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For Michael, Michelle, and Laura

—L.E.C.

In memory of my Dad

—E.S.K.

For Jetty, Mario, and Jordan

—S.W.H.

For my Dad

—C.R.M.

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Preface

This book is written for students in capital punishment courses and for others, whether lawyers, experts, activists, or scholars, who are interested in an overview of this complex area of law. The primary emphasis of the book is an explanation of the constitutional law that governs death-penalty proceedings in the United States.

In the few years since the fourth edition, significant changes have occurred in death-penalty law, procedure and practice. We have tried to present the most up-to-date information and trends in death-penalty law. New developments as of the time that we go to print are included, but additional cases are emerging even as we type. This is a dynamic area of law that will undoubtedly have further major developments in the next few years. Anyone studying or researching in this area should continue to look for the latest judicial, executive, and legislative actions.

We are grateful to Ryane Skinner (Chapman University, Dale E. Fowler School of Law) for excellent research assistance for the fifth edition. We also appreciate and thank our individual universities for their support of our research through research stipends and other resources.

Our families have supported our efforts through their patience and encouragement. We are truly grateful for their support.

Last, but not least, we want to express our appreciation and admiration for the principled defense counsel, prosecutors, judges, legislators, and others who work in the death-penalty field that continues to pose legal, moral and societal issues for all of us.

As the law continues to evolve, so does this book. We consider this a work-in-progress. All comments, suggestions, corrections, or additions are greatly appreciated.

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