

# ALABAMA'S DEATH PENALTY



**CATHOLIC  
MOBILIZING  
NETWORK**

ENDING THE DEATH PENALTY.  
PROMOTING RESTORATIVE JUSTICE.

- 175 people currently on death row
- 67 executions since 1976
- 708 executions before 1976
- Jury decides the sentence
- Life without parole is a sentencing option
- Method of execution is lethal injection. For persons sentenced before 2002, the electric chair is an option
- 6 people have been freed from death row
- 1 person has been granted clemency

## **An Expensive System**

Just as in other states, the cost of execution is far greater than the cost of a life sentence. Many aspects of capital punishment cases, including jury selection, trials and appeals, can take more than 10 years and are very costly for the state. The state Department of Public Advocacy in one state estimated that as much as \$8 million a year was spent prosecuting, defending, and incarcerating death-row inmates. States could use those funds for commonsense solutions for public safety, like:

- Increased funding for victims' services
- More resources for police departments
- Better sentencing and parole programs such as drug treatment and re-entry services

## **Alabama Bishops Stand Against Capital Punishment**

In 2016, responding to the brutal murders of two religious sisters, the Bishops of Alabama and Mississippi came out with a statement regarding the death penalty. A fragment of the statement says, "Society does not teach respect for life by taking life. Capital punishment contributes to a lack of respect for life and a climate of violence in our states. Life without parole, which some studies indicate costs fewer tax dollars than seeking to execute a criminal, protects society and keeps offenders from harming others. We implore our fellow citizen to ask our elected officials to end the violence of the death penalty and to replace it with non-lethal means of punishment."

## **ALABAMA'S EARLY HISTORY**

The very first execution carried out in Alabama was in 1812 when the state executed Eli Norman for murder. From 1812 to 1927, the primary method of execution was hanging until 1927, when the electric chair, known as "Yellow Mama," was introduced. Today, however, the primary method is lethal injection although inmates, convicted prior to 2002, can choose to be executed by electric chair.

## **SCOTTSBORO BOYS**

In 1931, nine African American boys were charged with raping two white girls. All white juries sentenced eight of the boys to death. The cases were heard by the U.S. Supreme Court in *Powell v. Alabama* in 1932. This was the landmark case which established as precedent the guarantee to counsel in a capital trial. After numerous trials, only one of the boys was sentenced to death, but his sentence was later commuted to life in prison.

# The Church and State Speak

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## The Church Speaks

### *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)

### **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' (Francis) and she works with determination for its abolition worldwide." (CCC 2267)

### **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

## 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.
- 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.

### **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



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