

INDIANA'S DEATH PENALTY



The Facts

- 11 people currently on death row
- 20 executions since 1976
- 131 executions before 1976
- Jury decides the sentence
- Life without parole is a sentencing option
- Method of execution is lethal injection
- 2 persons released from death row based on evidence of innocence
- 3 clemencies granted

Innocent People Sentenced to Die

-Larry Hicks was convicted of murder and sentenced to death in Lake County in 1978. During the retrial, the two witnesses who had testified against him admitted to the court that they had lied.

-Charles Smith was convicted of murder and sentenced to death in Allen County in 1983. In 1989, the Indiana Supreme Court ordered a retrial due to the poor quality of representation he received. The jury found him to be innocent and he was acquitted of all charges.

"Despite the court's efforts to fashion a death penalty scheme that is just, fair, and reliable, the system is not working. Innocent people are being sentenced to death... we have no business sending people to their deaths

." - Moses Harrison, Illinois
Supreme Court Justice

Indiana Bishops Stand for Repeal of Capital Punishment

The Indiana Catholic Conference promotes the repeal of the death penalty as part of their mission to uphold the dignity of life in Indiana. Below are excerpts from a 2015 conference statement:

-*"The Church teaches that all human life is made in the image and likeness of God and therefore all human lives have intrinsic dignity and value."*

-*"Utilization of the death penalty is not necessary when the perpetrator is in custody and where there are other appropriate means of punishment."*

-*"We hope there will be a time when Indiana, as have many other states in recent years, will change its policy and discontinue use of the death penalty."*

Visit their website to learn more:
www.indianacc.org

SMARTER SOLUTIONS TO CRIME

The non-partisan Indiana Legislative Services Agency found that:

-Indiana death penalty cases **cost 5 times more** than life without parole cases, even with the cost of housing and feeding an inmate for life!

-Parke County increased its county income tax rate by .25% to pay for the costs of one death penalty case - which ultimately resulted in a sentence of life without parole.

-Grant County officials took \$500,000 from the county's road and street fund to pay for a death penalty trial. Shortly afterward, a plea agreement in the case resulted in a sentence of life without parole.

We all want a criminal justice system that creates a safer society. Indiana needs sensible, effective ways to address crime. The death penalty has proven to be ineffective at preventing crime and it diverts resources away from law enforcement, victims' services, and prevention programs.

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*

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



**CATHOLIC
MOBILIZING
NETWORK**

ENDING THE DEATH PENALTY.
PROMOTING RESTORATIVE JUSTICE.

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