

# MISSOURI'S DEATH PENALTY



**CATHOLIC  
MOBILIZING  
NETWORK**

ENDING THE DEATH PENALTY.  
PROMOTING RESTORATIVE JUSTICE.

## The Facts

- 25 people currently on death row
- 88 executions since 1976
- 285 executions before 1976
- Jury decides sentence
- Life without parole is a sentencing option
- Method of execution is a choice of lethal injection or lethal gas
- 4 persons released from death row based on evidence of innocence
- 4 clemencies granted

## Missouri's Failed Legislation

In 1999, Pope John Paul II was visiting Missouri the day before Darrell Mease's scheduled execution. The Pope made a personal plea to Governor Carnahan to grant mercy for Darrell Mease. The governor granted Mease clemency and changed the sentence to life without parole

## Missouri Executed the Mentally Disabled

In 2002 the US Supreme Court banned the execution of the mentally disabled in *Atkins v. Virginia*. However, in Missouri, a defendant is only ineligible for execution if a disability is documented before the age of 18. This creates a dangerous loophole. For example: Cecil Clayton was executed by the state of Missouri despite missing a chunk of his brain. He lost 20% of his frontal lobe in an accident at the age of 31. He had an IQ of 71 at the time of his execution.

## Missouri Bishops Stand Against Capital Punishment

The Missouri bishops appealed to state officials to stand for life, mercy, and justice out of concern for the accelerated amount of executions in recent months.

- "As Catholic bishops we have signed clemency applications for individuals condemned to death and in reviewing these cases we have seen issues of racial disparity, inequity of sentencing between codefendants and inadequate defense counsel."
- "Just as we see the likeness of God in an innocent child, we must learn to see the same in a criminal, even as we condemn the sin committed."

The **Missouri Catholic Conference** actively works on death penalty legislation as part of their mission to uphold the dignity of life.

Visit their website to learn more:

[www.mocatholic.org](http://www.mocatholic.org)

## MURDER VICTIM FAMILY MEMBERS REJECT DEATH PENALTY

A Missouri couple, John and Reva Griffith, lost their son to murder. They found that waiting for the "eye for an eye" execution of Donald Reese, their son's murderer, brought them no closure. "We have found that killing to stop killing is insane," said the Griffiths. "We needed reconciliation, not vengeance."

## CONTROVERSIAL DRUG AND USAGE

In 2013, Missouri officials claimed that they did not use the controversial lethal injection drug, midazolam. However, a report exposed that the drug was being used for executions without any witnesses present. Attorney Cheryl Pilate stated that the undisclosed use of this drug might be a serious violation of state law.

# The Church and State Speak

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## The Church Speaks

### Catechism of the Catholic Church

"The Church teaches, in the light of the Gospel, that 'the death penalty is inadmissible because it is an attack on the inviolability and dignity of the person' and she works with determination for its abolition worldwide." (CCC 2267)

### *Evangelium Vitae*

Pope St. John Paul II's encyclical on human dignity, challenges us to be "unconditionally pro-life.": "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." (*Evangelium Vitae*, 27)

### United States Conference of Catholic Bishops

"Its [the death penalty] 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)

### 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 Emeritus 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



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## The States Speak

### Innocence

- Nationally, over 160 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.

### 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.

### Overrepresentation of the Poor

- The 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

- Multiple studies have shown the cost of trial sentencing, appeals and imprisonment to be much higher in capital cases versus life in prison without parole.

### Geographic Basis

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