

1. Record Nr.	UNINA9910798397703321
Titolo	Race and the death penalty : the legacy of McCleskey v. Kemp // edited by David P. Keys and R. J. Maratea
Pubbl/distr/stampa	Boulder, Colorado ; ; London, [England] : , : Lynne Rienner Publishers, , 2016 ©2016
ISBN	1-78785-811-1 1-62637-513-5
Descrizione fisica	1 online resource (231 p.)
Disciplina	345.73/0773
Soggetti	Capital punishment - United States Discrimination in capital punishment - United States Discrimination in criminal justice administration - United States
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Description based upon print version of record.
Nota di bibliografia	Includes bibliographical references and index.
Nota di contenuto	Title Page ; Copyright page ; Dedication page ; Contents ; Tables and Figures ; Table 5.1 Likelihood of Prosecutor Seeking the Death Penalty and Capital Punishment Being Sentenced Based on Race of Defendant and Victim; Table 7.1 Probability of Prosecutor Seeking a Death Sentence by Offender and Victim's Race and Offender/Victim Racial Combinations; Table 7.2 Probability of Prosecutor Seeking a Death Sentence by Location of the Homicide; Table 7.3 Logistic Regression Results for the Decision of the Prosecutor to Seek a Death Sentence, Case Characteristics Table 7.4 Logistic Regression Results for the Decision of the Prosecutor to Seek a Death Sentence, Adjusted Racial and Geographic Factors Table 7.5 Covariate Balance Before and After Case Matching on Race of Victim and Urban/Rural (reported as proportions); Table 9.1 Probability of Prosecutor Charging Capital Homicide (Phase 1); Table 9.2 Probability of Prosecutor Requesting Death Penalty(Phase 2); Table 9.3 Probability of Death Sentence (Phase 3); Figure 11.1 Comparing Death Row Populations and Executions in Texas and California; Acknowledgments Chapter 1- Racial Bias and Capital Punishment Part 1- The Crisis of Race and Capital Punishment ; Chapter 2- McCleskey v. Kemp and the

Reaffirmation of Separate but Equal ; Placing McCleskey in Historical Context ; Institutionalized Discrimination and Capital Punishment; What Is to Be Done?; Note ; Chapter 3- Revisiting McCleskey v. Kemp: A Failure of Sociological Imagination?; The Baldus Study; McCleskey v. Kemp: "Private Trouble" or "Public Issue"?; Assumptions of the Court's Legal Theory; Chapter 4- McCleskey and the Lingering Problem of "Race"; The Death Penalty: Still Discriminatory
How McCleskey Ensures the Death Penalty Remains Arbitrary
Conclusion; Notes; Part 2- Race, Class, and Capital Sentencing ; Chapter 5- Overcoming Moral Peril: How Empirical Research Can Affect Death Penalty Debates; Morality and the Death Penalty Debate; From the Moral to the Empirical: Using Data to Evaluate the Efficacy of Capital Punishment; Judicial Interpretations of Statistical Data Pertaining to Capital Punishment; Conclusion; Notes; Chapter 6- Capital Sentencing and Structural Racism: The Source of Bias; The Role of the Prosecutor; Role of the Capital Jury; The Sources of Racial Bias Potential Remedies
Conclusion; Notes; Chapter 7- Capital Case Processing in Georgia After McCleskey: More of the Same ; Research on Capital Sentencing; Data Sources; Results; Discussion; Appendix A: Case Characteristics; Appendix B: Georgia Statutory Aggravating Factors; Notes; Chapter 8- Addressing Contradictions with the Social Psychology of Capital Juries and Racial Bias; Juror Characteristics; Stereotypes, Concentration, and the Capital Jury; Attitude/Stereotype Concentration and Group Polarization; Intensification of Juror Attitudes and Perceptions; Group Polarization; Conclusion ; Notes
Chapter 9- Nothing Succeeds Like Failure: Race, Decisionmaking, and Proportionality in Oklahoma Homicide Trials, 1973-2010

Sommario/riassunto

In what has been called the Dred Scott decision of our times, the US Supreme Court found in *McCleskey v. Kemp* that evidence of overwhelming racial disparities in the capital punishment process could not be admitted in individual capital cases-in effect institutionalizing a racially unequal system of criminal justice. Exploring the enduring legacy of this radical decision nearly three decades later, the authors of *Race and the Death Penalty* examine the persistence of racial discrimination in the practice of capital punishment, the dynamics that drive it, and the human consequences of both.
