

OREGON'S DEATH PENALTY



**CATHOLIC
MOBILIZING
NETWORK**

ENDING THE DEATH PENALTY.
PROMOTING RESTORATIVE JUSTICE.

THE FACTS

- 33 people currently on death row
- 2 executions since 1976
- 122 executions before 1976
- Jury decides the sentence
- Life without parole is a sentencing option
- Method is lethal injection
- 0 people released from death row based on evidence
- 0 people have been granted clemency

Death Penalty Moratorium

Oregon abolished the death penalty in 1914 by popular vote. Unfortunately, it was reinstated again in 1920 by popular vote. In 1964, Oregon voters once again voted to repeal the death penalty. On Nov. 5 1964, two days after the vote, Gov. Mark Hatfield commuted the death sentences of the three death row inmates.

Oregon's Bishops Stand Against Capital Punishment

"On this day, November 30, The International Day of Cities for Life/Cities against the Death Penalty, I am pleased to express on behalf of the Archdiocese of Portland in Oregon, our support for the decision by Governor Kate Brown to continue the moratorium on executions in Oregon. Governor Brown has answered the call issued by Pope Francis earlier this year to leaders around the world to mark the Church's Jubilee Year of Mercy by ending the use of the death penalty... There are currently 34 people on Oregon's death row. Despite the moratorium, death penalty cases continue to proceed through the appeals system and new death sentences can still be issued. The Archdiocese of Portland calls on Gov. Brown to take another step in building a culture of life and commute the sentences of all those on Oregon's death row to life without parole."

-Archbishop Alexander Sample, Archbishop of the Archdiocese of Portland

MORATORIUM

On November 22, 2011, Governor John Kitzhaber declared a moratorium on executions. He said, "I refuse to be a part of this compromised and inequitable system any longer; and I will not allow further executions while I am Governor." Both of Oregon's post-Furman executions happened during Kitzhaber's first administration as governor. Both inmates dropped their appeals and "volunteered" for execution. Of those two executions, Kitzhaber said, "I was torn between my personal convictions about the morality of capital punishment and my oath to uphold the Oregon constitution. They were the most agonizing and difficult decisions I have made as Governor and I have revisited and questioned them over and over again during the past 14 years."

Governor Kate Brown announced on February 18, 2015, that she would continue the state's moratorium on executions. Gov. Brown said "[t]here needs to be a broader discussion about fixing the system... [u]ntil that discussion, I will be upholding the moratorium imposed by Gov. Kitzhaber."

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*

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



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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