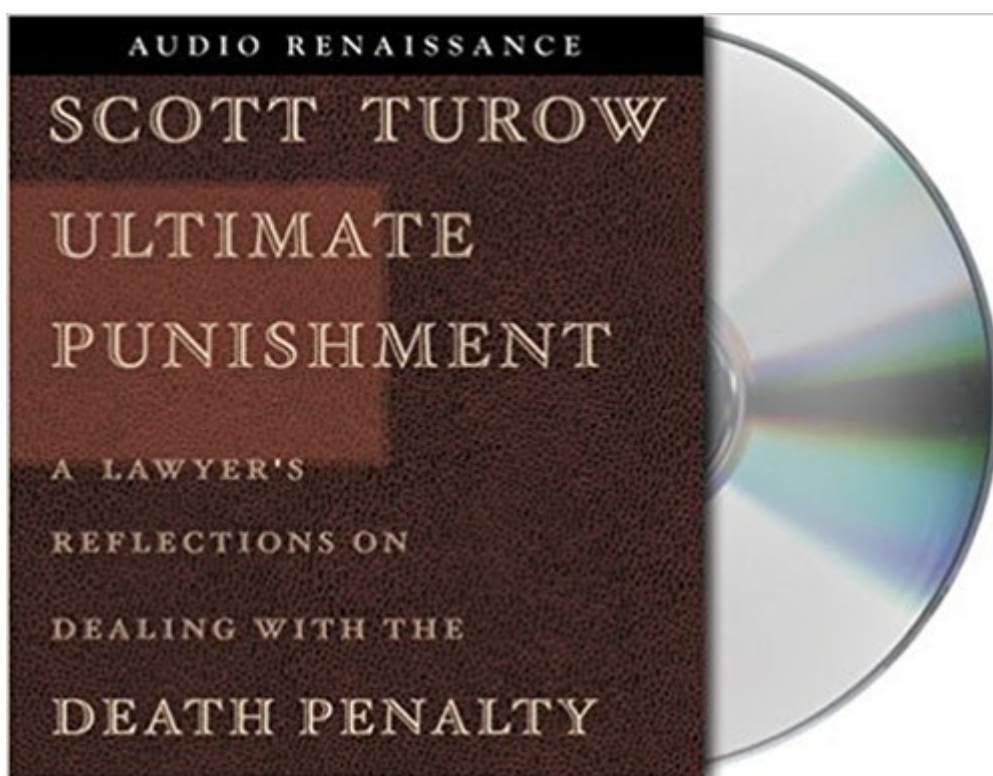


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# Ultimate Punishment: A Lawyer's Reflections On Dealing With The Death Penalty



## Synopsis

A compelling exploration of one of society's most vexing legal issues, written and read by bestselling author Scott Turow. Scott Turow is known to millions as the author of peerless novels about the troubling regions of experience where law and reality intersect. In *œreal life*, as a respected criminal lawyer, he has been involved with the death penalty for more than a decade, including successfully representing two different men convicted in death-penalty prosecutions. In this vivid account of how his views on the death penalty have evolved, Turow describes his own experiences with capital punishment from his days as an impassioned young prosecutor to his recent service on the Illinois commission that investigated the administration of the death penalty and influenced Governor George Ryan's unprecedented commutation of the sentences of 164 death row inmates on his last day in office. This gripping, clear-sighted, necessary examination of the principles, the personalities, and the politics of a fundamental dilemma of our democracy has all the drama and intellectual substance of Turow's celebrated fiction.

