

NORTH CAROLINA'S DEATH PENALTY



**CATHOLIC
MOBILIZING
NETWORK**

ENDING THE DEATH PENALTY.
PROMOTING RESTORATIVE JUSTICE.

The Facts

- 135 people currently on death row
- 43 executions since 1976
- 784 executions before 1976
- Jury decides the sentence
- Life without parole is a sentencing option
- Method of execution is lethal injection
- 12 people released from death row based on evidence of innocence
- 5 people have been granted clemency

North Carolina's Innocents

Henry McCollum and Leon Brown are two brothers who were convicted of murder and sentenced to death in 1984. Both men were freed in 2014 by the North Carolina Innocence Inquiry Commission due to recovered evidence. The evidence proved that McCollum and Brown were intellectually disabled. McCollum has an IQ in the 60s, and Brown has scored as low as 49 on IQ tests. The two maintained their innocence, saying they were unaware they were signing a confession.

Glen Edward Chapman was granted a new trial in 2007 due to "lost, misplaced, or destroyed" documents, circumstantial evidence, false testimony and ineffective assistance of counsel. A forensic pathologist raised doubts as to whether the supposed homicide was, in fact, a drug overdose. Chapman was released in 2008; charges were dropped.

United States Bishops Stand Against Capital Punishment

"Catholic teaching offers a unique perspective on crime and punishment. It begins with the recognition that the dignity of the human person applies to both victims and offenders. It affirms our commitment to seek justice, comfort, and support victims and their families, while acknowledging the God-given dignity of every human life, even for those who do great harm. Catholic teaching on human life is rooted in the belief that all life has inherent dignity and is a gift from God that must be respected and defended from conception until natural death. Ending the death penalty would be one important step away from a culture of death and toward building a culture of life."

United States Catholic Bishops, 2005. A Culture of Life and the Penalty of Death

MILESTONES IN ABOLITION

In August 2009, North Carolina passed the Racial Justice Act, which prohibited seeking or imposing the death penalty due to race since statewide statistical evidence showed a pattern of racial discrimination in death sentences. Opponents repealed the law in 2013, but on June 5, 2020 the state Supreme Court reversed that repeal and found over 100 people currently on the state's death row were entitled to a hearing to examine whether racism played a role in their death sentences.

NORTH CAROLINA "FIRSTS"

The North Carolina Innocence Inquiry Commission was created by the North Carolina General Assembly in 2006 and began operating in 2007. It is the only kind of commission in the United States. Since then, the Commission has reviewed hundreds of innocence claims and conducted multiple hearings. On February 17, 2010, Gregory Taylor was the first person to be exonerated by this process. Mr. Taylor was declared innocent by a panel of three judges after serving 17 years for a crime he did not commit.

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, at least 190 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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