That prisoners should be allowed to choose death over a life sentence

Within the prison system, there exist a number of sentences a prisoner may receive. Volunteer work, fines, incarceration and even death are all accepted sentences. Many who are sentenced would prefer a lighter sentence, and an appeal system exists in order to assess and sometimes grant these requests. However, there is no system in place for those who might prefer a harsher sentence, or even to die in place of their assigned sentence. In fact, for those who would otherwise spend a lifetime in prison with no possibility of parole, there are many benefits in allowing them to choose death instead.

Many prisoners view lifelong incarceration sentences as a horrible fate, and there are repeated suits taken to court claiming incarceration is so damaging that it constitutes cruel and unusual punishment (source: https://law.justia.com/constitution/us/amendment-08/15-prisons-and-punishment.html). Theoretically, many of these inmates may see punishment in this manner as more damaging to them than simply ending their life. All first world countries protect a citizen’s right to make their own choices, but our current incarceration system allows no choice for a prisoner if he has no possibility of parole and does not wish to remain incarcerated.

By providing the option for prisoners to choose death instead, an option becomes available for those that were otherwise unable to do anything except suffer a lifetime sentence. Providing prisoners with the ability to choose the sentence that they prefer is honoring their protected right of choice by allowing them another option.

Some inmates experience extreme feelings of guilt or regret after they are imprisoned for their actions. They may become deeply depressed, or otherwise become incapable of moving on from their pasts. This kind of development leaves someone entirely sane, but nonetheless severely incapacitated mentally. The incarcerated are one of the most overlooked groups in clinical psychology, making them much more likely to suffer these ailments without resolution (source: http://www.apa.org/monitor/julaug03/helping.aspx).
For inmates like this, death may be preferable to continuing to live. Some of them even attempt suicide, and have to be placed on suicide watch to prevent a successful suicide.

Allowing inmates like this to choose a painless death would be helpful for them at little cost to society, and would save resources by curtailing the necessity of keeping them on a suicide watch or trying to hire additional clinical psychologists. Freeing these resources could potentially allow them to be used in a way that better benefits society, in helping someone else in prison who may one day rejoin society.

A second means of saving money is also evident in allowing those with life sentences to instead choose death.

Executing a death sentence for someone is an extremely expensive process - far more expensive than having them serve life in prison. This is because of the cost of all the court appeals someone on death row goes through before they can be put to death. The actual cost of a lethal injection is very cheap (source: https://deathpenaltyinfo.org/costs-why-death-penalty-costs-so-much).

If someone chose a death sentence in place of a life system without possibility of parole, they would bypass both the costs of the appeal process and those incurred by keeping them incarcerated for life. This represents a large sum of money saved by both the state (for the appeals) and the prison system (for day to day costs for the lifetime of the inmate).

All the benefits I have mentioned so far are indirect benefits to society, and may seem negligible in how much positive impact they really represent. However, there is a more direct benefit to society that should also be considered in allowing these prisoners to choose death.

While the possibility is slim, a living inmate does always have the potential to commit additional crimes to those around him. In many cases, these crimes may be committed on other prisoners. However, some prisoners have successfully escaped prison for short periods of time and committed additional crimes on civilians before they were re-apprehended (source:...
In addition, incarcerated prisoners do communicate with one another, and often share their knowledge with outside sources as well. This can lead someone to commit a major crime with the knowledge gained from an inmate who remains incarcerated.

If a criminal chooses to be put to death, all possibility of that inmate committing or encouraging a further crime is completely removed. This is a direct benefit to society that can only be achieved by that inmate's death.

Changing our existing system to allow prisoners with life sentences without the possibility of parole to instead choose death provides benefits to everyone. It benefits prisoners by allowing them the right to choose death over what they may see as a more repugnant life sentence, or when they just want to end their life due to regret towards what they've done. It benefits prisons and states by freeing up resources that would otherwise be expended in monitoring, supporting and trying cases for the inmate. Most importantly, it benefits you and me by guaranteeing that person has no opportunity to ever harm us or others who are close to us.

nzlockie (CON)

I'll start by thanking my opponent for their opening round, and by welcoming the Judges to another exciting Edeb8!

Lots of ground to cover so let's kick into it!

In this debate my side will be convincing you that **Prisoners should NOT be allowed to choose Execution over a Life Sentence.**

This is a sensitive subject matter and emotions can often cloud the waters, so we're going to try to keep this very clean.

How a society treats their criminals is a very telling reflection on that society, so we take this matter very seriously indeed.

**Definitions:**
Couple of critical points here, which we're not expecting too much resistance on. Just so that we are all clear about the resolution though, we will be assuming the following:

**Prisoners** will have been found guilty in a court of Law and sentenced to...

...**A Life Sentence**. This sentence differs from country to country, so rather than get bogged down in the details, we’re going to be considering this to be a prison sentence for the rest of their natural lives - although the level of prison could change during this period, and in most cases, they will be eligible for Parole after serving a minimum length of time, usually between 17 and 30 years. Faced with a lengthy stay in the Big House, there may be times where a convicted person may prefer their sentence to be changed to...

