

SOUTH CAROLINA'S DEATH PENALTY



**CATHOLIC
MOBILIZING
NETWORK**

ENDING THE DEATH PENALTY.
PROMOTING RESTORATIVE JUSTICE.

- 39 people currently on death row
- 43 executions since 1976
- 641 executions before 1976
- Jury decides the sentence
- Life without parole is a sentencing option
- Method of execution is lethal injection or electrocution
- 2 persons released from death row based on evidence of innocence

Murder Victims' Family Members

The Death penalty does not bring loved ones back, and any "closure" that comes from an execution is often fleeting and insufficient. Countless murder victims' family members oppose the death penalty because they recognize it does not bring true healing and merely fosters vengeance.

South Carolina's Bishop Stand Against the Death Penalty

In 2017, Bishop Gugliemone of Charleston, South Carolina stated the following in response to the death sentence handed down to Dylann Roof, convicted AME Church shooter: "We are all sinners, but through the father's loving mercy and Jesus' redeeming sacrifice upon the cross, we have been offered the gift of eternal life. The Catholic opposition to the death penalty, therefore, is rooted in God's mercy. The church believes the right to life is paramount to every other right as it affords the opportunity for conversion, even of the hardened sinner...Sentencing Dylann Roof to death conflicts with the church's teaching that all human life is sacred, even for those who have committed the most heinous of crimes. Instead of pursuing death, we should be extending compassion and forgiveness to Mr. Roof, just as some of the victims' families did at his bond hearing in June 2015"

For more resources:
South Carolina Catholic Conference
www.sccatholicconference.org

SOUTH CAROLINA'S LEGISLATION

Herbert Fielding was a legislator in South Carolina whose legislative tenure spanned from 1970-1973 and 1983-1992. Fielding introduced into every legislative session a death penalty abolition bill throughout his legislative years. Unfortunately, none of the bills passed either chamber. Although bills are introduced nearly every year, and they unfortunately hardly ever go anywhere within either chamber, continuing to keep this issue alive is vital to any potential success.

EXONERATIONS

In 1975, Michael Linder was found worthy of capital punishment by the South Carolina court for the killing of a highway patrol officer. 6 years later, in 1981, he was found to have killed the officer in self-defense, and was acquitted.

In 1989, Warren Douglas Manning was convicted of heinously murdering a police officer. Throughout the trial, a cadre of circumstantial evidence was given. Unfortunately, the conviction and death sentence relied, as well, on this circumstantial evidence and that was what sent Manning to death row.

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' (Francis) 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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