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1 WHAT INSPIRED YOU TO DO RESEARCH IN CAPITAL PUNISHMENT?

Well, it wasn't the first topic that I studied. For my dissertation, I went into prisons and interviewed inmates who were incarcerated for murder that stemmed from arguments and disputes that escalated to violence. I asked each person, "Tell me about the murder that led to prison." More specifically, the conflict, and then "Did you ever have a similar conflict around the same time that you handled non-violently?" For example, a lot of the men that I interviewed had been drug dealers and a common scenario was, "I gave a person drugs and he said, 'I'll pay you on Friday when I get my paycheck,' and then I saw him partying at the club and he hadn't paid me." So argument escalates, violence, victim ends up dead. I would then say, "Was there any other time

that someone didn't pay you when they were supposed to, but you handled it nonviolently?" The question was, "What are the elements of the situation that lead to escalation?" And the key- from a methodological point of view- is that I have two conflicts nested within the same person. Let's say that person is named John. I have a violent conflict from John and a nonviolent conflict from John, and John's individual characteristics can't explain the difference because his individual characteristics are a constant. His temperament, his personality, they're the same for both conflicts. The same for the neighborhood he grew up in. In research, we're always trying to isolate the variables of interest and eliminate the confounding variables. We can do that by making the confounding variables constants. So his individual traits are a constant, his neighborhood is a constant, we're down to the situation itself. There are lots of findings- one that I thought might be the most interesting is that what really matters is who else is present. Those people can push the conflict toward peace or toward violence, and men surrounded by their friends and allies tend to become violent much more often. Which might explain part of why violence has been declining for a long time- meaning long-term human history- because men used to live near their fathers, brothers, cousins, uncles, so men were performing before audiences and had allies to back them up. Now, men often don't live near their fathers, brothers, cousins, and uncles. My dad lives in Louisiana, my best friends from college live in New York and Texas. They're not going to fly into Denver if I get into an argument with someone today. That might be part of the explanation for why violence has declined across human history, because males- who commit most of the violence- don't have as many allies at the ready as men did for most of human history. The men who would back them up are scattered. Modern gangs are the exception that proves the rule. So, my research didn't begin with the death penalty. But then I took my first job in Houston, Texas, and Houston leads the nation in executions. A friend of mine said, "You should study the death penalty, you should shift your focus." And I said, "That doesn't make a lot of sense

to me, because lots of people have studied the death penalty, there's really nothing new to say." He said, "But you live in Houston." If Houston were a state, it would rank second in executions behind Texas. Houston, just the city. I lived in Houston, I thought that was compelling, I thought I would do one study of the death penalty, and that turned into the last 25 years. I had every intention of studying why some interpersonal conflicts escalate to violence and others don't, moved to Houston, and switched to the death penalty. I thought it was interesting because the stakes are so high. The stakes are high in any criminal case, obviously, but in a death penalty case- there is nothing more extreme than the government taking the life of one of its own citizens. Studying that process- whether it's fair, whether it's equitable- just struck me as interesting.

2 WHAT DOES YOUR RESEARCH PROCESS LOOK LIKE?

In death penalty studies, I tend to gather data on a set of cases and follow them through the process. For example, in my study of the Houston death penalty I started with defendants who had been indicted by the grand jury for capital murder, because once a person is indicted for capital murder the district attorney has the option of whether to seek the death penalty or not. If the district attorney decides to seek the death penalty, then it's headed to a jury and the jury will decide whether to impose a death sentence. If the jury imposes a death sentence, then the person is convicted, sentenced to death, and it enters the appellate courts. There are three different types of appeals- those go up and down the chain, perhaps all the way to the Supreme Court, and the person might or might not eventually be executed. The death penalty is a system with a lot of exits. Meaning, the grand jury might not indict you- that's rare- the district attorney might not seek the death penalty, the jury might not give you a death sentence. Even if you go to death row, you might get your conviction and/or your sentence overturned on appeal. So in many studies what I've done is looked at the effect of race on that process. A lot of people would assume that, in the modern death penalty, there's bias against black defendants- which, that has been found in some studies in some places, but the effect is not very consistent. It occurs in some places, at some time periods. What tends to be universal is that the victim matters. If you killed a white victim, you're more likely to get the death penalty- especially a white woman, especially a high status white woman. So what the system really turns on is, "Did you kill someone who 'matters' to society?" Part of that is probably a product of labor. The average time between a murder and an execution is now more than 20 years. If a prosecutor is going to decide, "I want to go for the death penalty," that is a decision to devote resources to

a case for decades. From picking a jury, to presenting a case, but even more so the decades on appeal. So, whose life and death is worthy of that amount of effort? The people running the system- even today, but certainly in the past- were white men, and the deaths of white victims were more likely to spur them to take on a 20 year project to see someone punished in the most extreme way. My research tends to be quantitative, and what I'm doing is I'm estimating statistical models that tell us: Does race affect the process I just outlined, even after we consider other factors such as the heinousness of the crime, the defendant's criminal history, whether the person was able to hire a lawyer, and so forth. And the results are consistent- what really matters is the social characteristics of the victim.

