

Why I support the Death Penalty

BY Edward Koch NEWSMAX Wednesday, May 2, 2012, 12:14 PM

Koch was a U.S. Representative and mayor of New York.



Dr. William Petit Jr., listens to the debate over Connecticut's death penalty with his sister. Petit's wife and two daughters were killed in a 2007 home invasion.

(AP Image)

§1. A New York Times editorial on April 27 continued the paper's ongoing campaign over the years to end the death penalty in the United States.

The editorial points out that only 33 states retain the death penalty. New York is not one of them. Wikipedia notes how that came to be. It reports: "People v. LaValle, 3 N.Y.3d 88 (2004), was a landmark decision by the New York Court of Appeals, the highest court in the U.S. state of New York, in which the court ruled that the state's death penalty statute was unconstitutional because of the statute's direction on how the jury was to be instructed in case of

deadlock. New York has since been without the death penalty, as the law has not been amended."

§2. The Times cites a recent report issued by the National Research Council, which "has now reached the striking and convincing conclusion that all of the research about deterrence and the death penalty done in the past generation, including by some first-rank scholars at the most prestigious universities, should be ignored."

Why?

The Times editorial continued, "A lot of the research assumes that 'potential murderers respond to the objective risk of execution,' but only one in six of the people sentenced to death in the last 35 years have been executed and no study properly took that diminished risk into account."

Is it reasonable to believe that potential murderers were aware of the statistic that most death penalty sentences were not being carried out? I, having a scholarly interest in the topic, was not aware of this fact.

§3. Putting aside deterrence, supporters emphasize a second reason for continuing the death penalty: society needs to show its moral outrage at particularly heinous crimes, such as the one committed in Connecticut in July, 2007. That crime involved the brutal raping of a 48-year-old

woman and one of her daughters. Both daughters, one 17 years old, and the other 11 years old, were tied to their beds and perished when their house was set on fire.

The two men, apprehended and convicted of the crimes in separate trials, were sentenced to death. Last week Connecticut's Gov. Dannel Malloy signed a law abolishing the death penalty in that state.

§4. Amazingly, after the incessant campaign by death penalty opponents, an October 2011 Gallup Poll showed that 61 percent of Americans still support the penalty, down from an all-time high of 80 percent in 1994.

I remain one of those who support the death penalty and, as of this moment in time, the U.S. Supreme Court's decision finding the death penalty constitutional remains the law of the land.

I do not believe there is a single case in the U.S. where academics and law enforcement authorities agree that an innocent person has been put to death. Yes, innocent people have been convicted at trial, but as a result of appeals, they have been exonerated before the sentence was carried out.

§5. Even if opponents were to cite such a case, I would still support having the penalty available as an option in particularly heinous murders. The reason being that many more innocent lives would be saved because of the deterrence factor.

Death penalty opponents always claim racism in the meting out of the penalty, conveying that blacks and Hispanics are victims of that racism. What they rarely state is that while proportionate to the population, whites commit fewer murders than blacks and Hispanics, they receive the death penalty in greater numbers.

The cry of racism by the opponents really stems from the contention that the murderers of minority victims are given prison sentences to a greater degree than death sentences, whereas the murderers of white victims are more likely to be given death sentences.

Those opponents don't urge that more minority murderers of minorities be given the death penalty in larger numbers upon conviction, but rather that no one suffer that penalty.

§6. Also, did anyone at the Times editorial board consider what the effect on the murder rate in the U.S. might be if instead of one in six executions being carried out, six in six were timely executed and reported on the front pages of the Times and other papers?

Death penalty opponents certainly have the right to express their views as they have successfully done for many years, causing a reduction in support for the penalty.

§7. Regrettably, their editorials have frightened many in the public from speaking out in favor of retaining the death penalty for fear of being labeled racist when such a charge is manifestly unfair. I hope those "first-rank scholars at the most prestigious universities" supporting the death

penalty (I don't recall the Times referring to their opinions in its prior editorials) will now speak out.

I also hope that other death penalty supporters get involved in this discussion. Don't be frightened into silence.

Edward Koch was the 105th mayor of New York City for three terms, from 1978 to 1989. He previously served for nine years as a congressman.