## Book Information

Audio CD

Publisher: Macmillan Audio; Unabridged edition (October 1, 2003)

Language: English

ISBN-10: 1559279516

ISBN-13: 978-1559279512

Product Dimensions: 5.7 x 0.6 x 5.3 inches

Shipping Weight: 4.5 ounces (View shipping rates and policies)

Average Customer Review: 4.1 out of 5 stars 35 customer reviews

Best Sellers Rank: #3,552,435 in Books (See Top 100 in Books) #16 in [Books > Books on CD > Authors, A-Z > \( T \) > Turow, Scott](#) #1539 in [Books > Law > Legal Education > Legal Profession](#) #2466 in [Books > Law > Criminal Law > Criminal Procedure](#)

## Customer Reviews

Turow brings his experience as a practicing attorney to this thoughtful meditation on the nature, peril and efficacy of the death penalty. His tone is human and warm, but devoid of drama—he uses no character voices, save for a brief moment when he effectively emulates the words of an elderly Jewish man, who offers a warning about what can go wrong when a government exerts force against its own people. Much of the book deals with Turow's time spent on a commission organized to look into the death penalty machinery in Illinois and offer suggestions for improvement. He also

relates his visit to a "Super-Max" prison where the "worst of the worst" are kept; these passages are chilling, as are his clinical descriptions of the crimes committed by the death row inmates. Turow gives both pro and con arguments equal consideration, keeping his own feelings ambiguous until the end, when he reveals his opinion that the death penalty should be repealed. The early chapters may confuse listeners, as they contain a cavalcade of names, but even so, this is a provocative, worthwhile listen, one that explores all the usual questions about capital punishment while raising new ones. Copyright © Reed Business Information, a division of Reed Elsevier Inc. All rights reserved.

Popular legal-fiction writer Turow takes on the divisive topic of the death penalty in this concise, thoughtful essay. A self-proclaimed "death penalty agnostic," Turow didn't consider himself an expert on the issue even during his years as a prosecutor or when he helped in the defense of some high-profile capital cases. Nonetheless, in early 2000, after Illinois governor George Ryan declared a moratorium on further executions, Turow was appointed to a 14-member blue-ribbon commission charged with helping reform the state's capital punishment system. Ryan's groundbreaking moratorium began a wave of similar actions nationwide as more and more guilty convictions were questioned, whether via new DNA evidence or an overzealous prosecutorial machine (in two key cases in Illinois, a little of both). Turow traces the recent history of the death penalty through his own experiences, and though he was ambivalent about it at the start, he comes away with definite convictions. This is not a scientific study, Turow admits, but he does supply ample notes to back up many of the claims he makes throughout the book. Also included is the commission's report as submitted to Governor Ryan. Together with Mark Fuhrman's more procedural study, *Death and Justice* [BKL JI 03], Turow's reflections will spark further discussions on this troublesome issue. Mary Frances Wilkens Copyright © American Library Association. All rights reserved --This text refers to an out of print or unavailable edition of this title.

"Ultimate Punishment" was written soon after Scott Turow finished serving on a public commission to investigate the death penalty in Illinois. The book is part memoir, part reflection on capital punishment. It's rational and fairminded, but very short (barely 120 pages) and very light on legal analysis or social science. Its core rhetorical strategy is to consider a few actual death penalty cases that plunge the reader into the pain and moral ambiguities of capital punishment. On the one hand, these horrific crimes cry out for vengeance. It's difficult to imagine a 10-year old girl being raped, tortured and strangled without wanting to string up the perpetrator. And yet...there's no evidence

that the death penalty deters murder. The killers themselves are badly broken beings, victims of child abuse or mental retardation. Innocent men are sometimes sentenced to death: when a grisly crime is committed, juries are eager to convict someone (anyone), and some cops and prosecutors are willing to cut corners. And the whole death penalty system is arbitrary and biased against non-whites: the evidence shows that juries value the lives of white victims more than the lives of non-white victims. It's a wretched human landscape. Unfortunately, Turow's potted case summaries are too rushed and underanalyzed to really do justice to the subject. The book feels like a long magazine article. In the end, he decided that he is against the death penalty. That's an understandable position but it was no excuse for not writing a longer, more serious book.