3 COULD YOU TELL ME ABOUT WHAT YOU ARE CURRENTLY WORKING ON?

I am currently working on a study of historical lynchings. A lot of people have argued that the modern death penalty is analogous to historical lynchings, and it's an interesting question, to what extent there are parallels versus differences. There are some key differences. For example in historical lynchings there tended to be a notion of collective liability. The mob would prefer to kill the person who allegedly hurt the victim, but the person's brother might be good enough if they can't find the person. In modern executions, it's individual liability. We're not going to execute the brother of the offender. On the other hand, there are a lot of similarities. And the similarity that I've been studying is- I just mentioned that you're much more likely to get the modern death penalty if you kill a white woman- so I've been studying, in terms of historical lynchings, "Are you more likely to suffer the most gruesome lynchings if you allegedly hurt a white woman?" To be clear, all lynchings were gruesome and horrendous, but you could argue that some were even worse than others. Most lynching victims were killed with bullets and ropes. And in fact, firing squads and hanging have always been legal methods of execution by the state. What I'm looking at is, "When did the mob go beyond guns and hanging, to do things like burn someone at the stake?" Some lynching victims were tied to ropes behind horses, and they would send the horse off and drag the person to death as they bounced along rocks and stumps. Later, people used cars for the same exact purpose. Some lynching victims were stabbed to death, some were beaten to death, some were castrated, some were decapitated, so if we're looking for parallels between historical lynchings and the modern death penalty, one place to look is: Does allegedly hurting a white woman lead to the most extreme punishment in both what people call popular justice by the mob and state justice by the government. Last quarter, the stu-

dents in my statistics class helped collect and code data on this question. We have a dataset that was collected by other people- who made a herculean effort to look up every lynching that occurred in the South between 1865 and the present. The original dataset includes a description of what happened, a narrative account. Our students read the narrative account, we developed a codebook, and we coded variables based on the narrative account plus other information. And sure enough, we found that there are parallels between historical lynchings and the modern death penalty, because if you hurt a white woman, you're considerably more likely to suffer the most extreme pain and the most extreme punishment. So that's what I've been working on lately- parallels between historical lynchings and the modern death penalty.

4 WHAT MADE YOU WANT TO BE A PROFESSOR?

The honest answer is that I was on the debate team in high school, and I wasn't a very good student in high school, but I loved the debate team. I would spend countless hours preparing for tournaments, writing arguments, writing responses to potential arguments by the other team- in fact, in high school I usually had two notebooks on my desk, one for taking class notes and one for writing arguments, and I was usually not paying attention, because I was writing arguments. So I was involved in this really academic pursuit while simultaneously not doing well in school. I probably got into college on the strength of my debate record, not my school record. And in college I was thinking about a career and I always thought, "Well, being a lawyer is the closest thing to being on a debate team, and that was a lot of fun." But then I realized- that's true of some lawyers who go to court, but a lot of lawyers never see the inside of a courtroom. And I thought, watching my college professors, that's a lot closer to being on a debate team because I get to decide what I want to study, I get to collect the data, analyze the data, put together an argument, try to make a compelling case, no one tells me what to do, I just get to decide what I want to study and how I want to study it. And teaching a class means trying to explain complicated ideas in the most articulate way you can- another parallel. It sort of dawned on me as an undergrad that what I had enjoyed so much in high school was much more similar to being a college professor than to being a lawyer. I had applied to law school, I was headed to law school, and one of the last classes I took was social psychology by a professor named Dr. Katovich. He was smart, and hilarious, and he really looked like he liked his job, and I thought, "Maybe I'll just do that." I also worked with another professor named Dr. Kinkade- he was a criminologist and gave me some opportunities to get involved in research,

and took me to the American Society of Criminology meeting as an undergraduate. And I looked around at Dr. Katovich and Dr. Kinkade and thought, "They look like they're having fun."

5 WHAT IS YOUR FAVORITE CLASS TO TEACH?

I like teaching statistics because I like the fact that I can make it about cause and effect, which I think is one of the central questions in social science, and not about chugging through formulas. So, how do we know if A affects B, how do we do sound research that establishes causal relationships- establishes is probably too strong of a word- and I like showing students how to design a research project, how to implement a research project, how to analyze data, how to reach conclusions that are defensible. I also like my class called Conflict and the Law because it is a very theoretical course. It covers the ideas of a sociologist named Donald Black, and I think he was brilliant and even revolutionary. He developed his own paradigm, his own theories, and what he did is very different than a lot of modern sociology. I always liked what he was trying to do, and I think that's an interesting challenge, to teach that class, because you're trying to teach students how to apply abstract theoretical ideas to concrete situations. And then of course, I love my death penalty class because that's the topic I've studied. That's where the theory and the statistics come together, applied to a particular topic. That class is interesting because we can talk about landmark Supreme Court cases, deterrence, retribution, innocent people being executed, racial disparities, class disparities, and all sorts of interesting topics.

6 IS THERE ANYTHING ELSE YOU WOULD LIKE TO ADD?

I think this job is really about creativity and solving puzzles. Because to come up with an idea, to come up with a question, that hasn't been answered, is tough. In the course of my career, I think I've had a couple of really good ideas, but the rest were just good ideas. They weren't all that special. And it takes a long time to land on something that is an especially good idea, and it comes like a lightning bolt out of the blue. For me, it only happened a couple of times in my career. I had plenty of good enough ideas. Good enough ideas are sufficient to publish a paper, to develop a record, to get tenure, to be promoted- but the reason I'm bringing this up is because getting an idea that's really good is unbelievably exciting. "Damn, that's a really good idea." That's not just a decent idea. And in this business that goes a long way. I've only had a few, but it was very satisfying. So if you're the kind of person who likes solving puzzles- in this case, research puzzles-

and you like to spend your time thinking, and you're really excited by ideas, this is a great career. It also just gives you the flexibility and the freedom to work on what you want to work on, it gives you the chance to work with a lot of smart undergraduate students, and to do whatever you can to help them along their way. It has been fun. Just as I thought it would be.