

# COLORADO'S DEATH PENALTY



## The Facts

- 1 execution since 1976
- 101 executions before 1976
- Life without parole is a sentencing option
- Method of execution was lethal injection
- 1 person released from death row based on evidence of innocence
- 1 person has been granted clemency

## Milestones in Abolition/Reinstatement

Colorado abolished the death penalty in 1897 and reinstated it in 1901. On May 22, 2013, then-Governor John Hickenlooper granted a moratorium on executions.

In 2020 (following failed repeal efforts in 2019) the Colorado state legislature passed a bill to repeal the death penalty. On March 23 2020, the bill was signed into law by Governor Jared Polis making Colorado the 22nd state to repeal the death penalty.

## James Holmes

On August 7, 2015, after a more than six-month and \$5 million dollar trial, an Aurora, Colorado jury sentenced James Holmes to life without parole for a 2012 movie theater shooting that killed 12 people and injured dozens more. The jury said they could not reach a unanimous decision on Holmes' sentence, which resulted in a sentence of life without parole. Holmes offered to plead guilty in exchange for a sentence of life without parole, but the prosecution rejected the plea. Holmes then pleaded not guilty by reason of insanity. The jury rejected the insanity defense and convicted him of all charges, but spared him the death penalty.

## Colorado's Bishops Stand Against Capital Punishment

"As the Catholic bishops of Colorado, and consistent with Christian respect for the sanctity of human life, we oppose the use of capital punishment in our state...The state of Colorado has other means available to it besides the death penalty to exact justice and render the criminal unable to do harm. We need to continue the reform of our criminal justice system, and we need to impose punishment in a way that protects society from violence while avoiding further killing under official guise."

## POSTHUMOUS EXECUTION

On January 7, 2011, Colorado Governor Bill Ritter granted a posthumous pardon to Joe Arridy, who had been convicted and executed as an accomplice to a murder that occurred in 1936. The pardon came 72 years after Arridy's execution and is the first such pardon in Colorado history. The governor said, "Granting a posthumous pardon is an extraordinary remedy. Both the tragic conviction of Mr. Arridy and his subsequent execution on Jan. 6, 1939, merit such relief based on the great likelihood that Mr. Arridy was, in fact, innocent of the crime for which he was executed, and his severe mental disability at the time of his trial and execution. Pardoning Mr. Arridy cannot undo this tragic event in Colorado history. It is in the interests of justice and simple decency, however, to restore his good name."

## COLORADO'S METHODS

The first execution in Colorado was the hanging of John Stoefel in 1859. All executions were carried out by hanging until 1934, when the state adopted lethal gas as its new execution method. Colorado switched to lethal injection in 1988.

# 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.
- 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



**CATHOLIC  
MOBILIZING  
NETWORK**

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