

2016 LEGISLATIVE AGENDA NYS Catholic Conference



THE DEATH PENALTY

Summary

In 2004, the New York Court of Appeals struck down New York's death penalty statute, holding it unconstitutional under the New York State Constitution. In October 2007 the Court affirmed that ruling, and the last remaining death sentence in the state was vacated. As a result, New York State may not impose the death penalty at the current time.

However, a more long-term solution continues to be needed to ensure that the death penalty is repealed from the statutes of New York State. In December 2007, New Jersey became the first state in the nation to legislatively abolish capital punishment. New York State should follow that lead.

Conference Position

The Catholic Conference supports abolition of the death penalty in New York State to ensure that executions never again take place in the state.

Rationale

The Catholic Bishops of New York State and the country believe that capital punishment is not justified in contemporary society. They seek a society of justice and peace, and urge elected officials to send the message that we can break the horrific cycle of violence without taking life for life.

The United States Conference of Catholic Bishops renewed their call for an end to the death penalty in November 2005 in the statement, "A Culture of Life and the Penalty of Death," available at www.usccb.org/sdwp/national/penaltyofdeath.pdf.

State government experience with capital punishment has raised many concerns, including the possibility of wrongful convictions; the risk of arbitrary, discriminatory or inequitable application; appropriate stewardship of the state's limited financial and judicial resources; and adequate safeguards to protect the mentally ill and juveniles.

Yet even if a capital punishment statute could be crafted to correct all the problems, ensure constitutionality and due process, and protect the rights of all, there is no way the death penalty could be reinstated in a manner which resolves our primary ethical concern. In our modern and civilized society, capital punishment is simply unwarranted and inconsistent with the Catholic Church's vision of the sacred inviolable dignity of the human person, and the need to recognize the possibility of redemption and conversion.

In his 2015 historic visit to the United States, Pope Francis used his address to Congress to call for abolition of capital punishment, saying "since every life is sacred, every human person is

endowed with an inalienable dignity, and society can only benefit from the rehabilitation of those convicted of crimes.”

Thankfully, the number of persons on death row in states around the country is on the decline. The latest NAACP Legal Defense Fund’s “Death Row USA” (Winter 2015 edition) reports that 3,019 inmates were on America’s death rows as of December 31, 2014, down 12.6% from the 3,455 men and women reported ten years earlier.

Based as it is on respect for the human person, the Church’s opposition to the death penalty also includes profound respect for the victims of crime, their family and friends. Respect for the inherent humanity of a person who has committed evil acts should in no way be interpreted as a defense of his or her crimes.