

POLI 203
Spring 2018
Prof. Baumgartner
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Possible individual / group projects.

1. Document conditions on death row in various states: How are the inmates housed?
 - a. For Louisiana, start with these two resources: <https://ssrn.com/abstract=3063481> and <https://www.dropbox.com/s/4u05acroup1llar/Glenn%20interview%20July%202014.mp4?dl=0>
 - b. <https://www.azcentral.com/story/news/local/arizona-investigations/2017/12/19/arizona-death-row-inmates-moved-giving-more-human-contact-socialization/951808001/>
 - c. <https://www.themarshallproject.org/2017/07/23/condemned-to-death-and-solitary-confinement>
2. Document cases of cancelled / stayed executions more fully than in the book. Pick a state and be as complete as possible.
3. Following the 1972 *Furman* decision, North Carolina enacted a system of mandatory death sentences for those convicted of eligible crimes. Between the passage of this law and the 1976 *Woodson v. North Carolina* decision, 125 individuals were sentenced to death. Using legal and media research, make a spreadsheet listing the name, county of conviction, date of crime, date of conviction, and date of reversal of the sentence. This information is currently unavailable. After making the spreadsheet, analyze the data: which counties were the biggest users of the death penalty during this period, and how does that differ in later periods (where I can provide you with the data).
4. The chapter on public opinion in the book focuses on aggregate changes over time, and from place to place. However, we do not address the individual-level question of what kinds of people are more likely to support and oppose the death penalty. There is a large literature on this within political science and sociology, however. Review and summarize this literature. Who supports the death penalty? Who opposes it? How big are these gaps? (see some citations attached)
5. In Brandon Garrett's book *End of its Rope*, he shows that death sentences correlate with the number of white homicide victims, but not with that of black victims, comparing counties across the US. Compile homicides by race by county from CDC sources so we can re-create this project. CDC mortality data The CDC death publications were really easy to find. Data from the past 55 years is compiled here: <http://www.nber.org/data/vital-statistics-mortality-data-multiple-cause-of-death.html> The codebook is here: <http://www.nber.org/mortality/2015/mort2015.pdf>. We would want to count the number of homicide victims by race and gender, by year, by county. Then we'll

compare those to death sentences and executions, also by county. I have the death sentence and executions data already. The job is to compile the homicide data for black men, white men, black women, white women, and other victims.

6. Replicate the power law of death for sentences, not executions.
7. Update the maps used in the book. And make new maps with death sentences. And make maps for individual states where there are enough cases to document.
8. Look up dates of adoption of LWOP and the previous harshest sentence before LWOP, by state. Discuss the impact of the LWOP penalty on the death penalty.
9. Torture: enhance the discussion of the on-again off-again element of reversals and stays. Find more examples of cases reversed multiple times, or inmates with many stays of execution.
10. Review the findings of the Capital Jury Project and propose a new section in the book summarizing those findings
 - a. Start with these (incomplete) citations and go from there:
 - b. Johnson, Sheri Lynn, Amelia Courtney Hritz, Caisa Elizabeth Royer, and John H. Blume. 2016. When Empathy Bites Back: Cautionary Tales from Neuroscience for Capital Sentencing. *Fordham Law Review* 85, 2: 573–598.
 - c. Mona Lynch and Craig Haney. Mapping the racial bias of the white male capital juror: Jury composition and the “empathic divide”. *45 Law and Society Review* 69-102 (2011).
 - d. Lynch, Mona, and Craig Haney. 2015. Emotion, Authority, and Death: (Raced) Negotiations in Mock Capital Jury Deliberations. *Law and Social Inquiry* 40: 395–400.
 - e. Craig Haney, Condemning the Other in Death Penalty Trials: Biographical Racism, Structural Mitigation, and the Empathic Divide, *53 DEPAUL L. REV.* 1557, 1558 (2004).
 - f. Mona Lynch & Craig Haney, Looking Across the Empathic Divide: Racialized Decision Making on the Capital Jury, 2011 *MICH. ST. L. REV.* 573, 590.
11. Review the state-aggravators section and verify / correct / clarify. Link to *Hildago v. Arizona* (2017)
12. Identify a section of the book that you find unclear, confusing, wrong, or in need of more work. Propose a new section to improve it.
13. Identify an “error of omission” in the book and propose a new section that would be good to include.
14. Review the decisions in France, UK, Germany or other European countries to abolish the death penalty. What were the arguments; innocence, morality; public opinion support or

