

UTAH'S DEATH PENALTY



**CATHOLIC
MOBILIZING
NETWORK**

ENDING THE DEATH PENALTY.
PROMOTING RESTORATIVE JUSTICE.

The Facts

- 9 people currently on death row
- 7 executions since 1976
- 43 executions before 1976
- Jury decides the sentence
- Life without parole is a sentencing option
- Method is lethal injection. If that is found to be unconstitutional, or if the inmate selected firing squad prior to 5/3/04, method is firing squad.
- 0 people released from death row based on evidence of innocence
- 0 people have been granted clemency

Famous Case

Ronnie Lee Gardner became the third person in the modern era to be executed by firing squad in 2010.

Utah's Bishop Stands Against Capital Punishment

"A recent debate in the Utah House of Representatives seems to suggest growing recognition among legislators of the precarious place any state occupies when it tries to take on a role best left to God... The state can offer no justification for its continued practice of interfering with god's merciful judgment in order to impose the death penalty for capital crimes. In the case of HB 11 at least one representative voiced a common yet troubling human tendency to seek revenge. The representative is not alone in feeling this way at times. Few human beings could claim to have never felt a desire to see someone who has committed a horrendous crime severely punished... With a little grace, a close look at the penalty will reveal its many flaws and result in the eventual abolition of the death penalty, returning Utah to the reverence for creation that God intended."

Bishop John C. Wester,
Bishop of Diocese of Salt Lake City

OTHER INTERESTING FACTS

Utah was the first state to resume executions after capital punishment was reinstated in the United States in 1976, when Gary Gilmore was executed by a firing squad on January 17, 1977.

Utah is the only state to have executed inmates by firing squad in the modern era.

UTAH'S LEGISLATIVE EFFORTS

Since reinstating the firing squad in 2015, Republican lawmakers from Utah's Legislature twice pushed for a full repeal of the death penalty. HB379, which would outlaw all future death sentences, passed in committee but was never put up for a House vote. In 2016, a bill to repeal the death penalty missed the deadline for a House vote.

Public opinion polls also show growing state sentiment that government should not maintain the power to choose death for its citizens.

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

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



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