.* Available at: http://www.deathpenaltyinfo.org/node/2289

Paternoster, Raymond. 1983. Race of Victim and Location of Crime: The Decision to Seek the Death Penalty in South Carolina. *The Journal of Criminal Law and Criminology* 74, 3: 754-785.

Paternoster, Ray, Jacqueline Ghislaine Lee and Michael Rocque. 2016. “Capital Case Processing in Georgia after McCleskey: More of the Same”. *Race and the Death Penalty: The Legacy of “McCleskey v. Kemp*, ed. David P. Keys and R.J. Maratea. Boulder, CO: Lynne Rienner Publishers.

Paternoster, Raymond, et al. 2003. *An Empirical Analysis of Maryland’s Death Sentencing System with Respect to the Influence of Race and Legal Jurisdiction, Final Report*. Available at: http://www.aclu-md.org/uploaded\_files/0000/0377/md\_death\_penalty\_race\_study.pdf

Paternoster, Raymond, Robert Brame, Sarah Bacon, and Andrew Ditchfield. 2004. Justice by Geography and Race: The Administration of the Death Penalty in Maryland, 1978-1999. *University of Maryland Law Journal of Race Religion Gender and Class* 4, 1: 1–97.

Peel, Diana. 2013. Clutching at Life, Waiting to Die: The Experience of Death Row Incarceration. *Western Criminology Review* 14, 3: 61–72.

Peffley, Mark, and Jon Hurwitz. 2007. Persuasion and Resistance: Race and the Death Penalty in America. *American Journal of Political Science* 51, 4: 996-1012.

Peffley, Mark, and Jon Hurwitz. 2010. *Justice in America: The Separate Realities of Blacks and Whites*. New York: Cambridge University Press.

Perlin, Michael L. 2013. *Mental Disability and the Death Penalty.* Lanham, MD: Rowman and Littlefield.

Phillips, Charles. 1987. Exploring Relations Among Forms of Social Control: The Lynching and Execution of Blacks in North Carolina, 1889-1918. *Law and Society Review* 21: 361-374.

Phillips, Scott, and Alena Simon. 2014. Is the Modern American Death Penalty a Fatal Lottery? Texas as a Conservative Test. *Laws* 3, 1: 85-105

Phillips, Scott, Laura Potter, and James E. Coverdill. 2012. Disentangling Victim Gender and Capital Punishment: The Role of Media. *Feminist Criminology* 7: 130–45.

Phillips, Scott. 2009. Legal Disparities in the Capital of Capital Punishment. *Journal of Criminal Law and Criminology* 99 (3): 717-756.

Phillips, Scott. 2012. Continued racial disparities in the capital of capital punishment: The Rosenthal era. *Houston Law Review* 50:131–156.

Pierce, Glenn L., and Michael L. Radelet. 2002. Race, Region, and Death Sentencing in Illinois, 1988–1997. *Oregon Law Review* 81, 1: 39–96.

Pierce, Glenn L., and Michael L. Radelet. 2005. The Impact of Legally Inappropriate Factors on Death Sentencing For California Homicides, 1990-1999. *Santa Clara Law Review* 49: 1-31.

Pierrepoint Albert. 1974. *Executioner Pierrepoint*. London: Harrap.

Pinker, Steven. 2011. *The Better Angels of Our Nature: Why Violence Has Declined*. New York: Penguin.

Price, Melynda J. 2015. *At the Cross: Race, Religion and Citizenship in the Politics of the Death Penalty Among African Americans*. New York: Oxford University Press.

Radelet, Michael L., and Glenn L. Pierce. 1991. Choosing Those Who Will Die: Race and the Death Penalty in Florida. *Florida Law Review* 43, 1: 1–34.

Radelet, Michael L., and Pierce, Glenn L. 2002. Race, Region and Death Sentencing, 1988–1997. *Oregon Law Review* 81: 1-65.

Rakoff, Jed S. 2014. Why innocent People Plead Guilty. *The New York Review of Books* November 20.

Rattan A, Levine CS, Dweck CS, Eberhardt JL. 2012. Race and the Fragility of the Legal Distinction between Juveniles and Adults*. PLoS ONE* 7, 5: e36680.

Redlich, Allison D., James R. Acker, Robert J. Norris, and Catherine L. Bonventre, eds. 2005. *Examining Wrongful Convictions: Stepping Back, Moving Forward*. Durham, NC: Carolina Academic Press.

Riedel, Marc, and Wayne Welsh. 2014. *Criminal Violence: Patterns, Explanations, and Interventions.* 4th ed. New York: Oxford University Press.

