

trial.<sup>vi</sup> Cost estimates in Texas place its figure at \$1.2 million.<sup>vii</sup> In short, in California today it is the economic costs incurred by retention of the death penalty, including the higher trial costs and the need to update the system, that is driving debate about the utility of capital punishment. In spite of that, in 2013, California voters defeated an initiative to abolish the death penalty in their state.

### THINKING *Critically*

- ★ Why does the “cruel or unusual” provision of the California Constitution change the orientation toward the death penalty and its legality?
- ★ Why would California keep the death penalty in a symbolic sense but not actually use the practice?
- ★ Does the cost of execution matter in the decision to impose the death penalty?

★ Should Texas reevaluate its use of the death penalty based upon the costs of executing a prisoner?

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- i. Death Penalty Information Center, “State by State Database,” 2015, [www.deathpenaltyinfo.org/state\\_by\\_state](http://www.deathpenaltyinfo.org/state_by_state) (accessed July 22, 2016).
  - ii. Rene Tempest, “Death Row Often Means a Long Life; California Condemns Many Murderers, but Few Are Ever Executed,” *Los Angeles Times*, March 6, 2005.
  - iii. Ibid.
  - iv. John Van de Kamp, “California Can’t Afford the Death Penalty,” *Los Angeles Times*, June 10, 2009.
  - v. Ibid.
  - vi. Tempest, “Death Row Often Means a Long Life.”
  - vii. Logan Carver, “Death Penalty Cases More Expensive Than Lifetime Imprisonment, but Local CDA Says Costs Never a Consideration,” *Lubbock Avalanche-Journal*, December 13, 2009, <http://lubbockonline.com/stories/121309/loc-535156806.shtml> (accessed July 23, 2016).