

Memorandum

To: All Priests and Ministers
From: Mary Jo Tully
Re: Campaign to Abolish the Death Penalty
Date: August 14, 2009

Archbishop Vlazny's column in this week's Catholic Sentinel concerns a very important issue which people of faith in Oregon are planning to address together. We are sending the column in the hopes that you will make it available to your parishioners.

In 2005 the U.S. Conference of Catholic Bishops launched an ongoing Catholic Campaign to End the Use of the Death Penalty. Thirty-five states have a death penalty; fifteen do not. Oregon voters reinstated the death penalty in 1984. Since then, 73 death sentences have been pronounced but 36 have been reversed. Thirty-one individuals are currently on death row.

There are many reasons to oppose the death penalty that are not religious:

- It encourages the idea that violence is an appropriate solution to social problems
- It has, and will continue to result in the execution of innocent people
- It is not an effective deterrent to murder
- It is applied arbitrarily and disproportionately against the poor and minorities
- It diverts resources from effective criminal justice policies

For Catholics, opposition to the death penalty is rooted in our conviction that human life must be respected and protected from the moment of conception and the Church's teaching that "the cases in which the execution of the offender is an absolute necessity are very rare, if not practically non-existent." (Evangelium vitae 56.)

However, Oregon is one of the only three states where the death penalty is written into the state constitution. It can be changed only by initiative or referendum. It will be really important that Catholics throughout the Archdiocese be educated about this important matter. This cause is not new. The United States Catholic Conference of Bishops has opposed the death penalty for more than 25 years. But this Oregon Campaign is now. We need to share our Catholic teaching with courage and clarity. We need to reach out to our teachers and to our parishioners. We need to form and to persuade. We need to be advocates for change. We hope you will be part of this effort.

August 13, 2009

Crime and Punishment Revisited

This year legislation has been introduced in many of our states to abolish the death penalty. Where? Colorado, Connecticut, Kansas, Maryland, Montana, Nebraska, New Hampshire and New Mexico. In these hard economic times the tremendous cost of the death penalty has been a significant factor, one that was mentioned time and time again. A legislator in Kansas, moreover, indicated that not only is the death penalty too costly, it does not benefit the people and it should be replaced with life without parole.

It would seem it is time for the state of Oregon to revisit this matter. Even though some might suggest that this smacks of liberal posturing which conservatives will quickly reject, the matter is not quite that uncomplicated. Recently Mr. Richard A. Viguerie, whom some have described as “one of the creators of the modern conservative movement”, explained how his conservative ideology actually led him to oppose the death penalty. He now is calling for a national moratorium on the death penalty. Viguerie said that capital punishment goes against conservative values. Everyone may not embrace his rationale but here it is, “Conservatives have every reason to believe the death penalty system is no different from any politicized, costly, inefficient, bureaucratic, government-run operation, which we conservatives know are rife with injustice.”

Nearly four years ago the American bishops approved a document entitled “*A Culture of Life and the Penalty of Death.*” We invited our Catholic people to embrace a call for a common action against the death penalty. I sent a letter to pastors about this matter in March, 2006 asking them to encourage you to reflect on the death penalty and the principles of justice, forgiveness, mercy and the sanctity of life. Not much came from that invitation but let me try again.

As Catholics, we are committed to promoting a consistent ethic of life and upholding the dignity of life from conception until natural death. We emphatically

oppose a culture of death. We cannot promote the “illusion that we can protect life by taking life.” Why did we bishops speak out so publicly in opposition to the death penalty? Let me tell you why.

1. The sanction of death, when it is not necessary to protect society, violates respect for life and dignity.
2. State-sanctioned killing in *our* names diminished all of us.
3. Its application is deeply flawed and can be irreversibly wrong, is prone to errors, and is biased by factors such as race, the quality of legal representation, and where the crime was committed.
4. We have other ways to punish criminals to protect society.

Fortunately, public attitudes about capital punishment are changing. The value of the death penalty is highly questionable. States with more executions tend not to have lower murder or crime rates. There really is no clear evidence that the death penalty prevents or deters crimes. Recent Supreme Court decisions have ended executions of the mentally retarded and those who were juveniles at the time they committed their crimes. The Supreme Court has also insisted that only juries, and not judges, can impose a sentence of death.

Catholic teaching about capital punishment is not an absolute rejection of its use. By itself a death penalty is not intrinsically evil. Our Catholic teaching in this matter is rooted in the same concern for the sanctity of the human person as is our teaching on euthanasia, war, genocide and abortion. But all these issues are different and they do not have the same gravity or moral content. They are not equivalent. On the other hand, Catholic teaching on the death penalty clearly articulates a call for us to set aside all unnecessary violence, including violence by the state, on the basis of the dignity of each and every person and the building of a culture of life. Archbishop Chaput of Denver put it this way, “In the wake of the bloodiest century in history, the Church invites us to recover our own humanity, choosing God’s higher road of restraint and mercy instead of state-sanctioned killing that implicates all of us as citizens.”

Pope John Paul II in his masterful encyclical *The Gospel of Life* stated, “The nature and extent of the punishment ‘for capital crimes’ must be carefully evaluated and decided upon, and ought not go to the extreme of executing the offender except in cases of absolute necessity; in other words, when it would not be possible otherwise to defend society. Today, however, as a result of steady improvements to the organization of the penal system, such cases are very rare, if not practically non-existent.”

Fortunately, more and more of our Catholic people seem to be getting the message. Less than half now support the death penalty. For those who attend church regularly, support of the death penalty decreases even more. This is consistent with everything we have learned about Catholic support for the sanctity of human life. The more active people are in practicing their faith, the more they understand and appreciate the value of human life as a gift from God, one where we exercise some stewardship, but not ownership.

Bud Welch, the father of Julie Marie Welch, who was killed in the 1995 Oklahoma City bombing, had this to say about the death penalty as a possible punishment for his daughter’s assassin. “My conviction is simple. More violence is not what Julie would have wanted. More violence will not bring Julie back. More violence only makes our society more violent.”

A renewed effort on behalf of the abolition of the death penalty in this land would be yet another effort to encourage our people and fellow citizens to reject a culture of death and to build a culture of life. This very old and fundamental choice was articulated wisely and well long ago in Sacred Scripture: “I have set before you life and death, the blessing and the curse. Choose life, then, that you and your descendants may live.” (Dt. 30:19)