

NEW YORK'S DEATH PENALTY



**CATHOLIC
MOBILIZING
NETWORK**

ENDING THE DEATH PENALTY.
PROMOTING RESTORATIVE JUSTICE.

The Facts

- New York had the second most number of executions between 1608 and 1972, behind only Virginia.
- Inmates remained on death row until 2007, but the last execution occurred in 1963.
- The main methods of execution were hanging and the electric chair, but burning at the stake, firing squad, and the breaking wheel have also been used.
- The death penalty was temporarily abolished in 1860 by a legislative mistake, but was reinstated a year later in 1861.
- New York limited its death penalty laws in 1867
- Following *Furman v. Georgia* in 1973, New York rewrote the laws for capital punishment making the death penalty mandatory for those who murdered a police or correctional officer and those who committed murder while serving a life sentence.
- New York gradually abolished the death penalty, beginning with ending it for the murder of police and correctional officers in 1977 and then ended the death penalty for those who committed murder while serving a life sentence in 1984, officially abolishing the death penalty in the state of New York.
- In 2004, the death penalty was deemed unconstitutional by the state legislature and the final death sentence was changed to life in prison in 2007.
- All execution equipment was removed from state facilities in 2008.

ELECTRIC CHAIR IN NEW YORK

The execution of William Kemmler in 1890 was preceded by a large investigation of how to improve the method of execution from hanging. Tests on horses were used and the state finally decided to issue the death penalty by way of the electric chair.

BISHOPS OF NEW YORK STATEMENT REGARDING THE DEATH PENALTY

The New York State Catholic Conference declared the following regarding the New York Bishops' views on the death penalty. "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."
(2015)

For more resources:

New York State Catholic Conference:
<http://www.nyscatholic.org/>

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



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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.
- 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.