

UTAH'S DEATH PENALTY

- 9 people currently on death row
- 7 executions since 1976
- 43 executions before 1976
- Jury decides the sentence
- Life without parole is a sentencing option
- Method of execution: lethal injection, choice of firing squad if convicted before 2004 or if there is any problem obtaining the drugs for lethal injection

Near Repeal

In March of 2016, Utah's unexpectedly powerful bill that would have abolished the death penalty failed in the state legislature. While capital punishment remains intact in Utah, the bill passed in the Senate and House committee before failing on the House floor, a remarkable feat in such a staunch Republican state. Marc Hyden of Conservatives Concerned About the Death Penalty addressed this rare occurrence, saying, "Conservatives are increasingly taking the lead to end the death penalty precisely because of our conservative principles." The Utah bill questioned the constitutionality of the death penalty, citing the length of time inmates spend on death row, a concern shared by U.S. Supreme Court Justice Ruth Bader Ginsburg.

First Back At It

After the United States reinstated the death penalty in 1976, Utah was the first state to resume the practice, executing Gary Gilmore by firing squad in January of 1977.

Utah Bishop Stands Against Capital Punishment

"It seems as if our government leaders have substituted state legislation for the law of God. They argue that, because executions are lawful, they are then moral. This is not so. No human law can trump God's law." Bishop Wester, *March 24, 2015*

The **Diocese of Salt Lake City** teaches about the death penalty as part of their mission to uphold the dignity of life.



Firing Squad

Utah is the only U.S. state to still allow firing squad as an execution method. The practice was re-instated in 2004 in order to continue executions in the face of a national shortage of execution drugs, but was later reversed, leaving firing squad as an option only for those sentenced before 2004. However, in the face of national controversy over the use of lethal injection drugs, the Utah legislature has passed a proviso stating that execution by firing squad is permissible if lethal injection is found to be unconstitutional. As of 2014, firing squad will be used on all executions if there is any problem obtaining the drugs for lethal injection.

Declining Usage

A recently conducting analysis in Utah reveals that capital punishment has been very rarely used in recent years. This new trend may have occurred because of the availability of life without parole as an alternate sentence, the cost and slow pace of death penalty trials, and increasing resistance from victims groups. Although Utah has only executed one person in the last 16 years, that is still one person too many. Abolition of the death penalty must be sought, not because it is more cost efficient, but because all humans have an inherent right to life and dignity.

Visit their website to learn more: <http://www.dioslc.org>

OUR FAITH AND THE DEATH PENALTY

Respect for Life

Catholic teaching on human life is rooted in the belief that all life is a gift from God that must be respected and defended from conception to natural death.

Evangelium Vitae, Pope John Paul II's encyclical on human dignity, challenges us to be "unconditionally pro-life."

"The dignity of human life must never be taken away, even in the case of someone who has done great evil. Modern society has the means of protecting itself, without definitively denying criminals the chance to reform" (*Gospel of Life*, 27).

The Catechism of the Catholic Church

"If...non-lethal means are sufficient to defend and protect people's safety from the aggressor, authority will limit itself to such means, as these are more in keeping with the concrete conditions of the common good and more in conformity to the dignity

Words of the Popes

Pope Francis: "'Rendering justice" does not mean seeking punishment for its own sake, but ensuring that the basic purpose of all punishment is the rehabilitation of the offender." *World Congress Against the Death Penalty*, June 22, 2016.

Pope Benedict XVI: "Society's leaders should make every effort to eliminate the death penalty and to reform the penal system in a way that ensures respect for the prisoners' human dignity." *Benin, Africa*, Nov. 19, 2011.

Pope John Paul II: Catholics and others believe that each human being is made in the image of God and therefore, "No matter how heinous the crime, the offender retains their God-given worth and must be treated with dignity." *St. Louis, Mo.*, Jan. 27, 1999.

Social Justice

The Church is also concerned with social injustices integrated in the death penalty system: "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." *A Culture of Life and the Penalty of Death USCCB* (2005).

Innocence

- Over 150 people have been exonerated from death row
- For every nine executions carried out in the United States, one person has been found to be innocent.

Racial Bias

- 76% of death row defendants have been executed for killing white victims, even though African-Americans make up about half of all homicide victims.
- African-Americans are overrepresented on death row. They makeup 13% of the US population but constitute 42% of death row.

Criminalization of Mental Illness and Intellectual Disabilities

- A study in the *Hastings Law Journal* of recent executions found that "over half of the last one hundred executed offenders have been diagnosed with or displayed symptoms of mental illness."
- The Supreme Court banned the execution of those with intellectual disabilities but states have significantly deviated from accepted clinical methods for determining intellectual disability.

Representing the Poor

- The vast majority of individuals on death row could not afford their own attorney. In many cases, the appointed attorneys are overworked, underpaid, or lacking the trial experience required for death penalty cases.

Costly Public Policy

- The death penalty is more expensive than life without parole. Multiple studies have shown the cost of trial, sentencing, appeals, and imprisonment to be much higher in capital cases v. life in prison without parole.

Geographic Bias

- 2% of all US counties have produced 56% of the US death row population.