Risinger, D. Michael. 2007. Innocents Convicted: An Empirically Justified Factual Wrongful Conviction Rate. *Journal of Criminal Law and Criminology* 97, 3: 761–806.

Roman, John, Chalfin, A., Sundquist, A., Knight, C., and Darmenov, A. 2008. *The Cost of the Death Penalty in Maryland*. Washington, DC: Urban Institute: Justice Policy Center*.* Available at: http://www.deathpenaltyinfo.org/CostsDPMaryland.pdf

Rosen, Richard A. (1990). Felony Murder and the Eighth Amendment Jurisprudence of Death, 31 *Boston College Law Review* 5, 5: 1103-1125.

Rosen, Richard A. 1986. The “Especially Heinous” Aggravating Circumstance in Capital Cases—The Standardless Standard. *North Carolina Law Review* 64: 941-992.

Roth, Randolph. 2009. *American Homicide*. Cambridge, MA: Harvard University Press.

Rountree, Meredith Martin. 2012. “I’ll Make Them Shoot Me”: Accounts of Death Row Prisoners Advocating for Execution. *Law and Society Review* 46, 3: 589–622.

Sarat, Austin. 1999. *The Killing State: Capital Punishment in Law, Politics, and Culture*. New York: Oxford University Press.

Sarat, Austin. 2001. *When the State Kills*. Princeton: Princeton University Press.

Sarat, Austin. 2014. Gru*esome Spectacles: Botched Executions and America's Death Penalty*. Stanford, California: Stanford University Press.

Scalia, Justice Antonin. 1987. *Memorandum to the Conference Re: No 84-6811, McCleskey v. Kemp, January 6*, reprinted in Erwin Chermerinsky, Eliminating Discrimination in Administering the Death Penalty: The Need for the Racial Justice Act. *Santa Clara Law Review* 35 (1995): 519, 528.

Sharma, Hemant, John M. Scheb, David J. Houston, and Kristin Wagers. 2013. Race and the Death Penalty: an Empirical Assessment of First Degree Murder Convictions in Tennessee after Gregg v. Georgia. *Tennessee Journal of Race, Gender and Social Justice* 2, 1: 1-39.

Schulhofer, Stephen J. 1992. Plea Bargaining as Disaster. *The Yale Law Journal* 101(8): 1979-2009.

Sellin, Thorsten. 1959. *The Death Penalty: A Report for the Model Penal Code Project of the American Law Institute*. Philadelphia: American Law Institute.

Sharon, Chelsea Creo. 2011. The “Most Deserving of Death”: The Narrowing Requirement and the Proliferation of Aggravating Factors in Capital Sentencing Statutes. *Harvard Civil Rights – Civil Liberties Law Review.* 46 (2011): 223-251.

Sharp, Susan F. 2005. *Hidden Victims: The Effects of the Death Penalty on Families of the Accused*. New Brunswick, NJ: Rutgers University Press.

Shatz, Steven F., and Nina Rivkind. 1997. The California Death Penalty Scheme: Requiem for Furman. *New York University Law Review.* 72: 1283.

Sheffer, Susannah. 2013. *Fighting for their Lives: Inside the Experience of Capital Defense Attorneys*. Nashville, TN: Vanderbilt University Press.

Simms, Tina. 2016. Statutory Compensation for the Wrongly Imprisoned. *Social Work* 61, 2: 155–62.

Smith, Robert. 2011. The Geography of the Death Penalty and its Ramifications. *Boston University Law Review* 92, 1: 227–89.

Snell, Tracy L. 2014. *Capital Punishment, 2013 – Statistical Tables*. Washington, DC: Bureau of Justice Statistics.

Songer, Michael J. and Isaac Unah. 2006. The Effect of Race, Gender, and Location on Prosecutorial Decisions to Seek the Death Penalty in South Carolina. *South Carolina Law Review* 58: 161-210.

State of Kansas Legislative Division of Post Audit. 2003. *Costs Incurred for Death Penalty Cases: A K-GOAL Audit for the Department of Corrections.* Available at: http://www.kslpa.org/assets/files/reports/04pa03a.pdf

State of Nevada Legislative Council Bureau. 2014. *State of Nevada Performance Audit: Fiscal Costs of the Death Penalty.* Reno: State of Nevada. Available at: http://www.deathpenaltyinfo.org/documents/NevadaCosts.pdf

Steiker, Carol S. 2002. Capital Punishment and American Exceptionalism. *Oregon Law Review* 81, 1: 97-130.

Steiker, Carol S. 2005. No, Capital Punishment is Not Morally Required: Deterrence, Deontology, and the Death Penalty. *Stanford Law Review* 58, 3: 751–90.

