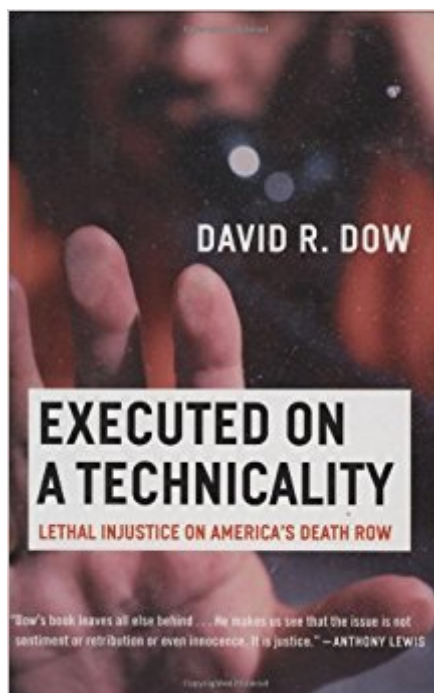


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# Executed On A Technicality: Lethal Injustice On America's Death Row



## Synopsis

When David Dow took his first capital case, he supported the death penalty. He changed his position as the men on death row became real people to him, as he came to witness the profound injustices they endured: from coerced confessions to disconcertingly incompetent lawyers; from racist juries and backward judges to a highly arbitrary death penalty system. Dow's eye-opening book is captivating because he allows the men, and their cases, to speak for themselves. For instance, one inmate's lawyer literally slept through his trial; another inmate was executed because the jury never heard from two eyewitnesses who swore he was not the murderer; and yet another inmate was allowed to represent himself at trial despite the fact that his mental imbalance, which included attempts to issue a subpoena to Jesus Christ, was evident. It is these concrete accounts of the people Dow has known and represented that prove the death penalty is consistently unjust, and it's precisely this fundamental and lethal injustice, Dow argues, that should compel us to abandon the system altogether.

## Book Information

Hardcover: 256 pages

Publisher: Beacon Press; 3rd Printing edition (May 15, 2005)

Language: English

ISBN-10: 0807044202

ISBN-13: 978-0807044209

Product Dimensions: 8.5 x 5.8 x 1 inches

Shipping Weight: 1 pounds

Average Customer Review: 4.8 out of 5 stars 11 customer reviews

Best Sellers Rank: #492,528 in Books (See Top 100 in Books) #133 in Books > Textbooks > Law > Legal Reference #296 in Books > Law > Business > Reference #717 in Books > Law > Law Practice

## Customer Reviews

This volume joins a growing list of recent books arguing against the death penalty, particularly by people who once supported it. Dow, a professor at the University of Houston Law Center and founder of the Texas Innocence Network, used to be "somewhere between agnostic and mildly in favor of capital punishment." Then, in 1988, he took on the case of Carl Johnson and began to change his mind. Johnson's lawyer literally slept through crucial parts of the trial, and the judge, in Dow's opinion, gave an incorrect answer to a question from the jury that might have compelled them

to sentence Johnson to death. The arguments Dow presents are pragmatic, based not on abstract theories but on facts: only a handful of murderers are executed, he says, and they are "almost never the worst of the worst"-not the Hannibal Lecters, not the Charles Mansons. Rather, they are poor members of minority groups who have been represented by incompetent lawyers, manipulated into forced confessions, or have, in some cases, even been innocent. All of these points will be familiar to opponents of capital punishment, but readers who are on the fence may learn much from Dow's impassioned but well-reasoned case. Copyright © Reed Business Information, a division of Reed Elsevier Inc. All rights reserved.

Formerly a supporter of the death penalty, attorney Dow examines the inherent unfairness of the process of imposing the death penalty. Currently, sentencing focuses too much on guilt rather than fairness, Dow asserts. He focuses on a number of cases involving horrible crimes, in which the determination of the death penalty depended less on the crime and guilt than on a culmination of other factors, including official corruption and inept defense attorneys and judges. In effect, contrary to public notions that the penalty fit a particular crime, the death penalty is as random as a lightning strike. Dow provides historical perspective on the death penalty--outlawed in 1972 because of its arbitrary use, and its reinstatement with an extensive appeal process meant to address concerns about constitutionality. But a 1996 law effectively undercut the appeal process, sacrificing fairness as the application of the death penalty appeared less a response to horrendous crimes and more a measure of the accused's race, class, and inability to secure a fair trial. Vernon Ford Copyright © American Library Association. All rights reserved

Five stars supposedly means that you love a book. No one could love *Executed on a Technicality*. Rather, it's a source of grief and frustration for anyone who will allow themselves to learn the details of what is mistakenly called criminal justice. If you want to understand the complexity of the laws that control and confuse the pursuit of justice, you can't do much better than this comparatively short book. Dow is not only an experienced death penalty lawyer, he is a deeply compassionate man who somehow continues to practice in spite of losing most of his clients, even the innocent ones, to the execution chamber.

