

# Reply: The Death Penalty Once More

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Dear Editors:

I would like to clear up the important misimpression that John Donohue and Justin Wolfers create in their most recent *Economists' Voice* letter implying that they have been unable to reproduce our results. To the contrary, and as they concede in their article in the *Stanford Law Review*: “Dezhbakhsh, Rubin, and Shepherd generously shared their data and code, and Joanna Shepherd assisted our efforts, enabling us to perfectly replicate all of their results.” Only when they misinterpreted our admittedly-ambiguous description of our instrument did they get different results. However, we cleared up this ambiguity with them long ago, allowing complete replication.

Instead, they show that some different specifications find no deterrence. They concede in their paper that the specifications they report are not necessarily superior: “Our point is not that one specification is preferable to the other. Indeed, sorting that out would be a difficult task.” They simply found different models and data that yielded different results.

Moreover, in my Congressional testimony, I cited not only my own article but a total of 12 studies by 15 different authors that find a deterrent effect. (Steve Levitt has claimed that I mischaracterized his results; some of his specifications found deterrence, but others did not. Even ignoring his article, there are still 11 published articles that have found deterrence.) Although Donohue and Wolfers’ *Stanford Law*

Review article criticizes some of these, the vast majority of studies, not just our paper, find deterrence. Nevertheless, in my Congressional testimony I discussed briefly the Donohue and Wolfers Stanford Law Review piece, and indicated that the issue was still open.

As I indicated in my previous Response, the *American Law and Economics Review* has planned a special symposium where the econometric issues can be considered in detail. This will further our understanding of the issues under discussion. I hope further debate on this issue can wait until this is available.

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## REFERENCES AND FURTHER READING

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**Rubin**, Paul H., “Statistical Evidence on Capital Punishment and the Deterrence of Homicide” testifying on Feb. 1, 2006 in hearings on “An Examination of the Death Penalty in the United States,” Senate Judiciary Committee, available at

[http://judiciary.senate.gov/testimony.cfm?id=1745&twit\\_id=4991](http://judiciary.senate.gov/testimony.cfm?id=1745&twit_id=4991)