

# The Death Penalty

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## BRIEF OVERVIEW

The Rubenstein Library's Human Rights Archive contains extensive primary sources on the death penalty, also known as capital punishment, and its impact on individuals, families, and communities. Collections include post-conviction case files as well as the historical files of anti-death penalty advocacy groups. This session introduces students to the issues surrounding the death penalty by exploring and critically analyzing a set of these sources.

## LEARNING OBJECTIVES

- **Analyze** documents related to death penalty litigation.
- **Interpret** accounts of people involved in death penalty litigation, and legal arguments regarding the death penalty.
- **Identify** key components of death penalty litigation.

## BEFORE CLASS

- Ask students to watch [The Rubenstein Library's Collections](#).
- Have your students take a moment to [read the Rubenstein Library's approach to classes](#). It's very short, but includes things students will want to keep in mind as they work with primary sources now and in the future.
- Ask students to familiarize themselves with the [Center for Death Penalty Litigation archives](#), and the [capital trial](#) and [capital appeals](#) processes.
- Ask students to read the short description of the Jimmy McNeill case from which these documents are drawn.

## SESSION OUTLINE

### Activity:

Either individually or in groups, ask students to complete the [Human Rights Document Analysis Worksheet](#) for each document. Alternatively, if students are working as a class, divide students into three groups and each group can analyze one document. (~30 minutes)

The [three documents](#) are drawn from the Center for Death Penalty Litigation (CDPL) case files for State of NC vs. Jimmy McNeill. In July 2003, Jimmy McNeill was convicted of the April 2000 murder of his wife, Shirley McNeill, and of discharging a weapon into occupied property. McNeill was sentenced to death, and 34 to 50 months for the weapon conviction. In March 2009, the NC Superior Court granted McNeill a Motion for Appropriate Relief (MAR) on the grounds that a juror had inappropriately sought advice regarding punishment from a third party during the sentencing phase. On March 12, 2009, Superior Court Judge Richard Doughton vacated the death sentence and ordered a resentencing hearing; McNeill was sentenced to life without parole.

## Discussion Questions:

- What is the process of sentencing someone to the death penalty?
- What objections do people raise to the death penalty?
- How do Human Rights considerations contribute to people's perspective on the death penalty?
- What considerations do the courts take into account during death penalty appeals?
- What does Jimmy McNeill's case tell us about the criminal justice system?
- What does it tell us about capital cases?
- What does it tell us about the individual people involved in this particular case?

## Suggested Reading:

- [Death Penalty Information Center, North Carolina](#)
- [The Center for Death Penalty Litigation](#)
- [The Case Against the Death Penalty](#), American Civil Liberties Union

## Additional Resources:

- [High School Curriculum on the Death Penalty](#)
- [Capital Punishment in Context](#)

### QUESTIONS?

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