For those who have always wondered why we murder people as punishment for murdering people, this is a riveting read. Written for the lay person though somewhat dense and detailed, it is not always easy but well worth the effort. The overriding moral of this treatise is the death penalty is

exacted mostly on poor people and, at that, not necessarily evenhandedly or upon those who are guilty. Dow writes clearly from illuminating examples and with detailed understanding of things as they unfairly are. This is an emotionally charged subject of a complicated act encased in a convoluted legal maze. The accused are victims of a society which values expediency over fairness. David Dow is their powerful advocate.

One day, I was opening TDCJ's executed offender"page on my browser. When I reload it, I found another name was there. I couldn't breeze, as very emotional reaction. Then, why I cannot breeze? I feel something wrong? and what? Even these newbie civilian question needs an answer. If, don't want to keep crying and screaming, but want to understand. This book is like a wiring diagram. makes me realize there are faulty wiring, for sure. bit difficult for beginner like me, but if you don't stay crying or just watching, try to struggle with this book to understand what you feel.

I work in the California court system and date a Public Defender. This book helped destroy what little faith I had left in the criminal justice system while at the same time lifting my esteem of all those who make their living defending people who the general public have deemed worthless. Please read this book we are all affected by the laws of this country even if we do not realise it until either ourselves or a loved one are sucked into the "tough on crime" vortex that we as Americans continue to believe in despite all the evidence that it is not effective.

Read it in 2 hrs.

Worth reading. Book arrived in good condition. Other books published by the same author D. Dow are also more than interesting.

I feel like I know this guy, David Dow. Or I sure wish that I knew him after reading "Executed on a Technicality". Dow reveals real life situations that have convinced him that the death penalty is completely unfair. He believes it's not just that sometimes innocent people are executed, but it's that those executed are always poor, unable to pay for a good lawyer, and almost all the time they're under educated. OJ Simpson should have been convicted, but his great lawyers got him off from even conviction. He wants us to know that there are some very good public defenders, but often his state Texas has given certain individuals bad lawyers - possibly on purpose! He also provides evidence that murderers of white people are put on death row much more often, while those who

murder blacks and Latinos are very much less likely. He doesn't excuse the horrendous crimes, but the death penalty is just plain unfair because some of the worst criminals are not put on death row. And by the way, death row is truly a place for "dead men walking". He knows for certain that innocent men have been put to death due to technicalities like their paperwork was one day late! The book was rather challenging for me to understand at times - I have no legal background - so I had to read and re-read certain points, but I liked that - I WANT challenging reading! This book will be appreciated by the legal novice as well as the experts. Excellent writer, thoroughly documented (1/8 of the book is detailed footnotes).

There are no punches pulled here. David Dow doesn't shy away from describing his representation of the truly guilty or their crimes. But what will take your breath away are his descriptions of the brutally honest conversations that post-conviction counsel must have with their death row clients. It's not about asking "Did you do it" but advising the condemned that no matter how good the case or the lawyer, the death sentence probably will be carried out. Perhaps only oncologists for Stage 4 cancer patients know how it feels to be so brutally honest. Books on legal topics have a deserved reputation for being dense, dry, and mired in technical language. Dow avoids these traps with clear, compelling writing and delivers a work that is accessible to lay people and lawyers alike. For lawyers, the book is attractive for its well-argued and well-supported themes. The footnotes are worth the price of entry alone. For the lay reader, Dow develops his themes by focusing on the cases of some of the many death row inmates he has represented over the years. Along the way, he describes his personal journey from death penalty supporter to abolitionist. This is a worthwhile work for anyone concerned about our criminal justice system and the myriad ways in which the "machinery of justice" and the "machinery of death" do not mesh.

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