...**Death**. In this instance, they’ll be expected to undergo the usual protocol for a state mandated Execution, namely, a period of incarceration while t's are crossed and i's are dotted, a big meal while the hamster charges up 'ol Sparky, and then finally, Execution by whatever the current method of the time is. It will be noted though that they may waive their right to the Appeals process, and thus expedite their sentence.

**Our side will be arguing that this choice should be denied.** In fact they should never even be given that option.

**ONE IMPORTANT NOTE THOUGH!**
As per our understanding of the resolution, we will NOT be denying the UNCONVICTED person from petitioning the court for the Death Penalty DURING the trial. Since this may unfairly sway a jury that doesn’t believe in the death penalty, this would not be our personal preference, but we don’t see this as "CHOOSING" a sentence - since they haven’t even been found guilty yet.

Along a similar line, we won’t be contesting the prisoner’s right to **REQUEST** a harsher sentence than the one the law has set out for them, although we will dispute their right to request the Death Penalty.

HOWEVER, we WILL be contesting the idea that a prisoner would be found guilty, and then be
presented with the freedom to decide their fate.

**It's our contention that the convicted felon should not be given a choice when it comes to their punishment.**

_They want to die, what's the problem?_

PRO has opened their case by making several assertions that we'll show to be weak, misleading or even, false. We'll address these in round.

Basically their case can be summed up by saying that;

**Prisoners don't like Prison and are unhappy with the prospect of spending long periods of time in there;**

and that, _As long as they're cool with giving up their rights, it's cheaper to kill them._

Our side's case can also essentially be boiled down to two issues:

1. **Prisoners shouldn't get to decide their own fate.**

2. **Euthanasia is illegal.**

But because studies have shown that arguments are more convincing when presented in sets of three, we'll add a third:

3. **Society benefits from not killing people.**

It's our assumption that having considered the issue from our point of view, this whole nasty business can be put to bed and we can get on with binge watching "Taskmaster".

**1. "Orange Jumpsuits make me look fat"**

In her opening round, PRO has made the point that Prison is a horrible place to spend time.

We would respectfully disagree with her inference that they currently violate the 8th Ammendment as being "Cruel and Unusual Punishment", something apparently based on a source citing a handful of cases from almost 50 years ago, in which two of them were overturned by the Supreme Court anyway but we don't contest that they are unpleasant places to
tumed by the Supreme Court anyway, but we don’t contest that they are unpleasant places to be.

But here's the thing Judges, they're SUPPOSED to be unpleasant!
The criminals we're talking about here have committed the worst crimes imaginable. They have violated the rights of other individuals, often to the extent of taking their lives, and have repeatedly thumbed their nose at Society's laws.

In response to their rejection of Society's rules, we have (humanely) removed their right to freedom by incarcerating them.

If this makes them feel sad, or even VERY sad, then I’m afraid to say, that's just something they’re going to have to live with. Ultimately, they still have the opportunity to do this, which is more than can be said for the victims of many of them.

**Convicted Criminals should not have the right to decide their own fate.** They give up this right by violating Society's core beliefs without regard for anyone else's rights.

In 1998 when Michael Passaro requested the Death Penalty after being convicted of the murder of his 2 year old daughter, (burned her alive) attorney Joe Savitz did everything in his power to argue against it. His point was that Passaro saw the **Death Penalty as a reward, not a punishment.**

This is backed up by many other inmates, including **Jodi Arias**, who told the Jury after they found her guilty of stabbing her boyfriend 27 times, then shooting him to death, "**I believe death is the ultimate freedom, so I'd rather have my freedom as soon as I can get it**"

Why are we rewarding these people?!
Why would we let them decide their own punishment?!

**2. "Who do I have to murder to get Euthanasia legalised already?!"**

I know I know, it's an obvious correlation to draw - but that doesn't mean it's not valid. Asking the Government to kill you is exactly the same as asking a doctor to do it.
In her opening round, PRO claims that, "All first world countries protect a citizen's right to make their own choices..." but actually they really don't.

Without getting into ALL the choices that First World countries don’t let you make, let’s just consider the one that is identical to this one: The right to have someone kill you.

In almost ALL countries of the world, Euthanasia is illegal. Even in the countries where it IS legal, it is still a highly contested, and controversial subject. And highly regulated.

One of the key criteria that must be fulfilled, is that the person wishing to die must be in their sound mind, and must not be depressed or coerced.

PRO would have us deny the right to be killed to law abiding citizens, but extend that right to criminals, who by her own description, are "...severely incapacitated mentally."

Her own source, cited in the first round, claims that Prisoners are "...one of the most overlooked groups in clinical psychology, making them much more likely to suffer [severe depression and regret] without resolution."

So two points:
1. Euthanasia is illegal and we can't be breaking the law. Not even for Prisoners.

2. Even if it WERE legal, these Prisoners don't meet the criteria.

3. "I believe in the sanctity of life... except for criminals and unborn babies!"

OK, so it's not an Abortion debate, although while we're there, this is another example of a personal choice not afforded to people in a large number of First World Countries.

Here's the real issue - the Death Penalty is not standard in First World countries around the world. Here's a graph from this article explaining the current global trend AWAY from Capital Punishment:

![Number of Abolitionist Countries](image-url)
Now bear in mind, that this graph covers countries from ALL over the world - not just within the First World.
The fact is that there's a growing movement that recognises that Capital Punishment is NOT a positive way to go. There’s no evidence that it actually deters people from committing crime, and as my evidence earlier in this round indicates, it may not even be much of a punishment for people after they've been convicted of a crime.