Steiker, Carol S., and Jordan M. Steiker. 2016. *Courting Death: The Supreme Court and Capital Punishment*. Cambridge: Harvard University Press.

Stevenson, Bryan A. 2014. *Just Mercy: A Story of Justice and Redemption*. New York: Spiegel and Grau.

Stevenson, Bryan A. 2002. The Politics of Fear and Death: Successive Problems in Capital Federal Habeas Corpus Cases. *N.Y.U. Law Review* 77, 3: 699-795.

Stimson, James A. 1999. *Public Opinion in America: Moods, Cycles, and Swings*. Boulder, CO: Westview.

Stuntz, William J. 2004. Plea Bargaining and Criminal Law’s Disappearing Shadow. *Harvard Law Review* 117(8): 2548-2569.

Sunstein, Cass R., and Adrian Vermeule. 2005. Is the Death Penalty Morally Required? Acts, Omissions, and Life-Life Tradeoffs, *Stanford Law Review* 58: 703–50.

Swallows, Beverly Bryan. 1993. Stays of Execution: Equal Justice for All. *Baylor Law Review* 45, 4: 911–32.

Texas Coalition to Abolish the Death Penalty (TCADP). N.d. *Texas Death Penalty Facts.* Available at: http://tcadp.org/get-informed/texas-death-penalty-facts/

Temple, John. 2009. *The Last Lawyer: The Fight to Save Death Row Inmates*. Jackson, MS: University of Mississippi Press.

Thaxton, Sherod. 2016. Un-*Gregg*-ulated: Capital Charging and the Missing Mandate of *Gregg v. Georgia.* *Duke Journal of Constitutional Law and Public Policy* 11: 145–82.

Unah, Isaac and Jack Boger. 2001. *Race and the Death Penalty in North Carolina: An Empirical Analysis: 1993-1999*. Chapel Hill: University of North Carolina. Available at: <http://www.deathpenaltyinfo.org/race-and-death-penalty-north-carolina> (accessed August, 19 2016).

Vidmar, Neil, and Phoebe Ellsworth. 1974. Public Opinion and the Death Penalty. *Stanford Law Review* 26, 6: 1245-1270.

Vito, Gennaro F., and Thomas J. Keil. 1988. Capital Sentencing in Kentucky: An Analysis of the Factors Influencing Decision Making in the Post-Gregg Period. *Journal of Criminal Law and Criminology* 79, 2: 483-503.

Welty, Jeffrey B. 2013. *North Carolina Capital Case Law Handbook*. Chapel Hill, NC: University of North Carolina School of Government.

Wermiel, Stephen. 2012. SCOTUS for law students (sponsored by Bloomberg Law): Handling stay applications. *SCOTUSblog.com* (October 26). Available at: http://www.scotusblog.com/2012/10/scotus-for-law-students-sponsored-by-bloomberg-law-handling-stay-applications/

White, Welsh S. 2006. *Litigating in the Shadow of Death: Defense Attorneys in Capital Cases.* Ann Arbor, MI: University of Michigan Press.

Williams, Marian R., and Holcomb, Jefferson E. 2001. Racial Disparities and Death Sentences in Ohio. *Journal of Criminal Justice* 29 (3): 207-218.

Xu, Jiquan, Sherry L. Murphy, Kenneth D. Kochanek, and Brigham A. Bastian. 2016. *Deaths: Final Data for 2013*. National Vital Statistics Reports 64, 2 (16 February)

Zalman, Marvin. 2012. Qualitatively Estimating the Incidence of Wrongful Convictions. *Criminal Law Bulletin* 48, 2: 221-79.

Zimring, Franklin E. 2003. *The Contradictions of American Capital Punishment*. New York: Oxford University Press.

Zimring, Franklin E. 2007. *The Great American Crime Decline.* New York: Oxford University Press.

Zimring, Franklin. E., and Gordon Hawkins. 1986. *Capital Punishment and the American Agenda*. Cambridge: Cambridge University Press.

# News Sources[[1]](#endnote-1)

Associated Press. 2016. Texas Court Halts Execution of Man Who Didn’t Pull Trigger. *New York Times.* 19 August.

Bauerlein, Valerie. 2016. Church Gunman Dylann Roof Sticks to Plan to Represent Himself. *Wall Street Journal.* 28 December.

Bazelon, Emily. 2016. Where the Death Penalty Still Lives. *New York Times Magazine*. 23 August.

Berman, Mark. 2015a. Georgia Executes Kelly Gissendaner after Supreme Court Denies Stay Requests. *The Washington Post*. 30 September.