- elite decision? Review the reasons for the use of the death penalty in those countries still using it.
15. Review the situation in countries of central and eastern Europe which have sought to join the EU, but have had to agree to abolish the death penalty. Some politicians have called for the reinstatement of the death penalty in these countries, including Hungary. Review and analyze these situations.
 16. Discuss the lack of use of the judicial death penalty in Latin America. What explains this? Compare to other regions of the world, including East Asia where it is more common. Review the literature seeking to explain these regional differences.
 - a. Bae, S. 2011. International Norms, Domestic Politics, and the Death Penalty: Comparing Japan, South Korea, and Taiwan. *Comparative Politics* 44, 1: 41–58.
 17. Take any graphic or table in the book and make it an interactive web page.
 18. Identify cases where factually innocent individuals may have been executed, in the modern period. Explain the cases. Start with Cameron Willingham and Carlos DeLuna. Add more cases as well.
 19. Identify cases where executions have been particularly botched, and explain / document.
 20. Discuss possible scenarios where the death penalty could come back more strongly. Recent trends are against the death penalty. But what scenarios could cause this to reverse, again?
 21. Who are the strongest supporters of the death penalty in American politics? What has caused them not to be as active in recent years? What would make a pro-death penalty movement more feasible / effective? Is this likely?
 22. Consider right-wing political movements in the US and in western Europe. How many focus on the death penalty? What are their arguments? How popular is this?
 23. Review the literature on police interrogations and evaluate. (I have some PDFs collected as a starting point.) Write a section on how these are done and how they can go wrong, leading to false convictions.
 24. Compare how police interrogations are done in the US and in the UK.
 25. Compare how “motivated testimony” works in various countries. Motivated testimony is when the police or DA agrees to give something of value, such as reduced charges, in exchange for favorable testimony.
 26. Evaluate the impact of “tip lines” and places where citizens can call the police with a tip, and receive an award if a criminal is prosecuted based on this. Would you turn in someone against whom you have a grudge? What are the protections against misuse?

27. Review press coverage of the executions in North Carolina, based on a collection of newspaper articles Baumgartner has collected for each inmate executed in the modern time. Analyze the amount and type of coverage each inmate received, and think of why.
28. Review the Carmichael / Jacobs studies listed below and summarize / evaluate.
29. On p. 10 of *Deadly Justice* we write very briefly about how Florida was the first state to re-enact its death penalty law in 1972 after *Furman*. North Carolina also enacted a new law making the death penalty mandatory for all eligible crimes, and this was struck down in 1976 as unconstitutional. Find all the newspaper stories from the Raleigh and Charlotte News and Observer (both papers) relating to the legislative debate about enacting the law in 1973 and then revising it after the 1976 *Woodson v. North Carolina* decision. Explain the politics of it, summarizing the debate based on this news coverage as well as the legislative record from the General Assembly and any statements from the Governor or other political leaders.
30. Develop your own ideas.

Note: Work in groups or on your own. I prefer than you work in groups of 3 to 5, but divide up the work so that each person is responsible for certain things. The goal is to write a section that would go right in the book. Write it in exactly the format you see in the book, in terms of tone, language, all that. Make it read as a professional document, copy-edited, and just right. Include bibliographical references that you use in the text. Err on the side of being longer rather than shorter than what you think might be needed. In an appendix, provide any background notes, citations, and the like which might be useful. Also make sure you save PDF copies of any articles you use in case we want to follow up on them.