This resolution proposes that we should change a system which allows for Innocent people to be pardoned, and has been shown to be a greater punishment for the guilty, in order to prop up an outmoded and increasingly obsolete one.

QUICK COMMENT REGARDING PINGERS:
My opponent made a brief reference to the potential cost savings involved in this resolution. Before this side treats this as a serious argument, we'd like PRO to give us even a rough idea of the numbers of prisoners they think would accept this offer. Because statistically it's very low. Then we’d like the percentages of that already very small group that would be happy to accept the death penalty while waiving their rights to an appeal. Because it's our submission that THAT would be a small percentage.
Tabulate all of those people and then let's discuss the massive cost savings.

First point on the discussion will be exactly how much SHOULD we, as a civilised society, be prepared to pay to ensure that our justice system is humane?

This res is negated y'all - Vote CON!
First, thank you Con for your opening argument!

I would like to start by reviewing the definitions Con outlined in the previous argument.

**Definitions:**

Con stated that this argument is a choice between a Life Sentence and Death. Specifically, he defined a life sentence as "a prison sentence for the rest of their natural lives - although the level of prison could change during this period, and in most cases, they will be eligible for Parole after serving a minimum length of time, usually between 17 and 30 years."

I would like to clarify that for my arguments, I am assuming an exchange of Life Sentence Without Possibility of Parole and Death. This is not an exchange of 17-30 years in prison (which is true for most life sentences) for a death sentence. I make this argument because those who commit crimes commiserate with a death sentence would almost always receive life sentence without possibility of parole in place of that death sentence. This puts the two sentences on a more even playing field with one another.

**Regarding percentages of inmates who waive their rights to appeal for a death sentence:**

My opponent requested statistics regarding whether or not a statistically significant amount of inmates would choose the death sentence in order to determine if potential cost savings could be considered a valid argument. While there is no reliable, comprehensive data about those who would choose a death sentence over life, there are examples where inmates sentenced to death chose to waive their rights to postpone life.
I want to be clear that waiving one's rights for appeals and proceeding immediately to execution is an option available to inmates on death row. It is called volunteering for execution, and approximately 11% of executions in the United States are volunteer. (Source: https://deathpenaltyinfo.org/documents/VolunteersForExecution.pdf)

In addition, the suicide rate for inmates on death row in the United States is 7 times higher than that of normal US citizens. Choosing to commit suicide while awaiting execution can hardly be termed as choosing the right to live. (source: http://onlinelibrary.wiley.com/doi/10.1111/1556-4029.13069/full)

I believe these numbers are significant enough that potential cost savings should be considered as a factor.

1. **What's the point of Prison, anyway?**

In his last argument, Con argued that prisons are SUPPOSED to be unpleasant, and that they should not have the right to decide their own fate, because otherwise it wouldn't be a fair punishment. This argument reminds me of a fight between two siblings, where the brother always takes the sister's toy. Does he want the toy? NO, but he gets to make HER feel unpleasant, and THAT'S more important! It's inspiring to think that our legal system, in operating on the same logic, has reached the level of 7 year-olds.

But, childishness aside, prison sentences exist for a reason. I contend that prisons exist for the
benefit of society; namely for those who are not incarcerated, rather than those that are.

What does this really mean? What I mean, is that we do not put people in prison to punish them. We put people in jail so that they will learn to be better people and come out again, all smiles and sunshine and proceed to have a productive life. We put people in jail because as they are, those people are harmful to the rest of us, and we are trying to protect the greater society by removing them from it, or pushing them to change themselves so they can reintegrate usefully into that society.

Another way of phrasing it: the primary goals of prison is to prevent crime from occurring, and to reform criminals so they may be reintegrated into society.

Now, many different ideas exist about what works best to rehabilitate prisoners, and about what works best to discourage crime. However, there is one clear point that pretty much every one agrees about: increased punishment does not decrease crime, and does not rehabilitate prisoners.

It’s a sad truth, but you just can’t make someone feel so horrible that they evolve into a normal, happy, productive person.

Here are some recent results found when the US Department of Justice conducted some studies:

Figure 2. Comparison of Violent Crime Rate and Life Sentences, 1984-2016
3 year rearrest percentages: 62.5% in 1983, and 67.5% for those in 1994.

Source: https://www.bjs.gov/content/reentry/recidivism.cfm

This data shows us that even though Life Sentences (the most punishing sentence) have increased steadily, crime rates and recidivism (that is, the people who are released from prison and rearrested) have both increased over time. So, clearly, increased punishment does not accomplish the needs society has for a prison system.

Increased use of the death system does not decrease crime either (it is, after all, another form of
Increased use of the death system does not decrease crime either (it is, after all, another form of punishment). However, execution does have a 100% prevention rate for recidivism. A prisoner who is executed will never commit another crime against society, where statistics show an inmate who was released after serving a life sentence likely will.