Berman, Mark. 2015b. Oklahoma Governor Halts Execution of Richard Glossip Due to ‘Last Minute Questions’ About the Drugs Involved. *Washington Post.* 30 September.

Berman, Mark. 2016. Oklahoma Lethal Injection Process Muddled by ‘Inexcusable Failure,’ Grand Jury Finds. *Washington Post*. 19 May 19.

Beutler, Brian. 2014. Antonin Scalia Used This Wrongful Conviction to Defend the Death Penalty. *The New Republic.* 4 September 4.

Brambila, Nicole C. 2016. Executing Justice: The Discretionary Nature of the Death Penalty in Pennsylvania. *Reading Eagle*. 20 June.

Brewer, Graham Lee. 2015. Oklahoma Department of Corrections Director Resigns. *NewsOK.com*. 4 December 4.

Bulik, Mark. 2015. 1890: The Electric Chair: ‘Far Worse Than Hanging’. *The New York Times*. 7 August.

Carrigan, William D., and Clive Webb. 2015. When Americans Lynched Mexicans. *New York Times*. 20 February.

Cogan, Marin. 2016. Meet the Red-State Conservatives Fighting to Abolish the Death Penalty. *Washington Post*. June 3.

Connor, Tracy. 2015a. Georgia Executes Warren Lee Hill Despite Low IQ Claim. *NBC News*. 27 January.

Connor, Tracy. 2015b. Oklahoma Execution: Baby’s Mom Says Killer Charles Warner Should Live. *NBC News*. 15 January.

Connor, Tracy. 2015c. Oklahoma Governor Halts Richard Glossip Execution at Last Minute. *NBC News*. 30 September.

Cross, Phil. 2016. Executions Will Not Resume in Oklahoma in 2016. *KOKH Fox News 25.* 3 August.

Denver Post, The. 2013. Nathan Dunlap Granted “Temporary Reprieve” by Governor. *The Denver Post*. 22 May.

DiIulio, John J., 1995. The Coming of the Super-Predators. *The Weekly Standard.* 23 November.

Feldman, Noah. 2016. Death-Penalty Drugmaker Shouldn’t be Anonymous. Bloomberg.com. 26 September.

Ford, Matt. 2015. The Troubling Case of Richard Glossip. *The Atlantic*. 16 September.

Forsyth, Jim. 2012. John Balentine, On Texas Death Row, Has Execution Delayed 3 Times. *The Huffington Post*. 26 August.

Gramlich, John. 2008. Should Murder Accomplices Face Execution? *Texas Death Penalty.*13 August.

Grann, David. 2009. Trial by Fire: Did Texas Execute an Innocent Man? *The New Yorker*. 7 September.

Grissom, Brandi. 2015. Ex-Marine on Death Row says Jurors should have been told more about PTSD. *Dallas Morning News*. 2 August.

Harris, Gardiner, and Mike McPhate. 2016. John Hinckley, Who Tried to Kill Reagan, Will Be Released. *New York Times*. 27 July.

Harris, Gardiner, and Mike McPhate. 2016. John Hinckley, Who Tried to Kill Reagan, Will Be Released. *New York Times*. 27 July.

Hasselle, Della, and John Simerman. 2016. Questions Over Conduct of Louisiana Prosecutors is Before Supreme Court. *The Lens.* 12 June.

Hedayati, Hooman. 2016. In Texas Death Row Case, Punishment Does not Fit Crime. *Austin American-Statesman*. 18 July.

Hoberock, Barbara. 2016. Oklahoma Gov. Mary Fallin signs bill adding nitrogen gas as state execution method. *Tulsa World*. 31 May.

Hsu, Spencer S. 2016. FBI Admits Flaws in Hair Analysis over Decades. *Washington Post*. 18 April.

Johnson Jr., John. 2011. How Los Angeles Covered Up the Massacre of 17 Chinese. *LA Weekly*. 10 March.

Kaste, Martin. 2015. Justice Scalia: “Wouldn’t Surprise Me” If Supreme Court Strikes Down Death Penalty. *National Public Radio – NPR.* 21 October.

Khalek, Rania. 2013. The Death Row Torture of Warren Hill. *The Nation*. 14 August.

King, Gilbert. 2011. Edison vs. Westinghouse: A Shocking Rivalry. *Smithsonian.com*. 11 October.

Leblanc, Clif. 2015. South Carolina’s Infamous Serial Killer, “Pee Wee” Gaskins. *The State*. 10 November.

Liptak, Adam. 2016a. Supreme Court Skeptical on a Speedy Trial Argument. *New York Times.* 28 March.

