

# ARIZONA'S DEATH PENALTY



- 125 people currently on death row
- 37 executions since 1976
- 104 executions before 1976
- Jury decides the sentence
- Life without parole is a sentencing option
- Method of execution: lethal injection, choice of gas chamber if sentenced before 11/15/92
- 9 persons released from death row based on evidence of innocence

## Prolonged Execution

The execution of Joseph Wood lasted nearly 2 hours instead of the intended 10 minutes. The execution team was supposed to administer 1 dose of each drug in the lethal injection process according to the state's protocol, but they injected 15 doses into Joseph Wood. Witnesses saw him gasping and snorting during the procedure. The drug used in his execution was also used in botched executions in other states.

## The Challenges of Being a Juror

In Arizona, the jury foreman for the Jodi Arias trial, William Zervakos, described the challenges of being a part of a capital jury:

-He described jury deliberations as a "brutal no-win situation" that was "unfair."

-We're not lawyers. We can't interpret the law."

## Innocent Man Sentenced to Die

Ray Krone was sentenced to death before being exonerated in 2002. He was originally only found guilty based on circumstantial evidence and false testimony. The discovery of DNA evidence proved that Ray Krone did not commit the murder he was convicted for.

## Arizona Bishops Stand Against Capital Punishment

Bishop Thomas J. Olmsted provided several answers when asked, "What if Arizona repealed the death penalty?"

- "...it would be a positive step forward in promoting a culture of life and it would benefit us by strengthening the moral tone and texture of our society."

- "The way we treat criminals says a lot about the value we give to every human person."

The **Arizona 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.azcatholicconferene.org](http://www.azcatholicconferene.org)

## PROSECUTION MISCONDUCT

A large number of prosecutorial misconduct allegations in Arizona's capital cases prompted an investigation. The report found that the Arizona Supreme Court validated half of these allegations and there were rarely consequences to prosecutors guilty of misconduct. The prosecution plays a key role in ensuring a fair trial and must be held to high standards when performing their job.

## ARBITRARY APPLICATION

The death penalty is supposed to be reserved for the "worst of the worst." In reality, its administration is very arbitrary and does not fall on the worst offenders. For example, four co-defendants were charged with an Arizona murder, but only one of them, Patrick Bearup, received the death penalty. He was not even directly involved in killing the victim, unlike the other defendants who secured plea bargains.

# 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",[1] 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



**CATHOLIC  
MOBILIZING  
NETWORK**

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**ENDING THE DEATH PENALTY.  
PROMOTING RESTORATIVE JUSTICE.**