2. But is it really Euthanasia . . .?

According to the Meriam Webster dictionary, Euthanasia may be defined as:

**Definition of EUTHANASIA**

: the act or practice of killing or permitting the death of hopelessly sick or injured individuals (such as persons or domestic animals) in a relatively painless way for reasons of mercy

So, should we then consider inmates to be hopeless sick or injured? Is an execution granted for reasons on mercy? I do not believe either of these to be the case.

An execution sentence is carried out as a punishment on a healthy inmate in order to remove them from society and prevent them from further preying on that society. As such, it falls completely outside the definition of Euthanasia and cannot be treated with the same standards. There are many countries that hold Euthanasia as illegal and yet still execute prisoners.

Volunteers for execution also fall outside of both the arguments, and are routinely executed in the United States even tho euthanasia is illegal there. This is further grounds that euthanasia as a concept would not apply in this case.

Based on this, I believe Con fails to uphold the burden of proof in claiming that the choice of death sentence should be illegal because Euthanasia is illegal - the two are entirely separate functions. I will await Con’s explanation to justify how an execution of an inmate fits this definition before considering this a valid point.

Side note - when is someone mentally unfit:
Con seems to have been confused about the differences in "being depressed" (as I described in my original argument) and "being of sound mind" ie. mentally competent.

According to this medical encyclopedia (http://medicine.jrank.org/pages/319/Competency-Drawing-line-between-competency-incompetence.html):

_In order to be judged incompetent, patients must have evidence of mental illness that demonstrably affects their judgment about the matter at hand. Neither mental illness nor disturbed judgment alone is sufficient to prove incompetence. Patients with depression, dementia, or even schizophrenia may have adequate decision-making capacity to take responsibility for medical, financial, or other personal decisions._

Severe depression and regret are not grounds to consider someone mentally unfit. Mental competence is the standard we use to judge whether or not someone is capable of making medical decisions for themselves. Therefore, if someone is deemed to be mentally competent, they may choose their own sentence.

3. Capital punishment doesn't lower crime . . . but neither do life sentences.

It's true that many countries around the world choose not to carry out execution of criminals. It is also true that there is some proof that capital punishment may not lower crime in any way.

There is also proof, however, that _life sentences do not lower crime_. So, in terms of lowering crime, both life sentences and capital punishment should be judged equally - neither punishment lowers crime.

_Figure 2. Comparison of Violent Crime Rate and Life Sentences, 1984-2016_
Here is a friendly reminder. See how the graphs don't correlate?

Con also specifies that life sentences increase the possibility of an innocent being pardoned. It is estimated that between 1 and 2% of those incarcerated are innocent (https://www.innocenceproject.org/how-many-innocent-people-are-in-prison/), so an overwhelming majority of pardons would be rewarded to the guilty.

In addition, those who are serving a life sentence without possibility of parole have very little chance of being pardoned. Their only chance is a Gubernatorial pardon.

Con stated the goal of this argument was to prove that society benefits from not killing people. But how does it benefit society if there is a minuscule chance of releasing a most-likely guilty person who is statistically prone to commit more crimes and return to prison within several years anyway?

What if one of those prisoners was to escape, break into a dorm room, and rape and assault 4 women, and murder two of them? Don't think it's possible? Ted Bundy did it (source: https://www.thoughtco.com/ted-bundy-gets-caught-973179).
Imagine waking up with this face standing over you.

But there is an easy solution to prevent this kind of nightmare. If someone requests execution, any possibility they have of escaping and committing more crimes is completely eliminated. Those 4 college girls would have benefited from this, and they’re just one example.

**In closing:**

Con asks, “How much should we, as a civilized society, be prepared to pay to ensure our justice system is humane?”

**hu·mane**

![](https://www.dictionary.com/browse/human)

*adjective*

1. having or showing compassion or benevolence.

*syonyms:* compassionate, kind, considerate, understanding, sympathetic, tolerant; More

I ask, what is more humane that granting someone who feels they will have no more opportunity to really live their life an opportunity to at least end their life at a time and in a manner they see fit? Compassion dictates we consider and sympathize with another’s choices, even if those choices run counter to our own.

Do you want to live in a compassionate world, where people’s views are actually valued and respected? I know I do.

**Choose the humane decision - vote Pro!**
Thanks once again to my esteemed opponent for posting her round!

As we are already well into this debate, in fact into our last constructive round, we won't be contesting PRO's late adjustment to the definition of "Life Sentence".

It's a little frustrating, especially since both sides agree that the definition set in the first round is the usual dictionary definition for the term - but I hate debates where people waste the whole time arguing the definition, so let's roll with it.

"Life Sentence" equals "Life without Parole".

In her first round, PRO has boiled this resolution down to two principles:

1. Prisoners don't like the die of spending the rest of their natural life in Prison, they'd prefer death please.
2. If we just kill them, then we could buy everyone a pony with the left over cash.

We weren't actually sure if PRO's argument regarding the cost savings of killing people being a justification for doing so was a valid point, but from her last round and the pretty graphs she's posted, it's pretty clear that it was. So we will definitely address that this round.

Before we do that though, we'll refocus on her first argument and the rebuttal she's offered to us regarding Euthanasia.

1. Why Prison?

PRO has asserted that Prison is an unpleasant place to spend significant amounts of time. We agree, and have even posted evidence to support this.