Liptak, Adam. 2016b. Supreme Court Rules Right to Speedy Trial Ends at Guilty Verdict. *New York Times*. 19 May.

Liptak, Adam. 2016c. Justices Hear Texas Death Penalty Case Involving Intellectual Disability. *New York Times*. 29 November.

Lucero, Jordann. 2016. Timeline of Events in Richard Glossip’s Case. *Fox 25*. 28 September.

McCullough, Jolie. 2016. Rally Questions Death Penalty for Texas Man Who Didn't Pull Trigger. *Texas Tribune*. 23 July.

McDaniel, Chris, and Chris Geidner. 2016. Pharmacy Argues There’s A First Amendment Right To Secretly Sell Execution Drugs. *Buzzfeed.com.* 25 September.

McGarrahan, Ellen. 1999. Florida Juice: The Sunshine State's Love Affair with the Electric Chair. *Slate.com*. 22 July.

Migdail-Smith, Liam. 2016. Executing Justice: A look at the Cost of Pennsylvania's Death Penalty. *The Reading Eagle*. 19 June.

New York Times. 1890. Far Worse Than Hanging. *The New York Times*. August 7.

Peralta, Eyder. 2015. Oklahoma Used The Wrong Drug To Execute Charles Warner. *NPR*. 8 October.

Pilkington, Ed. 2011. Manuel Valle Execution Carried Out Amid Fight over ‘Cruel’ Injection. *The Guardian*. 29 September.

Reyes, Jessica Masulli. 2016. Court: Delaware’s death penalty law is unconstitutional. *Delaware News Journal*. 2 August.

Richinick, Michele. 2015. Supreme Court Grants Stay of Execution for Three Oklahoma Inmates. *Msnbc.com*. 28 January.

Robertson, Campbell. 2014. South Carolina Judge Vacates Conviction of George Stinney in 1944 Execution. *New York Times*. 17 December.

Sack, Kevin, and Alan Blinder. 2017. Dylan Roof Himself Rejects Best Defense Against Execution. *New York Times*. 1 January.

Sanburn, Josh. 2014. Creator of Lethal Injection Method: “I Don’t See Anything That is More Humane”. *Time*. 15 May.

Weisberg, Jacob. 1991. This is Your Death. *The New Republic*. 1 July. 23-27.

Welsh-Huggins, Andrew. 2015. Problems Obtaining Lethal Injection Drugs Force Ohio to Delay Executions Until 2017. *U.S. News and World Report*. 12 April.

# Court Cases

*Atkins* v. *Virginia*, 536 U.S. 304 (2002)

*Barefoot* v. *Estelle*, 463 U.S. 880 (1983)

*Barnard* v. *Collins*, 13 F.3d 871 (1994)

*Callins v. Callins* 510 U.S. 1141 (1994)

*Coker* v. *Georgia*,433 U.S. 584 (1977)

*Connick* v. *Thompson*, 563 U.S. \_\_\_ (2011)

*Ford* v. *Wainwright*, 477 U.S. 399 (1986)

*Furman* v. *Georgia*, 408 U.S. 238 (1972)

*Godfrey* v. *Georgia*, 446 U.S. 420 (1980)

*Gregg* v. *Georgia,* 428 U.S. 153 (1976)

*Hall* v. *Florida*, 572 U.S. \_\_\_ (2014)

In Re Troy Anthony Davis 557 US \_\_\_\_ (2009)

*Jones v. Chappell*, F.3d, CD. Cal. No. CV 09-02158-CJC (2014)

*Kennedy* v. *Louisiana*, 554 US 407 (2008)

*Lockett v. Ohio* 438 US 586 (1978)

*Maynard* v. *Cartwright*, 486 U.S. 356 (1988)

*McCleskey* v. *Kemp* 481 U.S. 279 (1987)

*McGautha v. California* 402 U.S. 183 (1971)

*People v. Edwards*. Cal. App. 3d. No. A052052. (1991)

*People v. Morales,* Cal.App. No. G051142 (2016)

*Pulley v. Harris* 465 U.S. 37 (1984)

Skipper v. South Carolina, 476 U.S. 1 (1986).

*Trop v. Dulles*, 356 U.S. 86 (1958).

*Walton v. Arizona*, 497 U.S. 639 (1990)

*White v Dugger,* 483 U.S. 1045 (1987).

Woodson v. North Carolina, 428 U.S. 280 (1976).

*Zant v. Stephens,*462 U.S. 862 (1983).

1. Because of the wide availability of searchable news databases, we have not provided URL addresses. All of the news stories we cite are easily found through a simple internet search. [↑](#endnote-ref-1)