Juveniles: Too Young To Die? Essay, Research Paper

Juveniles: Too Young To Die?

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English Comp. I A

Mr. Keller

In 1643 a sixteen year old boy was put to death for sodomizing a cow.

Three hundred and fifty years later, sixteen states have legitimized the

execution of juveniles. Four of those twelve states have lowered the legal age

of execution to twelve. For whatever reasons the death penalty has been

supported by the public since this country’s existence. In this day and age of

increasing violence, both juvenile and adult, it is time to re-examine the use

of the death penalty as the ultimate solution to crime. The social repercussions

of enforcing the state executions of juveniles far outweigh any of the benefits

that may be gained.

The cry for the death penalty is most loudly heard when referring to it

as use of a deterrent. According to Allen Kale “it is estimated that about 76%

of the American public support the use of the death penalty as a deterrent,

however that support drops to less than 9% when referring specifically to

juveniles.” (Kale 1) The mindset of the American public seems to be drastically

different when dealing juveniles. And yet, with only 9% of the public supporting

the policy, it remains in effect.

Another strong outcry for the death penalty comes from those wanting

restitution for the death of a loved one. It is the thought that a life is the

ultimate price to pay which fuels this argument. The delineation between adults

and juveniles is much less clear on this point. Age doesn’t seem to make much of

a difference when dealing with restitution. Putting an individual to death seems

to put the minds of certain individuals at ease. This argument is what makes

that 9% seem to be the vast majority.

The distinction between juveniles and adults is a very important one.

It is often a deciding factor when one is choosing to support the death penalty

or not. Although the difference often consists of just a few short years, it is

those years which make all the difference. Often its deterrent effect and costs

are greatly affected by age and maturity. In fact, most theories and reasons for

supporting the death penalty are flawed when applying them to juveniles.

The debate over whether or not the death penalty is an effective

deterrent is likely to continue as long as it is in place. However, its

deterrent effect towards juveniles is more obvious. There are several reasons

why the death penalty does not deter children. The death penalty has a very

unique effect on juveniles. It has now become an ineffective means of deterring

crime while in some cases actually acting as an incentive for crime.

The first reason the death penalty is an ineffective tool for law

enforcement has to do with the hypocrisy surrounding the policy. Because the

state is actively taking part in killing, the death penalty is seen as

hypocritical by juveniles. It is of course, hard to believe that juveniles not

murder when they regularly see it being done by the government with the apparent

approval of society. This was supported when Victor Strieb stated that

“Now they see government officials struggling with a problem of their

own,

a person whose behavior is unacceptable to them. How do government

officials solve their problem? They kill or execute the person who is

causing the problem. Is it wrong to kill someone to solve a problem?…

It is

akin to a lecture to children about the evils of smoking being

delivered by a

lecturer who is puffing on a cigarette.” (Strieb 61)

The next deals with the lack of maturity that most juveniles show. Every

juvenile is dealing with enormous amounts of stress everyday. It is these

pressures that affect the deterrent effect of the juvenile death penalty. Each

juvenile deals with this stress in a different way, however, because of this

stress, many adolescents act impulsively at times. Henry Heft explains that

“Peer pressure and family environment subject adolescents to enormous

psychological and emotional stress. Adolescents respond to stressful

situations by acting impulsively and without the mature judgments

expected

from adults. These characteristics are shared by all

adolescents…Thus, the

possibility of capitol punishment is meaningless to juveniles and has

no

deterrent effect.” (Heft 30)

Finally it can be seen that not only does the death penalty hold no

deterrent for juveniles but in some cases it act as an incentive for crime. This

can happen for two separate reasons. The first deals with the peer pressure

mentioned above. Because death is seen as “the ultimate stake” the committing of

a crime that would warrant the death penalty could put a juvenile in a position

to gain great respect from his peers. The second deals with the hypocrisy, also

mentioned above. With the state legitimizing killing as it does, some minors are

compelled and encouraged to commit crime. It is as though they feel no

responsibility to abide by the laws the government sets down when that

government doesn’t follow them itself.

The problems surrounding the death penalty go far beyond the actual

juveniles (un)affected by it. Through the debate over it’s justification as well

as the actual carrying out of an execution all of society is affected. These

effects range from the millions being spent on the appeals process to the racist

way it is carried out. Whatever the effect may be, it is not something that can

be swept under the rug. These are issues which are present in everyone’s life.

Proponents of the death penalty like it because it saves billions

compared to life in prison. That would be true if one were comparing the cost of

electricity for the electric chair, or the price of rope for a hanging.

Unfortunately these are not the only costs involved with putting a person to

death. There are a countless number of appeals granted in every capital case.

All of these cases require prosecutors, defense attorneys, and other court fees;

all of which costs money. The majority of this money ends up falling onto the

taxpayers, seeing as most juveniles in capital cases lack the needed funds. The

bottom line is that the average death row case costs a significant amount more

then life imprisonment would. In fact Carl Horwitz explains that “In comparison

to life imprisonment capitol cases cost about two million dollars more.”

(Horwitz 4) These costs come about largely in part because of the extensive

appeals process that is involved in every capital case.”

Possibly the worst result of having the death penalty is its tendency to

block other programs. This happens for two distinct reasons. The first is

because the death penalty is seen by many as an “end all” solution. With the

death penalty in place it seems as though many feel that nothing else is needed.

However there seems to also be some structural barriers that the death penalty

puts into place. In areas where the juvenile death penalty is in place there are

a lower number of programs such as community policing or midnight basketball.

Bright tells us that

“The policies resulting from this approach are costing our society a

tremendous price in money, in the corruption of the judiciary, and in

diverting millions of dollars from education, drug programs, community

policing, and other programs that would actually help to prevent

crime.”

(Bright 6)

The next way the juvenile death penalty adversely affects society has to

do with an age old dilemma; racism. Time and time again it is argued that

capitol cases are the modern equivalent to something along the line of the Ku

Klux Klan. There are several informal statistics which lead people to believe

that the death penalty is racist. These statistics include the higher number of

capital cases found in the South. However there are more significant arguments

to be made. Racism can be found both in charging, sentencing, and imposition of

the death penalty. Steve Radic tells us that

” Presently, about half the people on death row are from minority

groups

that represent only about twenty percent of the country’s population.

About forty percent of those who have been executed since the death

penalty was allowed to resume in 1976 have been African-Americans,

even though they constitute only twelve percent of the

population.”(Radic 4)

We are living in a time of increased crime and violence. With teenagers

growing up as murders there is obviously something not working. James Fox

believes that

“given the worsening conditions in which children are raised, given the

breakdown of all our institutions as well as of our cultural norms,

given our

wholesale disinvestment in youth, we will likely have many more then

5,000 teen killers per year…. Our nation faces a future bloodbath of

juvenile

violence that will make 1996 look like the good old days.” (Fox 71)

When it comes down to it, it is time to start working on crime before it

happens rather then after. One way to start this process it to eliminate one of

the most costly, racist, and ineffective policy ever enacted in this country.

Clearly there are issues surrounding the death penalty which need to be

addressed. If it is to continue to be used it must be re-examined. There are

several factors which need to be taken into consideration; not simply the sleep

that families can get after an execution. Whether it’s the costs, its use as a

deterrent, the death penalty continues to fail its intended purpose. This is not

something to be ignored, and it is not something that “they” have to deal with.

The impacts of the death penalty affect us all. If nothing else these juveniles

are simply too young.

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