

MASSACHUSETTS'S DEATH PENALTY



**CATHOLIC
MOBILIZING
NETWORK**

ENDING THE DEATH PENALTY.
PROMOTING RESTORATIVE JUSTICE.

The Facts

- Rhode Island was one of the first states to abolish the death penalty in 1852
- The death penalty was reinstated for the crime of murder while serving a life sentence in 1873 and then expanded in 1972 to be mandatory for any murder committed while in a state penitentiary
- Rhode Island abolished the death penalty in 1984
- Many governors have tried to reinstate the death penalty but have been unsuccessful
 - Prior to 1900, the primary method of execution used to implement the death penalty in Massachusetts was hanging
 - The primary method of execution in Massachusetts was electrocution following 1900
 - The first execution in Massachusetts took place in 1630
 - The last execution in Massachusetts occurred in 1947

Bishops of West Virginia Statement regarding the Death Penalty

The Bishops of Massachusetts said the following after the trial of the Boston Marathon bomber: “We, the Catholic Bishops of the Commonwealth of Massachusetts, believe that society can do better than the death penalty,” wrote the bishops. “As the Bishops of the United States said in their 2005 statement A Culture of Life and the Penalty of Death, ‘no matter how heinous the crime, if society can protect itself without ending a human life, it should do so.’” (2015) **For more resources:**
Faithful Citizenship Rhode Island:
<http://www.faithfulcitizenri.org/>

MASSACHUSETTS’ HISTORY WITH THE DEATH PENALTY

Massachusetts has a long history of the death penalty dating back to the colonial era, most notably the Salem Witch Trials. Dozens of male and female individuals were hung for witchcraft in Massachusetts. The death penalty in Massachusetts in the 1600s was inflicted upon many because of religious affiliation.

EXECUTIONS DESPITE EVIDENCE OF INNOCENCE

Ferdinando Nicola Sacco and Bartolomeo Vanzetti were convicted of first degree murder and sentenced to capital punishment despite having several alibi witnesses. The evidence presented against them was weak and contradicted eyewitness accounts. Celestino Madeiros confessed to the murder Sacco and Vanzetti were convicted of, but the court denied an appeal. All three men were executed. Fifty years later in 1977, August 23 was declared Nicola Sacco and Bartolomeo Vanzetti Memorial Day.

The Church and State Speak

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

"If...non-lethal means are sufficient to defend and protect people's safety from the aggressor, authority will limit itself such means, as these are more in keeping with the concrete conditions of the common good and more in conformity to the dignity of the person." (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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