

NEW JERSEY'S DEATH PENALTY



**CATHOLIC
MOBILIZING
NETWORK**

ENDING THE DEATH PENALTY.
PROMOTING RESTORATIVE JUSTICE.

The Facts

- Following *Furman v. Georgia*, the death penalty was reinstated in New Jersey in 1982, but no executions were carried out between the time of reinstatement and the abolition of the death penalty in 2007.
- The sentences of the eight inmates on death row in 2007 were commuted to life without parole the day before the state abolished the death penalty.
- In 2005, New Jersey suspended executions while the fairness and expense of the death penalty was examined.
- New Jersey was the first state since 1965 to legislatively abolish the death penalty.

Bishops of New Jersey Statement regarding the Death Penalty

"The Catholic church is guided by our belief that every person has an inalienable right to life, because each human being is made in the image and likeness of God, who alone is the absolute Lord of life from its beginning until its end (cf. The Book of Genesis 1:26-28). We acknowledge that the subject of capital punishment is controversial emotional and not an easy matter to address. All murders are violent and shocking; some are savage. They all stir emotions of revulsion and anger. We grieve for the victims of murder, for the brutalization and loss of life. We commiserate with the families and friends of victims who must suffer with their loss through the years. We recognize the need to improve our criminal justice system and the need for a greater societal commitment to preventing crime and to providing assistance for victims of crime. We do affirm that the state has the duty to punish criminals and to prevent the reception or occurrence of crime. We believe that greater efforts must be made to bring the criminal to repentance and rehabilitation" (2007).

For more resources:

New Jerseyans for Alternatives to the Death Penalty:

<http://www.njadp.org/>

New Jersey Catholic Conference:

<http://njcatholic.org>

ABOLITION/ REINSTATEMENT

A state appeals court ruled in 2004 that New Jersey's procedures for administering the death penalty were unconstitutional. The state rewrote the procedures but never finalized them, and they expired in 2005.

In 2005, New Jersey lawmakers voted to suspend executions while a study commission examined the fairness and expense of the state's death penalty.

Governor Richard Codey signed the bill on January 12, 2006.

In 2007, a bill to replace the death penalty with life without the possibility of parole passed the state Senate and General Assembly and was signed by the governor.

New Jersey was the first state to legislatively abolish the death penalty since 1965.

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",[1] 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.
- African-Americans are overrepresented on death row. They makeup 13% of the US population but constitute 42% of death row.

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

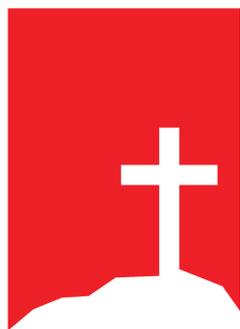
- The majority of individuals on death row could not afford their own attorney. In many cases, the appointed attorneys are overworked , underpaid, or lacking the trial experience required for death penalty cases.

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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