In her second round PRO discussed the PURPOSE of Prison. It's her contention that Prison's exist for the purposes of rehabilitation.

To quote PRO:

"We put people in jail so that they will learn to be better people and come out again, all smiles and sunshine and proceed to have a productive life."

~PRO, Round 2
This would be great, except that, by her definition, this debate is concerned with people who are serving LIFE WITHOUT PAROLE.

So, from her perspective, they will NEVER be coming out again. At least, not alive anyway. So we can ignore all of her information regarding the effectiveness of various types of punishment as a deterrent, especially since we agree with most of it anyway, and stated so in our last round. Recidivism is not an issue for the same reasons.

Now, while we agreed with her that Prisons should be of a minimum standard, so as not to violate the 8th Amendment, we also agree with the vast majority of society that Prison does not have to be a pleasant place to live.

And we certainly don't feel that Prisoner's should have the right to choose their own sentence. To decide which punishment is the most pleasing to them. They don't get that right.

In short, PRISON IS WHAT THEY DESERVE. It's what they were sentenced to by a court of law,
and it's what they should get.

2. Is there a difference between asking a Doctor to Kill you or Asking the State to Kill you?

In our considered opinion, NO, there is no difference between asking a Doctor to kill you or asking the State to kill you.

To date, Euthanasia is almost exclusively discussed within the realms of Medical Patients with life threatening diseases. But from a practical stand point, it is the same thing as what PRO is proposing here. Ending a life early because the victim asked you to do so.

In fact, if PRO really believes what she says she does, in this case it's even worse, because at least with conventional Euthanasia, the victim was going to die soon anyway. PRO is proposing we sanction the killing of a life that potentially still had 30-60 years left.

We agree with PRO that there are many countries which outlaw Euthanasia, and it's true that some of them still allow Capital Punishment - but as out evidence from last round showed, this number is dwindling. The winds of Society are saying that Capital Punishment is ineffective and unethical. And to quote the great man...

"Very well. If that is the way the winds are blowing, let no one say that I don't also blow."

~Mayor Quimby, here.

Mental Health:

In her round PRO mentions infamous serial killer Ted Bundy. Bundy confessed to killing 30 women, but estimates place the real figure close to 100. In the view of almost everyone he is the very definition of a "Hopelessly sick individual".

Euthanasia laws as they are today require that the victim be of sound mind to be able to consent to the killing. This is obviously pretty critical and they take this kind of thing very seriously.

In her first round, PRO wanted us to acknowledge the fact that these people sentenced to LIFE WITHOUT PAROLE, were in a terrible mental state.

Symptoms she mentioned included, "Extreme feelings of guilt or regret", "Deep Depression"
Symptoms she mentioned included, "Extreme feelings of guilt or regret", "Deep Depression", "Unable to move on from their past", and my personal favourite, "Severe Mental Incapacitation". She mentioned that many were suicidal, preferred death to life and that they were one of the most overlooked groups of Clinical Psychology.

None of these things qualify them to make a sound judgement in regards to their own welfare. They would all be denied Euthanasia in the two or three countries that currently allow it.

PRO finished her comment on Mental competency with a quote from an impressive sounding Medical journal. The actual text was from here. It's important to read these things in context. The context here was NOT someone making a decision about life or death. The context of this quote was from an article asking about how do we judge the ability of our elderly to make themselves a cup of tea without accidentally boiling the cat! To quote from another part of the same article...

"To demonstrate incompetence, then, one must show that mental illness has disrupted a person's judgment about a particular decision or set of decisions to the point where he or she cannot have, and no longer should have, that decision-making responsibility."

Ted Bundy had a mental illness that prompted him to decide to break into a Sorority House to rape and murder four innocent young ladies. So are we saying that he should still have the right and responsibility to make sound decisions about life or death? I think not.

3. Regarding Cost Savings - are we ever going to get that Pony?

Some quick numbers.

Currently in the USA there are a little over 200,000 people serving Life imprisonments or who are expected to die before their sentence is served. That doesn’t include the 2,000 or so current Death Row inmates. These are all people who would be eligible for PRO's death-for-bucks scheme.
Now the evidence tells us that most prisoners, given the option, prefer Life without Parole to Death.

Perhaps the best evidence for this comes from Illinois.

In 2003, ALL 167 current Death Row inmates were given the exact choice PRO is trying, (unsuccessfully) to convince us to give them. They were offered a choice between LIFE WITHOUT PAROLE, or DEATH.

166 of them chose to have their sentences commuted to Life.

Using Illinois as a guideline, PRO’s Scheme would claim to save us the costs associated with just 0.60% of those 200,000 prisoners.

BUT WAIT! There's more.

As PRO pointed out, prisoners on a Life sentence find it very hard to get an appeal after they've been sentenced. One of the few benefits to a death sentence is that there are endless appeals - all funded by the State. They are practically guaranteed.

PRO claimed that only 1% of convicted prisoners are innocent. My sources claim 4%, so the truth may be somewhere between.

The fact is that 99% of them THINK that they're Innocent.

My guess is that if this scheme goes forward, those brave enough to risk it, will take this Death Sentence Upgrade to their Life Sentence Happymeal, with the hope that they'll be found innocent under the Appeals process.

