

# GEORGIA'S DEATH PENALTY



**CATHOLIC  
MOBILIZING  
NETWORK**

ENDING THE DEATH PENALTY.  
PROMOTING RESTORATIVE JUSTICE.

## The Facts

- 56 people currently on death row
- 74 executions since 1976
- 950 executions before 1976
- Jury decides the sentence
- Life without parole is a sentencing option
- Method of execution: lethal injection
- 6 innocent persons released from death row

## What Determines Who Dies?

**Race:** In Georgia, 87% of cases resulting in a death penalty conviction were those with a white victim, although they comprise about 40% of all murder victims. Georgia prosecutors are more than twice as likely to seek the death penalty in cases with a white victim.

**Geography:** Suburban counties like Cobb or Douglas are much more likely to hand down death sentences than urban counties like DeKalb or Fulton.

**Class:** Almost all death row defendants are unable to afford a private attorney; their cases end up on the desks of public defenders. But Georgia's public defense funding has been consistently cut, leaving attorneys overworked. As a result, the constitutional right of death row inmates to adequate legal counsel at their trials and appeals is very much in question.

## Georgia Bishops Stand Against Capital Punishment

"As heirs to the vision of the brotherly communion that Jesus Christ imparted to his disciples, we Catholic bishops long for an American society that is neither insensitive to the demands of justice nor blind to the need for mercy." Archbishop Gregory, October 7, 2008

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

**Georgia Catholics Against the Death Penalty** promotes respect for life in line with Church teaching for victims as well as offenders.

**Visit their websites to learn more:**

<http://georgiacc.org>

<http://www.gacadp.org>

## KELLY GISSENDANER

Georgia death row inmate Kelly Gissendaner converted to Christianity in prison, going on to earn a theology degree to minister to other prisoners. On several occasions, she even prevented fellow prisoners from taking their own lives. Prominent theologians have urged the State Board of Pardons to grant her clemency.

## EXECUTION OF THE MENTALLY ILL

The Supreme Court ruling *Atkins v. Virginia* prohibited the execution of the mentally ill. Georgia, through bureaucratic technicalities, has continued this practice. In 2015 alone, they executed two mentally ill men: Warren Hill and Andrew Brannan. Hill was declared to have intellectual disabilities by a judge and Brannan was a veteran, recognized by the Veterans Administration as having bipolar disorder and combat related PTSD. In July of 2016, John Conner was executed after 34 years on death row and even though his teachers had claimed he was intellectually disabled.

# The Church and State Speak

## 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' (Francis) 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

## 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



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