

# IOWA'S DEATH PENALTY



**CATHOLIC  
MOBILIZING  
NETWORK**

ENDING THE DEATH PENALTY.  
PROMOTING RESTORATIVE JUSTICE.

## THE FACTS

- 0 people currently on death row
- 0 executions since 1976
- 45 executions before 1976
- Life without parole is a sentencing option
- 0 people released from death row based on evidence of innocence
- 0 people have been granted clemency

## Iowa's Claim of Innocence

On July 15th 1845, Mormon brothers William and Steven Hodges were hanged together for murder. Both brothers died proclaiming their innocence, blaming the verdicts on anti-Mormon prejudice.

## Iowa's History

Iowa carried out 45 executions between 1834 and 1965. All of those executed were men; 43 were executed for murder and 3 were executed for rape.

## Iowa's Bishops Stand Against Capital Punishment

In 1998, the Bishops of Iowa released a joint statement regarding a bill that sought to reinstate the death penalty in Iowa. A part of the statement says, "The Catholic Bishops of Iowa speak out in opposition to the death penalty and its possible reinstatement in the state of Iowa. We challenge the people of Iowa, especially our own Catholic faithful, to examine the issue of capital punishment in the light of basic moral and religious values. After further review and in light of current discussions and initiatives, we speak more strongly than ever against the death penalty. We dare to take this position and we raise this challenge because of our commitment to a consistent ethic of life, by which we wish to give unambiguous witness to the sacredness of every human life from conception through natural death. We proclaim the good news that no person is beyond the redemptive mercy of God. We oppose reinstatement of the death penalty to send a message that we can break the cycle of violence, that we need not take life for life. We urge our brothers and sisters in Christ, as well as all people of good will, to remember the teachings of Jesus, who called us to be reconciled with those who have injured us (Mt. 5:43-45) and to pray for forgiveness of our sins "as we forgive those who have sinned against us" (Mt. 6:12). We call on you to contemplate the crucified Christ who sent us the supreme example of forgiveness and of the triumph of compassionate love."

## DEATH PENALTY ABOLITION

In 1872, Governor Cyrus Carpenter, influenced by anti-death penalty Quakers and Unitarians, signed the first piece of legislation abolishing the death penalty. Soon after abolition, crime waves caused some vigilante citizens to commit lynchings, which some claimed were justified by the absence of a death penalty. In 1878, capital punishment was reinstated by the Iowa legislature in order to bring an end to lynchings and to attempt to deter crime.

In 1964, Democrats enjoyed their most successful election in Iowan history. In 1965, Governor Harold Hughes signed a bill which abolished Iowa's death penalty a second time. Since then, numerous attempts have been made at reinstatement. The most serious of these reinstatement efforts came in the wake of the kidnapping, sexual assault, and murder of nine-year old Anna Marie Emry in 1994. Although Governor Terry Branstad made reinstatement of the death penalty central to his 1994 reelection campaign, none of the proposed measures passed both houses of Iowa's state legislature.

# 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' 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*

### <sup>27</sup> 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