

Life or Death?: Clemency Arguments

Today you will receive a document with the facts of a death penalty case. The inmate in your case was found guilty and sentenced to death. You are now one of the attorneys representing the

State/Victim Death Row Inmate

The governor of your state has asked for clemency hearings (*clemency* is an act of mercy by the president or governor to ease the consequences of a criminal act, accusation, or conviction) to determine whether or not the inmates on death row deserve commutation (reduction) of their sentence to life without parole. Your task is to make an argument to the clemency panel that best represents your side's interests in the case.

Your team of attorneys needs to make the best possible argument for your side. Your presentation *must have a visual aid* and should follow this structure:

- **Begin by arguing for or against the overall concept of the death penalty.** Argue the theoretical/philosophical/legal justification of the death penalty in (think about retribution, deterrence, arbitrariness, innocence, cost, representation of counsel, etc). You may include evidence from any of the sources used in class and provided to you. You may do additional research as needed but must CITE your sources when you argue. You may only find your sources through the websites or databases listed below**. *You must also provide a bibliography listing any additional sources you consulted.*
- **Next tell the story of the case.** Do not assume that the clemency panel has any knowledge about the case. They need to know what happened. Be THOROUGH. Think about how to tell the story in a way most favorable to your side. Think about this as setting context for your specific argument.
- **Finally, argue the facts by identifying the MITIGATING or AGGRAVATING factors** that will allow the clemency panel to decide in your favor.
- **Be prepared to rebut the other side**, both in terms of the facts of the case as well as the death penalty overall.
- **Be prepared to answer questions** from the panel.

The responsibilities of each member of your group are up to you; however, *every member must participate in both the preparation and presentation of your argument.* You will be receiving an individual grade for this assignment but it is up to you how much work to do collaboratively and how much to do individually.

On the day of your argument, you must submit:

- a. An outline (either individual or group)
- b. Your visual
- c. Your bibliography (if necessary)
- d. Your preparation sheet

*Sources-

- From Class: *The Execution* (Clifford Boggess), Death Penalty For/Against Arguments, Constitutionality Packet, Sources provided on Blog
- <http://www.capitalpunishmentincontext.org/> (username: kkramer@dist113.org password:Issues2015)
- <http://www.deathpenaltyinfo.org/>
- Any of the Contemporary Issues Databases found on the DHS Library website (CQ Researcher, Opposing Viewpoints, Issues:Understanding Controversy and Society)