Bibliographies to start from:***International comparisons on public opinion and abolition:***

- d. Finckenauer, J. O. 1988. Public Support for the Death Penalty: Retribution as Just Deserts or Retribution as Revenge? *Justice Quarterly* 5, 1: 81–100.
- e. Hessing, D.J, J.W. de Keijser, and H Elffers. 2003. Explaining Capital Punishment Support in an Abolitionist Country: The Case of the Netherlands. *Law and Human Behavior* 27, 6: 605–622.
- f. McGann, A., and W. Sandholtz. 2012. Patterns of Death Penalty Abolition, 1960–2005: Domestic and International Factors. *International Studies Quarterly* 56, 2: 275–289.
- g. Seltzer, R., and J.P. McCormick. 1987. The Impact of Crime Victimization and Fear of Crime on Attitudes toward Death Penalty Defendants. *Violence and Victims* 2, 2: 99–114.
- h. Thomas, C.W., and R. Howard. 1977. Public Attitudes toward Capital Punishment: A Comparative Analysis. *Journal of Behavioral Economics* 6: 189–216.
- i. Tyler, T. R. and R. Weber. 1982. Support for the Death Penalty: Instrumental Response to Crime or Symbolic Attitude? *Law and Society Review* 17, 1: 21–45.

Sociology of the Death Penalty

- j. Jacobs, David and Jason T. Carmichael. 2001. The Political Sociology of the Death Penalty: A Pooled Time-Series Analysis. *American Sociological Review* 67 (1): 109–31.
- k. Jacobs, David and Jason T. Carmichael. 2001. The Politics of Punishment across Time and Space: A Pooled Time-Series Analysis of Imprisonment Rates. *Social Forces* 80 (1): 61–89.
- l. Jacobs, David and Jason T. Carmichael. 2002. Subordination and Violence against State Control Agents: Testing Political Explanations for Lethal Assaults against the Police. *Social Forces*. 80:1223-51.
- m. Jacobs, David and Jason T. Carmichael. 2004. Ideology, Social Threat, and the Death Sentence: Capital Sentences across Time and Space. *Social Forces* 83 (1): 249–78.
- n. Jacobs, David and Katherine Wood. 1999. Interracial Conflict and Interracial Homicide: Do Political and Economic Rivalries Explain White Killings of Blacks or Black Killings of Whites? *American Journal of Sociology*. 105:157-90.
- o. Jacobs, David, Zhenchao Qian, Jason T. Charmichael, and Stephanie L. Kent. 2007. Who Survives on Death Row? An Individual and Contextual Analysis. *American Sociological Review*, 72, 4: 610-632.

Clearly, it's important to look up Jason T. Charmichael and see what else he may have published, and David Jacobs as well.

Public Opinion Studies (a start):

- Bohm, R. M. American Death Penalty Attitudes: A Critical Examination of Recent Evidence. *Criminal Justice and Behavior* 14: 380–396.
- Bohm, R. M. and B. L. Vogel. 1994. A Comparison of Factors Associated with Uninformed and Informed Death Penalty Opinions. *Journal of Criminal Justice* 22, 2: 125–143.
- Bohm, R. M., B. L. Vogel, and A.A. Maisto. 1993. Knowledge and Death Penalty Opinion: A Panel Study. *Journal of Criminal Justice* 21: 29–45.
- Bowers, W. J., M. Vandiver, and P.H. Dugan. 1994. A New Look at Public Opinion on Capital Punishment: What Citizens and Legislators Prefer. *American Journal of Criminal Law* 22: 77–150.
- Ellsworth, Phoebe C. and L. Ross. 1983. Public Opinion and Capital Punishment: A Close Examination of the Views of Abolitionists and Retentionists. *Crime and Delinquency* 29: 116–169.
- Soss, Joe, Laura Lanbein, and A. R. Metelkko. 2003. Why Do White Americans Support the Death Penalty? *Journal of Politics* 65: 379–421.
- Stack, S. 2000. Support for the Death Penalty: A Gender Specific Analysis. *Sex Roles* 43: 163–179.
- Stack, S. 2003. Authoritarianism and Support for the Death Penalty: A Multivariate Analysis. *Sociological Focus* 36: 333–352.
- Stack, S. 2004. Public Opinion on the Death Penalty: Analysis of Individual-Level Data from 17 Nations. *International Criminal Justice Review* 14: 69–98.