



# Resolutions To Action

LCWR Global Concerns Committee

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## Legalized Homicide: Death Penalty 2010

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### EXPERIENCE

**H**e waits like a child for what others are about to do him — as in his powerless childhood. Sam is buckled down, covered with a white sheet, arms outstretched and strapped down, ironically resembling Jesus nailed to the cross. In his arm, a needle awaits the flow of the chemicals that will end his life. At 11:00 AM, he had finally realized his childhood dream as the deacon baptized him into the Catholic faith. At 6:00 PM, his hope is in God, knowing that as newly baptized, his sins have been forgiven. But it is clear that Texas does not forgive and Texas shows no mercy.

Months ago, Sam had asked me (Elizabeth) to be his “teacher” in the faith that he had longed to join since boyhood, something his parents would not permit. Although his IQ was 71, he delighted in studying the stories about Jesus. For nine years, a Sister from a northeastern state had written to Sam as his “spiritual guide,” and he called her his “spiritual mother.” Over the years, the real Sam began to emerge. Fully aware of his terrible acts of taking human life,

he became repentant and accepting of his sentence. In his last weeks he amazed everyone with his selfless concern for them, boosting their morale if his appeal for clemency failed.

It is said that “it takes a village to raise a child.” It also takes a village to raise a killer. The systems in his “village” had clearly failed Sam, the child. Had he experienced a loving family, or a school system prepared to understand a disturbed and abused child, ready to intervene and provide needed help, true friends, and a faith community to welcome him into the sacramental presence of the healing Jesus, Sam would not have faced execution and his victims would still be alive.

### SOCIAL ANALYSIS

**A**t this time, China, Iran, Iraq, and Saudi Arabia and the United States lead the world in killing their citizens or others. UN General Assembly resolutions have called for a worldwide moratorium on executions. In the Americas, the US alone carries out executions, but a growing number of states have abandoned them.

In 2010: Kansas defeated abolition on a tie vote; New Mexico repealed the death

penalty; Connecticut passed the repeal, vetoed by the governor; Colorado, Montana and New Hampshire repeal bills passed in one chamber and came close to passage in the second. Maryland’s death penalty statute is now the most restrictive in the nation. In Ohio, botched execution attempts prompted a new examination of the potential pitfalls of lethal injection. By 2009, death row inmates released due to evidence of their wrongful convictions had reached 138. (Kristin Houle, Ex. Dir. TCADP, 2009 Report)

Most influential with legislators were powerful testimonies from Murder Victims Family members for Human Rights and for Reconciliation. Their “new paradigm of the heart” stands in

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stark contrast to media images of angry cries for vengeance from others.

By 2009, Texas death sentences declined more than 60% in five years with nine sentences, the lowest number since 1976; jurors rejected death sentences in four cases; but 24 executions took place — nearly half the US total of 52. In 2010, three death sentences were assigned; 10 were executed with seven more scheduled before September; one jury rejected the death penalty. In 2008, a bill to abolish the death penalty in Texas—once considered an impossible dream—actually had enough sponsors to be assigned a legislative sub-committee hearing. What factors caused this progress?

1. **Passage of LWOP (Life Without Parole) 2008** gave jurors the option to the death penalty
2. **Study of the cost of the death penalty** showed it is more expensive than LWOP. One Texas “death row county” raised taxes and eliminated employee raises to cover the costs of death sentences.
3. **Efforts at education** by a number of organizations raise awareness of death penalty issues.
4. **Voices of Religious Leaders.** Bishops in Texas and elsewhere exercise moral leadership by calling for abolition. Women religious engage in advocacy; some testify before legislative committees.
5. **Voices of political leaders.** Mark White (TX State Attorney General, 1979-1983, Governor involved with 20 executions 1983-1987) expressed support for abolition and favored life without parole. (*Houston Chronicle* and the *Dallas Morning News*)

**One Tragic Fact Remains.** Mentally challenged and mentally ill persons are still being executed because of legal entanglements that fail to prevent their executions. Often victims of violent child abuse in homes with substance abuse problems, these persons were on the fringes of education systems that failed at intervention and referral. Without a positive support group, and labeled “trouble makers” even by church groups, they sought refuge on the streets. There is poor public under-

standing of these issues because the system fails to incorporate them as root causes of violent crime. Meanwhile, a wasteful approach to the problem grows more obsolete. A twenty-first century system of real justice requires a holistic model that perceives violent criminals as human persons with stories that need to be heard and broken lives that can be restored. Even after abolition is a reality, this challenge will remain.

## REFLECTION

To see offenders as lost brothers and sisters is part of our challenge to live by faith. The natural tendency is “a life for a life.” But Jesus says, “Blessed are the merciful, for they shall obtain mercy;” “Love your enemies and do good to those who hurt you;” and he teaches us to pray “forgive us our offenses as we forgive those who offend us.” He declares: “This will prove that you are children of your heavenly Father, for his sun rises on the bad and the good, he rains on the just and the unjust. . .”

Valuing the lives of the “unjust” as much as those of the “just” defies normal human response to grave injustice. Jesus, the Good Shepherd, emphasizes the value of the “one who is lost” over the 99 who never strayed. Our church teaches, “Human life is sacred because from its beginning it involves the creative action of God and it remains forever in a special relationship with the Creator, who is its sole end. (*Catechism of the Catholic Church*)

In the first recorded capital offense (Gen. 4:1-11), Cain was not executed for the murder of his brother Abel. Although he was banned from society, God protected him. While wrong doers must be punished and isolated in order to protect society, they are not to be killed. “Do I indeed derive any pleasure from the death of the wicked; do I not rather rejoice when he turns from his evil way that he may live?” (Ezekiel 18:23) As Christians, we are called to bring our brothers and sisters home to their own hearts of goodness.

**Pope Benedict XVI, Pro-Life Day 2006:** “I would like to underline the importance of the service of love for the support and promotion of human life. . . the culture of life is in fact based on attention to others without any forms of exclusion or discrimination. Every human life, as such, deserves and demands always to be defended and promoted.”

**Pope John Paul II:** “Nowadays, in America. . . the cases where it is absolutely necessary to do away with an offender are now very rare, even non-existent practically.” (*Ecclesia in America: Post-Synodal Apostolic Exhortation, Jan. 22, 1999*)

**USCCB:** “It is time to abandon the death penalty—not just because of what it does to those who are executed, but because of how it diminishes all of us. . . We ask all Catholics—pastors, catechists, educators and parishioners—to join us in rethinking this difficult issue and committing ourselves to pursuing justice without vengeance. With our Holy Father, we seek to build a society so committed to human life that it will not sanction the killing of any human person.” (*Living the Gospel of Life: A Challenge to American Catholics, USCCB*).

## ACTION

Learn more by looking into these resources:

- USCCB: [www.usccb.org](http://www.usccb.org) Life Issues, Capital Punishment
- Death Penalty Information Center: [www.deathpenaltyinfo.org](http://www.deathpenaltyinfo.org) (Has state-by-state information as well as national).
- National Coalition to Abolish the Death Penalty: [www.ncadp.org](http://www.ncadp.org)
- Catholics Against Capital Punishment: [www.cacp.org](http://www.cacp.org)
- Murder Victims’ Families for Reconciliation: [www.mvfr.org](http://www.mvfr.org)
- Murder Victims’ Families for Human Rights: [www.murdervictimsfamilies.org](http://www.murdervictimsfamilies.org)
- Texas Catholic Conference: [www.txcatholic.org](http://www.txcatholic.org) Learn Issues, Criminal Justice Reform