So even though PRO is guessing that they will all be opting for the swift execution - the only way we save money; the reality is that this course of action is actually likely to cost us MORE.

Let's face it. At best these "cost savings" are statistically insignificant. At worst, this plan will actually cost us MORE money.

Either way, this is a stupid idea - which is probably why nobody has ever done it before.

4. Capital Punishment is pointless and inhumane
The point we made about Capital Punishment being outmoded and ineffective was largely conceded by PRO. She stated that Life Sentences were no better - we'll concede that, as long as she concedes the fact that they are cheaper, and they allow more time for 1-4% of innocent convictions to be overturned, which is pretty good for those people involved.

None of that disputed her own evidence showing that the Death Penalty doesn't work as a deterrent.

It MAY work as a punishment, but not if the prisoner actually prefers that punishment. Then it actually becomes a reward.

Her Ted Bundy outlier has been addressed already in this round. People will still be sentenced to Life Imprisonment, and a small group will still escape to commit crimes. If PRO was arguing that all Life imprisonments should be upgraded to Death Penalties, then that may address this type of scenario, but until then, as she herself concedes, it's, "...just one example."

Vote CON - we'll even accept people who have been told to vote PRO but then want to change their vote!

bookydedreamer (PRO)

First, thank you Con for your last argument!!

To reiterate, in his last round, my opponent made the following points:

1. Prison should be hard because prisoners did bad things and deserve to be unhappy.
2. There is no difference in asking a doctor to kill you compared to asking the state to kill you.
3. Prisoners are very sick and not mentally competent enough to choose death anyway.
4. Cost savings are questionable, because of suspected lack of volunteers and supposition that volunteers would volunteer mainly for prejudice gained for the appeals process.
5. Capital Punishment (both life and death sentences) are pointless and inhumane.

1. Prisoners did bad things and deserve to be unhappy

I believe most of us, as people, would agree that someone who caused severe pain to another deserves to be unhappy. However, I believe that thinking this way is an emotional fallacy - there is a common belief in our society that everyone should be treated (generally) equally and that it is reprehensible to move ahead by pushing others around you down. This type of thinking is the core to our idea of justice, and why some white collar crimes are even considered to be crimes.

This argument sounds pretty at the outset, a bit like the idea of socialism. You have to dig down past the initial emotions to identify the logical errors within it.

Why do we punish people?

Punishment, at it's base, is a form of operant conditioning that is designed to reduce the occurrence of an undesirable behavior.

To give an example, a parent does not spank their child to cause their child pain, they spank their child because that child behaved in a way they did not like, and they want that behavior to stop.

Con is arguing that we should punish prisoners (by not providing them the rights to choose their fate) just because. He has not provided any other underlying reason, and he has even agreed that this treatment does not reduce the occurrence of crime. This is not even exclusive to reducing the rate of the specific prisoner's crime - punishing people in this way fails to reduce the rate of crimes committed by those outside the prison system as well.

Figure 2. Comparison of Violent Crime Rate and Life Sentences, 1984-2016
Does punishment make them feel bad?

Con has argued that punishment causes prisoners to feel bad, which is justification for why heavy punishment should be instated. However, two assumptions are being made here - namely, that they will feel bad as a result of the punishment, and the type of bad they will feel.

For example, imagine you went to work one day and your boss called you out publicly in front of your department and told you you screwed up. This would be humiliating, and you would be justified in feeling bad. The boss’ goal was likely to get you to correct the behavior by wishing to avoid future humiliation. In practice, however, this type of correction is rarely done, because the reality is that most adults would instead respond by becoming angry or resentful towards their boss, and shifting the cause of the situation from their negative actions (what the boss wanted them to focus on) to the boss’ immature style in handling the situation (which would not result in their even acknowledging their behavior was wrong and might result in their reporting their boss).

Obviously, this example is not the same as someone being punished in prison, but since punishment is a type of criticism, the way in which people respond is the same - namely negatively. In fact, research shows that persistent criticism is only effective when included with a higher proportion of praise.

So, will heavier punishment in prison make a prisoner feel bad? No, it likely will not. It will instead make them feel more validated in their view points, more separated from the rest of society, and angrier towards the system. In essence, it will reinforce the very thinking prison is seeking to prevent.
Since increased punishment fails to decrease crime (the undesirable behavior), and most likely fails to make inmates feel bad, it does not follow logically that there is any benefit in seeking increased punishment for prisoners.

2. There is a difference in asking the state to kill you
Pro has offered his considered opinion - and no supporting evidence or logical support - that asking the state to kill you is the same as asking a doctor to kill you.

In practice, Euthanasia/assisted suicide is considered illegal for much of the world. However, it is legal in 5 states and has been upheld in court.

The volunteer execution program, which is arguably the closest existing program to the choice I am suggesting we offer to prisoners, has been operational for years before the first Euthanasia programs were legalized. In practice, therefore, it seems this choice would likely not be considered invalid on the grounds of meeting criteria for Euthanasia.

3. Prisoners are competent to choose death for mental health reasons
Con has helpfully noted that Euthanasia laws (and in fact also volunteer execution laws) require the victim be of sound mind to be able to consent to execution.