Memory Lane: I worked briefly as a deputy district attorney in California in the mid-1980s after I graduated from law school. Every ambitious young deputy aspired to put a "bad guy" in the gas chamber someday -- gassing someone was the ultimate box to check in a prosecutorial career. We rookies were encouraged to observe a particular ongoing capital case in order to see how the pros did the job. Everything about the trial made me wonder why I had ever gone to law school. The lead prosecutor was an ex-Marine and Vietnam vet, an uptight, creepy guy who hit on young female deputies by telling them stories about killing Viet Cong. The defense attorneys did not seem up to the job of litigating a capital case. And the details of the crime were revolting -- the defendant, a security guard, had bludgeoned a young woman to death and then violated her corpse. Until then I had been moderately pro-death penalty. But sitting in the courtroom only a few feet away from the defendant, it was inconceivable to me that he should be put to death, no matter what he had done, and no matter how many squirrels were running around in his head. I was supposed to root for his death but his life seemed sacred. I was happy to quit that job.

This definitely proves that author Scott Turow's resume is even more impressive than I first realized. It's a true account of the man's work on a commission appointed by then Illinois Governor George Ryan to study the state's capital punishment system and recommend changes to fix its problems. With over two hundred capital convictions, twelve executions, and thirteen exonerations since 1976, things certainly needed to be looked at. For your reference, this commission was appointed in 1999. Not far into the book, you'll notice what looks like Turow flip-flopping a lot when it comes to his feelings about capital punishment. That's not entirely the case. While his feelings are definitely there, it goes far beyond that. Turow explores the feelings about capital punishment from various points such as deterrence, victims' rights and feelings, the race and financial status of the condemned, nature of the crimes, etc. He includes accounts of his work on the capital appeals of

Alejandro Hernandez and Christopher Turner, one of whom was ultimately exonerated while the other, having been sentenced under Illinois's "felony murder" statute, a broad piece of legislation that allows prosecutors a number of opportunities to seek a death sentence for murders that might otherwise not qualify, had his sentenced reduced to 120 years in prison. He also discusses meeting Henry Brisbon, one of the state's most despised killers whose acts rival those of Richard Speck and John Wayne Gacy, in the supermax prison where the man was being housed at the time. I praise Turow for not only doing things like these before, during, and after his work on the commission, but also for using these events to offer us these greatly varying viewpoints on a system that's clearly broken but where no one truly knows what repairs need to be done. During his work on the commission, one of Turow's colleagues, a hardened opponent to capital punishment who knew that total abolishment would and could not be accomplished by that particular group, nevertheless put forth the question of whether or not the practice should be quashed altogether. Turow, like all the others, voted on this, though that vote never made it into their later recommendations to Governor Ryan. To know and understand what Turow's vote was, you have to read the book all the way through to the end...to the very last word. Enjoy.

If you already know Scott Turow, you will want to read this book for that reason alone. He was involved in a big study of the death penalty in Illinois some years ago, and gives a very thoughtful analysis of all he learned through that process. I came away with the impression that he is much of the same opinion as myself: Not quite willing to say no death penalty ever, but willing to accept that it should be a rare and exceptional punishment. To me, it should be reserved for those who, like Gary Gillmore, would rather die than spend the rest of their life in prison with no possibility of parole. If I had to make the rules, I'd say all such life sentences would come with a lethal pill that the prisoner could take if and when he was ready.

Turow brings an interesting perspective to the death penalty issue. He has had experience as a practicing attorney, and he served as a member of the commission appointed by Governor Ryan of Illinois to study the issue and make recommendations concerning the continuation of the death penalty in that state. I find Turow's book a useful addition to such reflections on the issue as Sister Helen Prejean's compassionate Christian perspective in "Dead Man Walking" and Albert Camus' brilliant "Reflections on the Guillotine," which is, in my opinion, one of the most profound and persuasive commentaries on capital punishment ever written.

Interesting perspective on capital punishment and the Illinois politics around it by a former prosecutor, author and advocate. Whether pro or con, the audiobook was a good listen on the pragmatic, political and constitutional arguments around capital punishment.

Bought for a report I had to write for my college English class. Great and informative book! Must read!

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