One of the studies I presented earlier in this argument actually reviews this specific point. Rumbaugh vs Procunier was taken to the fifth federal court of appeals based on the grounds that severe depression was grounds for deeming an individual mentally incompetent to choose to volunteer for execution. The court found that severe depression was not grounds for deeming him mentally incompetent.

(source: https://deathpenaltyinfo.org/documents/VolunteersForExecution.pdf)

This finding is directly in line with the reasoning both I and Con have referenced as grounds for determining mental competency - namely, it shows that severe depression does not by itself disrupt a person's judgement to the point where they are incapable of making reasoned decisions.

Ted Bundy
Ted Bundy was classified as a High Factor `1 psychopath, which means he was intelligent and had very few signs of psychopathy early in his life. This is also recognized as antisocial personality disorder.

As defined previously, determining mental incompetency is not based on whether or not an individual has a mental illness, but rather on whether or not that mental illness affects that person’s judgement about a particular decision or set of decisions.

As Ted Bundy was considered to be highly intelligent, and even used that intelligence to design ploys which made him appear to be more defenseless, it is highly likely he would not have been defined as mentally incompetent.

4. Cost savings are questionable, because of unknown number of volunteers

It is extremely difficult to gauge the number of volunteers that would exist, as there is little empirical data available regarding individuals who have had the opportunity to choose life or death.

As I stated previously, 11% of executions carried out are volunteer. These are people who are choosing to waive potentially years or decades of life in order to be executed.

Con has stated an example where Illinois Death Row inmates were given the choice to commute their sentences to Life without parole. However, Con seems to have misrepresented some of the numbers presented. Upon reading his source, it was apparent that:
- 167 inmates were offered to commute their sentences
- 146 of them signed petitions requesting their sentences be commuted (87%, leaving 13% who did not sign petitions)
- 1 of them requested death.

However, once this was taken the Supreme Court, the lawyers mysteriously "resolved the paperwork" for those 20 people who did not sign petitions. This could be taken to mean any number of things happened, from lawyers convinced the inmates to change their minds, lawyers submitted the paperwork for them, or lawyers educated inmates who simply weren’t aware their
signatures were needed to begin with. Which was it? It is difficult to really identify this with the information Con has provided.

**Con also argues volunteers would volunteer mainly for prejudice gained for the appeals process.**

I would like to reiterate, again, that there is already a program in place for volunteers for execution. The entire logic in this program is to waive the appeals process, so that a prisoner can move forward with a speedy execution.

While a life sentence without parole is cheaper than an execution, this is purely because of the appeals process which takes place prior to executing a prisoner.

Con believes that, if the choice for volunteer execution in exchange for Life sentence without parole was offered, an entirely new program would be created with no basis on the existing volunteer for execution program. While both volunteer execution and life sentences without parole currently offer very few options for appeal, Con believes this new program might inexplicably suddenly allow inmates more opportunity to appeal their sentences.

I do not believe this logic makes sense, as there would be no benefit in a system which adds appeals to those who otherwise would have none being created to the US judicial/prison systems. I also do not believe there would be a statistically significant number of people advocating for the additional opportunity for appeals for those faced with this decision.

I believe that, when the option to commute a life sentence to death is created, it will be modeled on the existing volunteer program, and all appeals will be waived.

**As both sides agree that life sentences and death sentences are equally outmoded and ineffective, it makes sense that a decision which interchanges the two will eventually exist.**

**5. There aren’t very many prison escapes, but . . .**

It’s not about how many people escape from prison, but the possible ramifications of those escapes. If someone escapes and hurts or kills your parent, sibling, spouse or child . . . does it
escapes. If someone escapes and hurts or kills your parent, sibling, spouse or child... does it matter if that person is an outlier? Or does it matter that they **still** escaped and shattered someone you care about?

**Vote Pro - make the choice that's better for you, and for prisoners!!**

---

nzlockie (CON)

**Thanks again PRO for your last round. I've genuinely enjoyed this debate, and I hope everyone else has as well!**

In this, our final round, I'll be summing up our case and explaining why we've won, but first let me just very quickly address some of my opponent's comments. In her summation she's made a couple of errors in the interpretation I'd like to just draw your attention to.

1. **We never claimed that Prisoner's deserve to be unhappy.** We're not really too concerned in their emotional state at all really.

   We stated that we agree with the 8th Amendment, so it follows that we would advocate for a minimum standard of care, but outside of that, we're mostly just concerned that they are separated from society and especially their victims.

   If Ted Bundy tells us that his pillow is too thin - we're not really going to care about that.

   This is important because a large part of PRO's case is around the function of Punishment. She has been consistently advocating for a sentence that leaves these Prisoners fit to return to society. I'm not sure why this is, because, as I'm sure you have worked out already, in neither of the outcomes she's proposing will these people EVER be rejoining society!

   Let me be clear - the PRIMARY reason these people have been sentenced to life without Parole is so that they will NEVER rejoin society. It's not about Punishment in this instance.

   Punishment is a secondary reason. We agree with her graph which shows that as Life sentences go up, the crime rate drops. We could argue about the effectiveness of differing punishments as they pertain to Rehabilitation or to the Crime Rate, but that will have to be in another debate. It...
they pertain to Rehabilitation or to the Crime Rate, but that will have to be in another debate. It has no bearing on this one.

The only way that Punishment relates to this debate is that, as we've said in every round, the fact that these people are being punished for crimes they committed, is the reason that we should not give them the choice to decide their fate. We deny them that right, in the same way we deny them the right to freedom.

4. Cost Savings are increased when we kill them and waive their rights to appeals.

Judges, at this point I regretfully MUST protest.

In the first round PRO failed to set the definitions for this debate. I set them in my round as I'm entitled to do. Instead of unfairly skewing the definitions to my favour, I elected to go with the dictionary definition. Specifically I used the standard definition for a Life sentence, which allows for Parole after a period of time.

In her second round, PRO clarified that she wasn't happy to argue that STANDARD definition. She actually meant only Life without Parole sentences. We acquiesced with this, even though it narrowed our position.

Now in her final round, she's redefined the definitions AGAIN and stated that she's only arguing for this resolution on the proviso that Prisoners choosing a Death Sentence will also be waiving their rights to appeals.

This effectively means that our time and yours have been wasted, but on the up side it DOES finally explain where these much lauded cost savings will be coming from!

If you reread my initial definition of "Death Sentence" from the first round, you'll see that I was quite clear that an Appeals process was going to be part of it, unless they also chose to waive it. **We are requesting that Judges take the definitions as they stood in the Second Round of this debate.** Therefore Prisoners choosing a Death Sentence, unless also waiving their rights to Appeals, (something we've never contested because it's not relevant) WILL be entitled to an Appeals process.

**CON's Summation:**

Judges, this debate has mostly been about two things.
Firstly, is it right that Convicted Criminals should get the right to decide their own punishment? Secondly, Is it ethical for us to kill them, even if they ask us to?

We've established our position that Criminals retain the right to a fair punishment, but they are NOT entitled to have a say in how society chooses to punish them for their crimes. We believe we are on solid ground with this position.

PRO’s definitions state that these criminals will NEVER be rejoining society, so Rehabilitation is not an issue here. Nor is Recidivism.

As we stated above we don't think PUNISHMENT should be the primary reason for taking these criminals out of society, but there's no denying that it is a significant part of it. To keep the alliteration going, it's Retribution for the crimes they've committed.

Our evidence showed that in MOST cases Prisoners consider a Life Sentence to be preferable to a Death Sentence - thus indicating that not many would elect to take this option if it were presented to them anyway.

We also supplied anecdotal evidence that some Prisoners see a Death Sentence as a reward rather than a Punishment - thus not fulfilling the "retribution" aspect of the sentencing.

In regards to the Ethical question we pointed out that the vast majority of the world is of the opinion that Euthanasia is unethical. PRO hasn't contested this, or presented any arguments making a case for why this would be wrong. Instead they've weakly protested that asking a Doctor to kill you is not the same thing as asking the state to. (It is.)

A couple of times PRO has also referenced the fact that people can currently "volunteer" for immediate execution. We've mostly ignored these references since they relate to an entirely different situation. In these situations the Prisoner has already been sentenced to death. All they're doing is expressing their desire to have that death come sooner rather than later, by waiving their right to due process.

The situation WE are arguing relates to prisoners who have been sentenced to one type of sentence and have decided they'd prefer a completely different type of sentence.

In regards to the cost savings we’d make on this, both parties agree that the Death Penalty costs
society more than Life without Parole. We've argued that the actual numbers, and therefore the savings, are likely to be very low.

We soundly reject PRO's estimation of 11% based from a situation NOT related to the one we're debating, in favour of our own data based on EXACTLY what we're debating, which shows less than 1%. Statistically insignificant.

We also reject PRO's attempt to alter the definitions at the last minute, so therefore our opinion that a significant number of people would take this deal specifically to access the appeals process still stands unopposed.

We're ignoring PRO's one off examples of prison escapees and we suggest you do too. Not relevant.

**Here's why we won:**

PRO's burden in this debate was to argue that there was a good reason to change the Status Quo. **Not only has she failed to do so, but she's failed to even show that there is a problem with the Status Quo.**

She wasn't able to show support from the Public for this change, there was no benefit shown for the State for this change, she wasn't even able to show that there was support from the Prisoners themselves for this change!

Instead PRO has shifted this way and that, arguing points around the issue but appearing to be unwilling to really address it head on.

There were several paragraphs on the relative impacts of the Death Penalty vs Life Imprisonment on the Crime rate. There was a whole section on the purpose of Punishment and the impact an unpleasant time in Prison has on the likelihood of Recidivism.

My favourite bit was probably arguing that because Life sentences make Prisoners feel regret and guilt, we should give them the option of letting us kill them.

Our side has used empirical AND anecdotal evidence to support our case. It was a strong case constructed of several layers. Although PRO queried some of our points she was never able to land a knock out punch. There was no evidence that trumped our evidence.

We made CON positions great again.
We made CON positions great again.

And aside from getting all cocky and arrogant in THIS round, we handled the whole "change the definitions thing" pretty well.

PRO, thank you for the spirited debate, I’ve genuinely enjoyed it, and I wish you luck in the voting. Judges, I thank you for your time and consideration. I urge you to consider my points above and, if you agree...

**Vote CON! - A vote for CON is a vote for Ice Cream!**